

# Supporting Improved Responses to People with Intellectual and Developmental Disabilities

## Four Justice and Mental Health Collaboration Program Case Studies

Through a partnership with The Arc's [National Center on Criminal Justice and Disability \(NCCJD\)](#) and The Council of State Governments (CSG) Justice Center, four Justice and Mental Health Collaboration grant programs received technical assistance and support to improve their responses to people with intellectual and developmental disabilities (IDD). Based on this assistance, four overarching themes emerged that can be used to guide other programs in their efforts to enhance responses to this population. This brief highlights those themes and gives an overview of each grantee's program, including the work they have done with the help of this technical assistance. See the appendix for more resources to expand or improve services for people with IDD.



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# Overarching Themes: Challenges to Improved Response

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- **Lack of research on IDD:** The lack of national, state, and local research in the field caused real concerns and posed barriers in allowing grantees to effectively serve people with IDD. Overall, as pointed out by a literature review from the Vera Institute of Justice,<sup>1</sup> research on people in the criminal justice system with IDD or dual diagnosis of both IDD and mental health disabilities is sorely lacking. More investments must be made to improve the amount and quality of research to yield better outcomes for people with IDD and dual diagnosis of IDD and mental health disabilities.
- **Lack of screening tools:** There was considerable interest in how to better identify people with IDD, including understanding more about IDD-specific screening and assessment tools. To obtain funding and support around this issue and to better understand how to create targeted services and supports, agencies need current, valid, and reliable data on the number of people with IDD entering their facilities, as well as how many people with IDD encounter law enforcement regularly. This lack of data continues to be a challenge for many criminal justice agencies.
- **Siloed and inaccessible IDD services:** To assist people with IDD, criminal justice agencies have to collaborate with IDD organizations and key professionals to better understand the needs of people with IDD and how they are impacted by the criminal justice system. All four grantees noted several challenges in accessing IDD-related services, including navigating the application process for services, understanding which IDD-specific services exist in their community and how to contact these agencies. The teams also requested support to create channels of entry for city and state-run IDD service systems.
- **Need for training:** More training is needed to give criminal justice professionals tools that will better equip them to address the needs of people with IDD, including awareness building and skills-based training on identification of IDD, screening, and assessment. Training on IDD is needed throughout the criminal justice system, from dispatch and law enforcement to courts, probation/parole, and corrections. One example of such training is the National Center on Criminal Justice and Disability's [Pathways to Justice](#) program, which is a one-day training course that includes assistance with forming [Disability Response Teams](#) that can open new lines of communication between the disability and criminal justice worlds, begin to remove siloed thinking, and provide unique opportunities to reimagine community safety through the eyes of people with IDD.

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<sup>1</sup> Amy C. Watson, Michael T. Compton, and Leah G. Pope, *Crisis Response Services for People with Mental Illnesses or Intellectual and Developmental Disabilities: A Review of the Literature on Police-based and Other First Response Models* (New York: The Vera Institute of Justice, 2019), <https://www.vera.org/downloads/publications/crisis-response-services-for-people-with-mental-illnesses-or-intellectual-and-developmental-disabilities.pdf>.

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# Grantee Overviews, Technical Assistance Goals, and Recommendations

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Below are descriptions of the four grantees, their goals for improving services for people with IDD, and recommendations that NCCJD offered, to help them achieve these goals. These case studies can be used by other programs to guide their efforts as well.

## Lubbock County, TX, Sheriff's Office: FY2017 JMHCP grantee

- **Grant Project Summary:** Lubbock County Sheriff's Office (LCSO) is a member of the national [Stepping Up Initiative](#) and is working to collect data on the number of people with serious mental illnesses (SMI) in the local jail. One of LCSO's main goals is to explore how it can collect data on and better service people with IDD who are in the criminal justice system.
- **Goals for Technical Assistance Consultation:**
  - o Identify people with IDD in the jail by better understanding and using screening and assessment best practices for this population.
  - o Improve responses to people with IDD in the jail, including implementing the services, accommodations, and programming that best position this population for success.
  - o Learn best practices for conducting reentry planning with people who have IDD.
- **Recommendations/Resources:** To assist with LCSO's goals, NCCJD referred the sheriff's office to information on screening tools that are best used with this population and jail programming examples that effectively address the needs of people with IDD. NCCJD also highlighted examples of programs using memoranda of understanding (MOUs) to improve and ensure collaborative reentry planning with group homes and other partners and spoke about ways that the Pathways to Justice training could be used to improve responses. Following this information gathering, NCCJD connected LCSO to [The Arc of Texas](#) to learn more about diversion options for people with IDD in Texas and to better understand ways LCSO can expand on its IDD response efforts.

