

Disability Justice Initiative in ND

A Summary of Training for Criminal Justice Personnel

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Kari Arrayan, MS

ND Center for Persons with Disabilities

Minot State University

Minot, ND

## Abstract

The purpose of the Disability Justice Initiative project was to improve interaction between North Dakota's criminal justice system and citizens with disabilities. The focus of this five-year project was to increase the ability of law enforcement personnel to recognize disabilities and interact effectively with people who have disabilities, specifically intellectual disabilities and mental illness. More than 300 law enforcement personnel in 14 communities across the state participated in the training. Results indicate that law enforcement personnel increase their awareness in regard to identification of disabilities, effective interaction strategies, and use of appropriate language. There was also an increase in self perception of their ability and their comfort level in handling situations involving people who have mental illness or intellectual disabilities.

## Disability Justice Initiative in ND

### A Summary of Training for Criminal Justice Personnel

The deinstitutionalization movement that began in the 1980s, as well as other changes in community supports and legislation, have resulted in more people with intellectual disabilities and mental illness living within communities, thus increasing the likelihood of encounters with law enforcement. When a call is placed to an emergency 911 dispatch center, police officers are often the first to arrive at the scene, even for medical emergencies. Since they are among those first to respond, law enforcement personnel must be able to respond to a variety of situations and intervene effectively with specific types of intervention and support. This includes recognizing and responding to situations which include people with disabilities. While physical disabilities are generally more visible, intellectual disabilities, such as mental retardation (MR), and mental illness (MI) are not as easily identified. Research indicates that most personnel in the criminal justice (CJ) system do not know what mental retardation is or how to recognize it; this limits their skills to communicate and interact effectively with people who have mental retardation (Davis, 2000; Petersilia, 2000; Reynolds, 1995). Many officers also have difficulty recognizing and intervening in mental health crises (Borum, Deane, Steadman, & Morrissey, 1998); often they have received little or no training in this area. Some situations have led to arrest when referral to mental health services may have been more appropriate (Borum, et al.,

1998). Data suggest that collaborations between the criminal justice system, the mental health system, and the advocacy community, along with essential services, reduce the inappropriate use of jail time for people with mental illness (Steadman, Deane, Borum, & Morrissey, 2000).

Disability services can be confusing to people who work outside of the system. The acronyms can be meaningless, the paperwork is overwhelming, and concepts like “age appropriateness” and “normalization” are misunderstood by those who have not had training or experience in the disability field. There is also misunderstanding in the disability community with regard to the criminal justice system. Disability workers often do not understand how the criminal justice system works and may inadvertently interfere with an investigation or the questioning of victims and witnesses who have disabilities. These combined circumstances make training for law enforcement personnel a necessity.

Review of the professional literature suggests a clear and pressing need to reduce victimization of people with disabilities by offenders *and* the Criminal Justice (CJ) system on a national level (Arrayan, 2003). Results of a 2002 North Dakota state-wide survey indicated that, although there were cooperative working relationships between many CJ and service provider entities, the majority were interested in receiving training and information about CJ and disability issues (Arrayan, 2003). Survey results indicate that minimal or no training was being provided to either service system about disability and CJ issues. Taking a proactive approach, such as

raising awareness and providing information, may prevent problems that do exist from becoming prevalent, as well as enhance existing collaborations.

### *Project Overview*

In October 2002, the North Dakota Center for Persons with Disabilities (NDCPD) located at Minot State University collaborated with the ND Protection & Advocacy Project and the ND State Council on Developmental Disabilities to launch the Disability Justice Initiative (DJI) project. The purpose of the DJI project was to improve interaction between North Dakota's criminal justice system and citizens with disabilities. DJI activities focused on raising awareness and providing training and information on issues related to recognition of disabilities and effective interaction with people who have disabilities, specifically intellectual disabilities and mental illness. The project was carried out over a five-year span to promote interagency collaboration and bridge the existing gaps in information between the disability and criminal justice entities.

The DJI project was piloted in two phases in southeastern ND. After the pilot training was completed, training materials were revised based on feedback from participants, and training was then implemented in additional ND communities beginning in April 2005 and continuing through the Spring of 2007.

### *Recruitment Process*

The initial recruitment process included mailing a flyer to all ND police departments and sheriff's offices to offer the DJI training. The training was described

in the flyer as information to increase law enforcement workers' ability to recognize and provide support to people with disabilities. Follow-up telephone calls and/or on-site visits were also extended to 23 of these communities. Some of the 23 communities were selected randomly, others were selected based on referrals from interested persons who were aware of the DJI project and believed the community could benefit from the training. Fourteen communities accepted the training. Three of the 14 communities who received on-site training initiated contact with project staff after receiving project literature in the mail, or upon hearing about the project via word-of-mouth.

For the communities that declined the training, a variety of reasons were cited. One community indicated they provide their own training to law enforcement. Another community indicated they have adequate resources available within their own community to access as needed. One community indicated there would be great difficulty getting officers to the training because of scheduling issues, despite DJI project staff offers to schedule at the convenience of the department. Two communities indicated it would not be a good time for training due to staff shortage or recent turnover of departmental personnel. DJI project staff did contact these communities a second time at a later date but training was again declined. Several communities did not return repeated phone calls; no further recruitment efforts were made to these communities by project staff.

## *Participants*

When a community decided to participate in the training, the decision regarding who specifically would attend the training was made within each department. Project staff made it clear during recruitment that the information provided during the training would be applicable for all personnel within the law enforcement center. The majority of training participants were law enforcement personnel, including officers from police departments, sheriff's offices, and highway patrol departments, dispatchers, detectives, chiefs of police, probation and parole personnel, corrections officers, and record keepers. Some training sessions also included community disability service providers, developmental disability case managers, hospital staff, community action groups, state college staff, crisis shelters, vocational rehabilitation, district health units, centers for independent living, and self advocates. There were 317 participants, from 14 communities across the state, who received the DJI training.

## *Training*

Communities that received training varied in location within the state. Some ND cities do not have their own city police department, but instead rely on the county sheriff's office for services. Therefore, community may refer to one specific city police department, a county sheriff's department, or sometimes a combination of both. Specific ND cities that received DJI training ranged in size from a population of 304 to 90,000, with an average population of 12,000. ND counties that received DJI

training ranged in size from a population of 2,600 to 126,000, with an average population of 19,000. The number of participants at each on-site training session varied from four to 56. This variance was based mainly on the number of employees in each police or sheriff department.

The pilot training was provided in two phases. Phase one involved training with Police Department personnel in March, 2004. Phase two began in August, 2004 and expanded the training to include the personnel within the Sheriff's Department for that county. Training for the pilot communities was provided in a self-study format per choice of the Police Chief and County Sheriff. The instructor met with the police chief, and then again with the county sheriff, to provide an overview of the materials. Curriculum materials, developed by project staff specifically for this project, were then distributed by the chief and the sheriff to their various personnel. The chief and sheriff also administered the pre- and post-tests which were later mailed to the instructor. With the exception of the pilot communities and one other community, training was done on-site at the request of the participants. Training for community N included only one person that served all functions within a small town police department.

The training was offered at no charge to the departments or participants. Travel cost for the on-site instruction and materials were covered through project funds. Training sessions were arranged at the convenience of each department to accommodate varying shifts. Law enforcement participants received two training

credits through the ND Police Officer Standards and Training Board (POST). Credits were given for on-site instruction as well as self-study.

Training was offered first to law enforcement personnel in a community. If they agreed to receive the training, they were then given the option of inviting personnel from the disability service provider community. Only one law enforcement department requested that a joint session be held which included disability service providers; this was in community D which is the same community that initiated training after hearing about the project. At this session, a woman with a disability spoke about her personal perspective on disability-justice issues. In communities where only law enforcement were present for the training, a list of local community disability service resources and contact information was given. The instructor also provided disability service providers in those communities information about the project including a manual (*Bridging the Gap between People with Disabilities and the Criminal Justice System: A Training Manual for ND Disability Service Providers*) developed specifically for the DJI project. In many communities, the entity hosting the training invited other law enforcement personnel from their area. For example, a small town police department would invite the county sheriff's office personnel. In another instance, a county sheriff that was hosting the training invited sheriff's personnel from adjoining counties to attend the training.