## New York State Unified Court System Brooklyn Mental Health Court: FY2018 JMHCP grantee

- **Grant Project Summary:** The Brooklyn Mental Health Court (BMHC) received funding to expand its court capacity to accept additional referrals of people with neurodevelopmental disabilities (including IDD). Additionally, the court set goals to develop more rigorous procedures for assessing and managing risk of violence, and to establish protocols for assessing criminogenic risk and needs so that the information could be integrated into comprehensive treatment plans.
- **Goals for Technical Assistance Consultation:**
  - o Better identify people with IDD and learn best practices on screening and assessment.
  - o Effectively work with the state office for people with IDD, the Office for People with Developmental Disabilities (OPWDD), for eligibility determinations and service referrals.
  - o Determine diagnoses even when there are no previous medical records.
  - o Identify services that will address the needs of people with IDD when the participant is not eligible for OPWDD services.
- **Recommendations/Resources:** To address these goals, NCCJD provided resources to help the mental health court better understand and identify people with IDD, including information on screening tools such as the Hayes Ability Screening Index (HASI) and on the pros and cons of including people with IDD in mental health courts. Since BMHC already has an interagency workgroup (to support the expansion of the BMHC through the JMHCP grant project and address challenges faced), NCCJD helped the court pinpoint agencies and advocates with expertise on IDD who officials could ask to join the workgroup, including The Arc of New York and OPWDD staff. NCCJD also facilitated meetings with staff from these agencies and recommended that any psychiatric testing include professionals with expertise evaluating people with IDD. Following this technical assistance support, BMHC plans to work with the new contacts to create a centralized database of resources focused on IDD. Court officials have also met with the Cuyahoga (Ohio) Mental Health and Developmental Disabilities Court to discuss common challenges and potential strategies and are considering a visit to the Rockland County, New York IDD Alternative to Incarceration program for similar peer learning on best practices.

## University of North Carolina at Chapel Hill: FY2019 JMHCP grantee

- **Grant Project Summary:** The University of North Carolina (UNC)'s Department of Psychiatry's Center for Excellence in Community Mental Health is partnering with the North Carolina Department of Public Safety to expand mental health probation services for people with mental health needs or co-occurring substance use disorders. Additionally, they are considering ways to enhance training protocols for probation officers by adding information on the topic of IDD and ways to expand the supported employment program for people with mental health disabilities and people with IDD.
- **Goals for Technical Assistance Consultation:**
  - Learn about current research on and best practices for supporting successful outcomes for people with IDD (and co-occurring serious mental health conditions) during reentry and in the community.
  - Understand best practices for implementing specialized probation caseloads to reduce recidivism among people with IDD and provide training for probation officers to address the needs of people with IDD to help them obtain positive outcomes.
  - Discuss strategies to expand supported employment for people with IDD.
- **Recommendations/Resources:** NCCJD provided UNC with resources about supporting people with IDD in reentry, while they are on probation, and through programs such as supported employment. NCCJD also provided research on the nationwide number of people with IDD in the criminal justice system, as well as various research articles, literature reviews, and webinars on screening and identification. For more information on reentry support, NCCJD connected the university to national agencies focused on serving people with both IDD and mental health disabilities and directed them to programs in Massachusetts and Ohio that could serve as examples. To help the university understand more about probation support for people with IDD, NCCJD connected them to staff at [The Arc of North Carolina](#) to be a local and state resource, and also provided UNC with information about its Pathways to Justice training program with the potential to adapt it to assist probation officers. NCCJD recommended that UNC consider cross-training opportunities for disability and criminal justice professionals in North Carolina and expressed the importance of involving people with IDD and disability advocates in current efforts to measure IDD in the state's prison and probation population. To facilitate the university's efforts on supported employment programs for people with IDD, NCCJD connected them to representatives within The Arc's national office for further specific discussion on this topic. They also provided the university with information about the [JusticeWorks](#) program, which provides internships to cadets with IDD within first responder agencies as a way to offer opportunities for employment.