Instruction on-site was done using a Power Point presentation and a 12-minute video tape. Each participant received a training packet which included a training

manual, *Bridging the Gap between People with Disabilities and the Criminal Justice System: A Training Manual for ND Criminal Justice Personnel*, and tip cards describing characteristics of intellectual disabilities mental illness and effective interaction strategies. The tip cards were designed specifically for police officers to use as a quick reference when responding to calls involving people with intellectual disabilities or mental illness.

Pre- and post-tests were administered to participants by the instructor just prior to and immediately following the training session. The same format was replicated in each community.

### *Evaluation*

Participant Feedback. Participants were asked to complete an evaluation after each training session. The evaluation was distributed and collected on-site by the instructor. The participants used a scale to rate their satisfaction with the training, with the majority being satisfied or highly satisfied with the training and information. The evaluation form also invited participants to add comments; an overwhelming majority of the comments were positive and included statements that indicated perceived benefits of the information. Specific comments included:

- The information presented was helpful to fill in some misperceptions I had. Also helpful in how to handle the situations.
- Info that we just don't consider needing but we do.
- Something that is often ignored after the academy. Good to see this type of training.
- It's good to know and retrain about these situations as officers you might come involved with.
- It is helpful to know the differences of MR & MI. Will be confident if dealing with this situation in the future.
- Much more aware of the needs and how to interact with people with disabilities.

- I am now more aware of the proper way of communicating with people with MR or MI.
- This class helps us as Law Enforcement determine the difference between mental illness and mental retardation.
- Answered questions I had about situations I have been in with MI/MR persons and had no answers to.
- It is needed training.
- Useful techniques – eye opening statistics.
- More aware now of communicating with individuals with disabilities.
- Very simply stated. I came away with a much better understanding of communicating with MR & MI individuals.
- Helps to better prepare for dealing with people of mental illness and disabilities in Law Enforcement.

Comments on how the training could be improved centered around extending the length of training sessions, adding small group discussions, and incorporating more examples and practical issues.

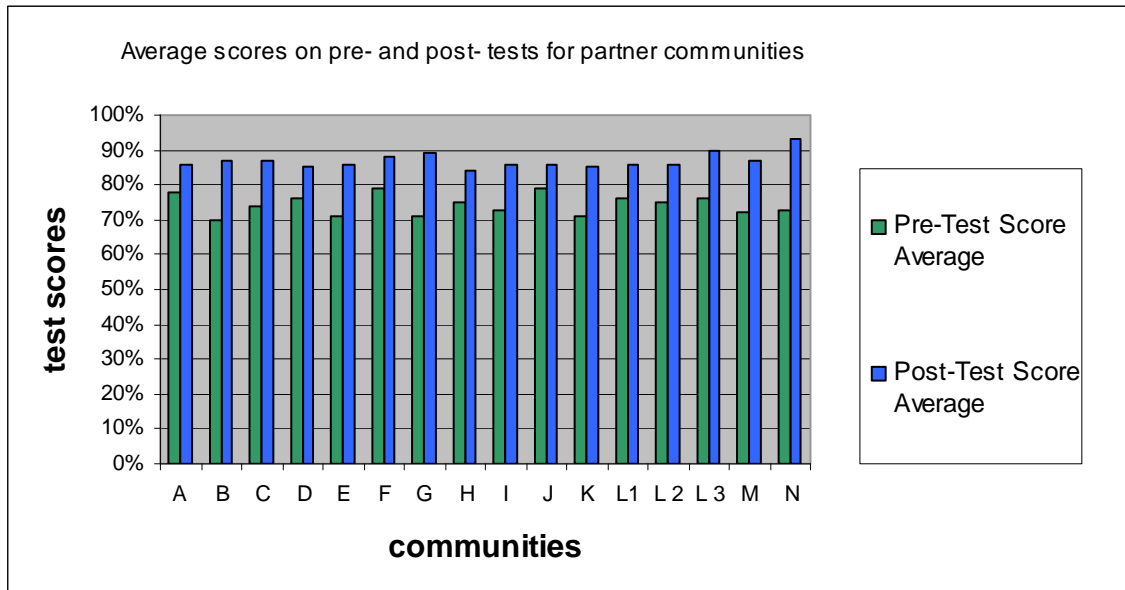
Pre/Post Test Results. The pre/post-tests were paired for each specific participant to complete an individual comparison on the scores. Average scores for the pre- and post-tests in all communities are indicated in Tables 1 and 2.

Table 1. Pre/Post Test Results

Community	Number of Participants	Pre Test Average	Post Test Average
A (pilot)	15	78%	86%
B (pilot)	13	70%	87%
C	29	74%	87%
D	56	76%	85%
E	13	71%	86%
F	22	79%	88%
G	13	71%	89%
H	8	75%	84%
I	14	73%	86%
J	8	79%	86%
K	4	71%	85%
L(1)	39	76%	86%
L (2)	32	75%	86%

L (3)	34	76%	90%
M	16	72%	87%
N	1	73%	93%

Table 2. Pre/Post Test Results

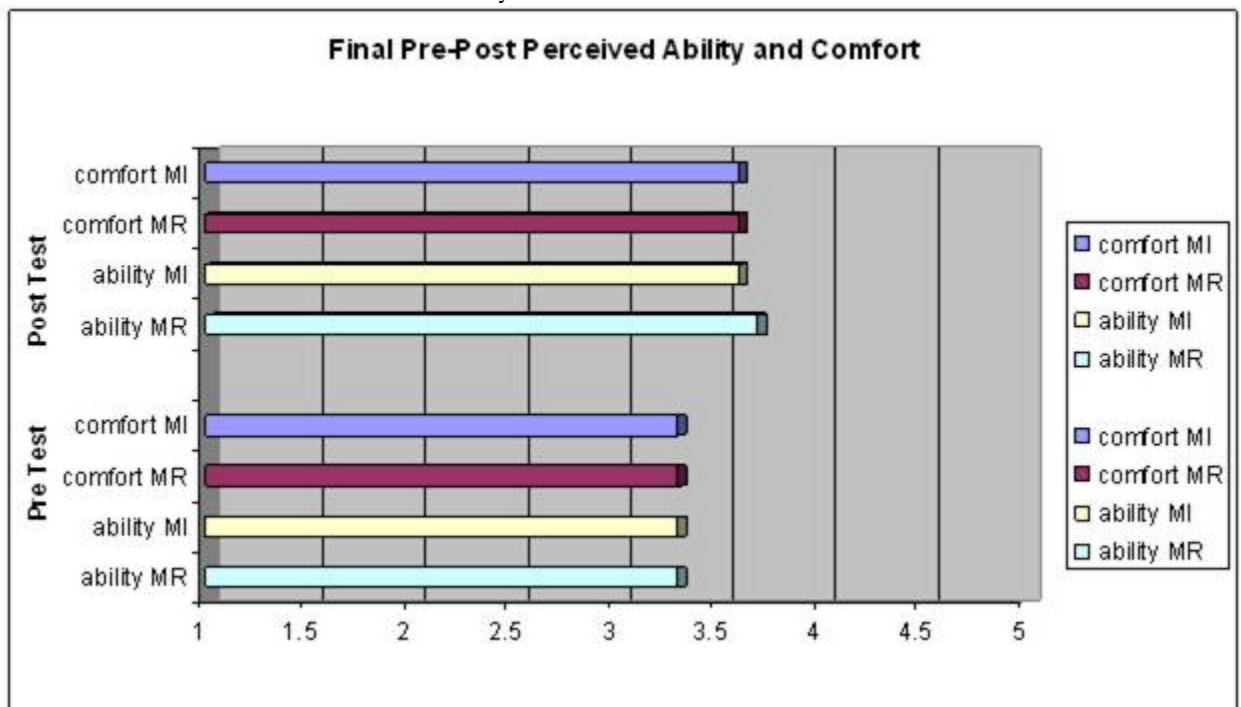


The overall average of pretest scores for all communities was 74%, with the post test scores averaging 87%. This shows an increase of 13% overall across all communities, indicating participants increased their knowledge and understanding of disability recognition and awareness. Every community that received training showed an increase in scores from pre- to post-test.