## County of Van Buren, MI Adult Recovery Court Program: FY2019 JMHCP grantee

- **Grant Project Summary:** Van Buren County is expanding its Adult Recovery Court Program to include court services for people with IDD. Currently, the program provides behavioral health and specialized court services to people with high criminogenic risk and also people who have mental illnesses or co-occurring substance use disorders. The program typically lasts between 12 and 24 months.
- **Goals for Technical Assistance Consultation:**
  - o Identify people with IDD by using best practices in screening and assessment.
  - o Improve case planning and referrals to services with effective screening and assessment and a better understanding of available state and local agencies that serve people with IDD.
  - o Learn best practices for improving outcomes for people in specialty courts who have IDD.
- **Recommendations/Resources:** NCCJD provided the court program with information about validated screening tools and details about how other states are screening for IDD, as well as jail programming examples. NCCJD also provided resources about diversion options for people with IDD including strategies, programs, mental health courts, reentry services, and training on how to advocate for and respond effectively to people with IDD in the criminal justice system while diverting them safely (including [NCCJD's Pathways to Justice program](#)). Additionally, NCCJD connected the program with representatives from [The Arc of Michigan](#) to learn more about the available resources and organizations in Michigan to support its goals. Following this initial connection, NCCJD worked with the CSG Justice Center to host a meeting that included The Arc of Michigan, key disability contacts, and other local disability organizations. This meeting resulted in the desire for further discussions, with one idea to conduct a formal system mapping exercise to better define the gaps in IDD-related services so that resources can be targeted more effectively.

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# Appendix

## Resource Guide : Intellectual & Developmental Disability (IDD)

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### Accommodations

“Examples and Resources to Support Criminal Justice Entities in Compliance with Title II of the Americans with Disabilities Act,” U.S. Department of Justice, Civil Rights Division, accessed August 26, 2021, <https://www.ada.gov/cjta.html>.

Steven E Gordon, “The ADA in State and Local Courts, Law Enforcement and Detention Facilities” (PowerPoint presentation, February 3, 2020), [https://www.adainfo.org/sites/default/files/5.2%20Law%20Enforcement\\_Gordon-1-slide-per-page-handout.pdf](https://www.adainfo.org/sites/default/files/5.2%20Law%20Enforcement_Gordon-1-slide-per-page-handout.pdf).

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Letitia Munoz Garcia-Largo et al., “Intellectual Disability Rates Among Male Prison Inmates,” *International Journal of Law and Psychiatry*, 70, May-June, (2020): <https://www.sciencedirect.com/science/article/abs/pii/S016025272030025X>.

### Diversion

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Jessica Oppenheim et al., “Using Personalized Justice Plans & Other Tools to Create Pathways to Justice™ for People with Intellectual & Developmental Disabilities” (PowerPoint presentation, Summer Leadership Institute 2016,



Palm Springs, California, July 18, 2016), <https://thearc.org/wp-content/uploads/forchapters/NCCJD-Arc-of-NJ-SLI-Presentation-2016-FINAL-2.pdf>.

## Mental Health Courts and IDD

“Mental Health and Developmental Disabilities (MHDD) Court,” Common Pleas Court General Division, Cuyahoga County, Ohio, accessed August 26, 2021, <https://cp.cuyahogacounty.us/court-resources/specialty-courts/mhdd-mental-health-and-developmental-disabilities-court/>.

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The Arc’s NCCJD, “Mental Health Courts and Individuals with I/DD: A Criminal Justice Solution?” (Webinar, NCCJD, Washington D.C., July 28, 2016), <https://www.youtube.com/watch?v=Jj6Go7zVQkw>.

## Policy

International Association of the Chiefs of Police (IACP), “Need to Know...Interactions with Individuals with Intellectual and Developmental Disabilities,” updated August 2017, accessed on August 10, 2021, <https://www.theiacp.org/sites/default/files/2018-08/IntellectualDevelopmentalDisabilityNeedtoKnow.pdf>.

## Programs

“The Arc’s National Center on Criminal Justice and Disability,” The Arc, accessed October 17, 2022, <https://thearc.org/our-initiatives/criminal-justice/>. The Arc’s NCCJD serves as a bridge between the disability and criminal justice communities. The center provides a nationwide information and referral line, as well as training and technical assistance to a broad range of justice professionals. The center oversees a number of federally-funded and foundation-supported projects on a broad range of topics from creating national curricula and publications for law enforcement on IDD to supporting crime victims with disabilities to international efforts that reimagine community safety for people with IDD throughout the world.

## Publications

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Jazmone Wilkerson, Felicia Lopez-Wright, and Leigh Ann Davis, *Improving Outcomes for People in Contact with the Criminal Justice System Who Have Intellectual or Developmental Disabilities* (New York: CSG Justice Center, 2022) <https://csgjusticecenter.org/publications/improving-outcomes-for-people-in-contact-with-the-criminal-justice-system-who-have-intellectual-or-developmental-disabilities/>.



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National Center for State Courts, *Leading Change: Improving the Court and Community's Response to Mental Health and Co-Occurring Disorders* (Virginia: National Center for State Courts, on behalf of The National Initiative to Improve the Justice System Response to Mental Illness, 2019), accessed August 9, 2021, [https://www.ncsc.org/\\_data/assets/pdf\\_file/0024/36492/Leading\\_Change\\_Guide\\_Final\\_4.27.20.pdf](https://www.ncsc.org/_data/assets/pdf_file/0024/36492/Leading_Change_Guide_Final_4.27.20.pdf).