There were two subjective questions on the pre/post-test that addressed the participants' perceived *ability* to interact with people who have an intellectual disability and a mental illness, and two subjective questions that addressed the participants' *comfort level* when interacting with people who have an intellectual disability and/or a

mental illness. Comparison of pre- and post-test scores indicate that participants’ *perceived ability* and *comfort level* both increased after receiving the DJI training, indicated in Table 3.

Table 3. Pre/Post Perceived Ability and Comfort



Item Analysis. Questions most commonly answered incorrectly by participants on the pre-test centered around four areas: (1) people-first language; (2) indicators of intellectual disabilities; (3) effective communication strategies; and (4) distinguishing intellectual disability from mental illness.

These incorrect responses would be consistent with personnel who have received little or no training regarding disability issues. Often people with little or no knowledge of disabilities use outdated or inappropriate language, because they have never learned about concepts such as “people first language”. Furthermore, they are

unsure how to effectively support a person with a disability, do not recognize the presence of a disability, and often believe intellectual disability and mental illness are synonymous.

Follow-up. In some communities follow-up occurred between the CJ and disability service systems after the DJI training. For example, in community C, the local Protection & Advocacy advocate was contacted by the police department to request a meeting to discuss a situation involving specific people with intellectual disabilities living within the community for which law enforcement assistance was requested on a repeated basis. This issue had been discussed during the training session and officers were encouraged by project staff to communicate directly with the community service provider to resolve the situation collectively. The DJI training also provided a venue for opening the door to communication between law enforcement and disability providers in community D, where a joint session was attended by personnel from a variety of CJ and disability entities. There was communication between the participants during the training, with some indicating an interest in further discussion beyond the training session. The training in community F facilitated an exchange of information between law enforcement and two disability service providers. When DJI staff spoke to personnel from the service provider agencies prior to the training, both indicated having an overall “good rapport” and a “generally positive” relationship with local law enforcement. The agency personnel gave DJI staff contact information for the disability service providers to distribute to

law enforcement during the training session. The information included after-hours and weekend contact numbers.

### *Conclusion*

Results of pre/post-tests indicate that participants gained an increase in their knowledge of issues related to intellectual disabilities and mental illness. Specifically, awareness was raised in regard to identification of disabilities, effective interaction strategies, and use of appropriate language. Perhaps more important than an increase in knowledge, is the increase in the participant's perception of their own ability and of their comfort level in handling a situation involving people who have mental illness or intellectual disabilities.

Strategies found to be effective in promoting participation included offering the training at no charge to the communities, offering training credits through the ND Peace Officers Standards and Training board, and scheduling sessions at the convenience of the participants. Making face-to-face contact was instrumental during the recruitment stage, particularly in the smallest communities. It was also important to present the training in a positive, non-threatening manner so CJ personnel were not made to feel they are acting inappropriately and need to be 'fixed'. The emphasis should be on enhancement of existing skills and filling in the gaps of information that have not been offered previously.

Some systemic problems noted within the CJ system included difficulty accessing resources for people who are in crisis (i.e. getting people admitted to the

State Hospital), and being able to reach staff at community provider agencies after regular business hours and on weekends. Recruit was difficult among certain groups within the criminal justice system, such as judicial and prosecution personnel. The joint training session which include personnel from the CJ and disability service systems was seen as particularly beneficial as it offered an opportunity for participants from each system to establish a working relationship and exchange information. In many communities there is no interaction between the two service systems until a problem arises. An already established rapport is very helpful to achieve successful resolution during problem situations. The gap in information for law enforcement, and the receptiveness of the participants to the training, indicates this type of curriculum would be appropriate as part of the law enforcement training academy for new recruits.

Comments from the evaluations indicate participants benefited from the training and will carry out their roles with more confidence when encountering situations involving people with disabilities. It will be up to community providers, self advocates, and law enforcement to continue to build their communication and positive interactions as they work collaboratively toward the common goal of providing quality services to all people within their communities.

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