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## Reentry

Cherie Takemoto, *Supporting Successful Reentry for People with Disabilities - A Brief Guide to Issues and Resources* (Virginia: New Editions Consulting, Inc, 2016), <https://lincs.ed.gov/sites/default/files/reentry-for-people-with-disabilities-resources.pdf>.

## Screening Tools (IDD-Specific)

“Hayes Ability Screening Index (HASI) Products,” HASI, accessed May 2, 2022, <https://www.hasi.com.au/hasi/>.

## Screening-Related Articles

Amplifying Voices of Inmates with Disabilities (AVID) Jail Project, *You Can't Just Tell - Why Washington Jails Must Screen for Cognitive Disabilities and Mental Illness* (Washington: Disability Rights Washington, 2016), [https://www.disabilityrightswa.org/wp-content/uploads/2017/12/YouCantJustTell\\_September2016.pdf](https://www.disabilityrightswa.org/wp-content/uploads/2017/12/YouCantJustTell_September2016.pdf).

Grazia Catalano et al., “Screening Prisoners for Cognitive Impairment – Literature Review,” *Journal of Intellectual Disabilities and Offending Behavior* 11 no. 4 (2020): 201–210, <https://www.emerald.com/insight/content/doi/10.1108/JIDOB-01-2020-0001/full/html>.

Karen McKenzie, Phil Sharples, and Aja L. Murray, “Validating the Learning Disability Screening Questionnaire Against the Weschler Adult Intelligence Scale, Fourth Edition,” *Intellectual and Developmental Disabilities* 53, no. 4 (2015): 301–307, <https://meridian.allenpress.com/idd/article/53/4/301/1647/Validating-the-Learning-Disability-Screening>.

## Sex Offenses and IDD

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## Training Resources

“Academic Training to Inform Police Responses,” accessed September 30, 2022, <https://www.informedpoliceresponses.com/products>.

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“Pathways to Justice, © The Arc of the United States, accessed July 27, 2021, [www.nccjdpathwaystojustice.org](http://www.nccjdpathwaystojustice.org).

“Pathways to Justice: Video Conversation Guide,” The Arc of the United States, accessed July 27, 2021, [https://thearc.org/wp-content/uploads/forchapters/NCCJD\\_VideoConvoGuide-FINAL.pdf](https://thearc.org/wp-content/uploads/forchapters/NCCJD_VideoConvoGuide-FINAL.pdf).

“Special Topics and Information To Customize Training Programs Pathways to Justice®: A National Curriculum for Criminal Justice Professionals on Intellectual and Developmental Disabilities,” BJA and NCCJD, accessed August 9, 2021, <https://bja.ojp.gov/program/jmhcp/training>.

## Webinars and Podcasts

Office of Community Oriented Policing Services (COPS) and The Arc, “Advancing Public Safety for Officers and Individuals with Intellectual and Developmental Disabilities” (podcast series, *Community Policing Dispatch*, volume 12, issue 4, May 2019), [https://cops.usdoj.gov/html/dispatch/05-2019/intel\\_disability.html](https://cops.usdoj.gov/html/dispatch/05-2019/intel_disability.html).

The Arc of New Jersey’s Criminal Justice Advocacy Program, “Equal Justice Talks” (webinar series, The Arc of New Jersey, New Jersey, 2016–2021), <https://www.arcnj.org/programs/criminal-justice-advocacy-program/equal-justice-talks-webinar-series.html>.

The CSG Justice Center and NCCJD, “Collaborate, Train and Engage: Diverting People with Intellectual and Developmental Disabilities”(webinar, the CSG Justice Center, New York, June 10, 2021), <https://csgjusticecenter.org/events/collaborate-train-engage-diverting-people-with-intellectual-and-developmental-disabilities/>.

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The CSG Justice Center and NCCJD, “Understanding Intellectual and Developmental Disabilities in People Involved with the Criminal Justice System” (webinar, the CSG Justice Center, New York, June 21, 2018). <https://csgjusticecenter.org/events/understanding-intellectual-and-developmental-disabilities-in-people-involved-with-the-criminal-justice-system/>.

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*Additional webinars related to people with IDD can be found on NCCJD’s website at <https://thearc.org/find-resources/>. Click on “Access Resources” and within the filter options select “webinar” and “criminal justice” to view all webinars. Users can also filter by target audience.*

BJA National Training and Technical Assistance Center (NTTAC), “Serving Safely: Enhancing Policing for Persons with Mental Illnesses and Developmental Disabilities” (webinar series, BJA NTTAC, Washington DC, December 11, 2019), <https://bjatta.bja.ojp.gov/media/news/just-released-serving-safely-webinars-enhance-policing-persons-mental-illnesses-and->

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