



Advocacy, Education & Outreach

Service to individuals with disabilities and their families for over 50 years

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Good morning Chairman Barrios, Chairman Costello, and members of the Joint Committee On Public Safety & Homeland Security. My name is John Thomas and I am the Deputy Director of The Arc of Massachusetts, an organization with a fifty year track record of advocacy at both the state and federal level on behalf of people with intellectual disabilities.

Today I appear to support **S1378 - An Act relative to training for Law Enforcement in dealing with individuals suffering from mental illness**. This bill will ensure that all law enforcement personnel throughout the state receive appropriate training in techniques that allow for successful interventions with people who have both mental illness and other intellectual disabilities, including autism.

Several questions invariably come to people's mind when considering some of the challenges law enforcement officials face when they interact with people with intellectual disabilities.

What types of crime do people with intellectual disabilities commit?

Some people with intellectual disabilities commit crimes, not because they have below-average intelligence, but because of their unique personal experiences, environmental influences and individual differences. During the early 1900s, some professionals believed that individuals with intellectual disabilities were predisposed to becoming criminals due to their disability. This view lost support during the 1930s when its leaders rescinded their original beliefs and the focus on causes of crime shifted from biological reasons to psychological and sociological ones. Research from the mid-80s to the 1990s found that the types of crime committed ranged from property crimes, like theft or robbery, to physical and sexual assault. Some have been accused of murder as well. One researcher found that many who committed sexual offenses were victimized sexually, and that their experience as a victim was linked to their later experience as the offender (Firth, 2001).

What disadvantages do both police & people with intellectual disabilities face today?

Almost all people with intellectual disabilities now live in the community and are susceptible to becoming involved with police as suspects and/or victims. As suspects, individuals with intellectual disabilities are frequently used by other criminals to assist in law-breaking activities without understanding their involvement in a crime or the consequences of their involvement. They may also have a strong need to be accepted and may agree to help with criminal activities in order to gain friendship. From the police perspective, officers may not appreciate the distinction between people with mental illnesses such as schizophrenia and a person with Asperger's syndrome – and the fact that such individuals may react very differently if approached by police.

Many individuals unintentionally give misunderstood responses to officers, which increase their vulnerability to arrest, incarceration and possibly execution, even if they committed no crime (Perske, 2003).

Considering such disadvantages, it is not surprising that people with intellectual disabilities are more likely to be arrested, convicted, sentenced to prison and victimized in prison. Some common responses from those with intellectual disabilities that may affect their reaction to law enforcement personnel include the following:

As suspects, individuals may:

- not want their disability to be recognized (and try to cover it up)
- not understand their rights but pretend to understand
- not understand commands, instructions, etc.
- be overwhelmed by police presence
- act upset at being detained and/or try to run away
- say what they think officers want to hear
- have difficulty describing facts or details of offense
- be the first to leave the scene of the crime, and the first to get caught
- be confused about who is responsible for the crime and "confess" even though innocent

How can S1378 help both law enforcement personnel and the safety of people with an intellectual disability?

Education and training is vital. Children, adolescents and adults with a disability must learn about the possibility of meeting a police officer, how to protect their rights during encounters with police and how to speak up if they are being victimized.

Cross-training needs to occur among all professionals in schools, police departments, victim assistance agencies and in the courtroom as a way to start opening the lines of communication between these systems.

Training, as outlined in S1378, will help foster a better understanding of individuals with intellectual disabilities among public safety and law enforcement personnel. We know training helps, as local initiatives have already been hailed for their success. For example, one local chapter of The Arc helped launch a program that has been widely praised by first responders/public safety personnel and individuals with intellectual disabilities, their families and the staff who serve them.

The **Autism and Law Enforcement Education Coalition** (ALEC) began as a collaborative effort of the South Norfolk County Arc Family Autism Center and the Norfolk County District Attorney's Office. ALEC trains first responders to recognize and relate well to children and adults with Autism Spectrum Disorders (ASD).

ALEC is designed to help foster a deeper understanding of Autism Spectrum disorders among public safety and law enforcement personnel. Training is available for police officers, emergency room personnel and fire fighters. There is a curriculum specific to the needs of each group.

The presenters are first responders who have knowledge of ASD through a family member. They make training presentations to other first responders in order to increase the safety of people with ASD and facilitate communication during emergency situations. Because the presenters have a deep understanding of ASD, they are able to answer questions and brainstorm with program participants on the needs in their communities.

We hope a more global approach, perhaps modeled on ALEC, on a statewide level, will prepare communities for situations involving people with intellectual disabilities who come in contact with the police, either as victims or suspects. Such preparation will enable law enforcement personnel to utilize more effective strategies to insure both the safety of an officer, and to more effectively protect the rights of people with intellectual disabilities.

I encourage members of the Committee to learn more about ALEC, by contacting Bill Cannata at bcannata@sncarc.org or at 781-762-4001 ext. 420 (this is the phone number for his office at SNCARC). Cannata is a Lieutenant in the Westwood MA Fire Department and is Statewide ALEC Coordinator.

I am also submitting a recent article "Police Officers and Disability: Perceptions and Attitudes" from the journal *Intellectual and Developmental Disabilities*, volume 45, number 1: 60–63 Feb. 2007.

I urge the Committee to report this bill out favorably.

Thank you.

References:

Firth, H., Balogh, R., Berney, T. Bretherton, K. Graham, S. & Whibley, S. (2001). Psychopathology of sexual abuse in young people with intellectual disability. *Journal of Intellectual Disability Research* 45 (3), 244-252

Perske, R. (2003). Observations of a water boy. *Mental Retardation*, 41 (1), 61-64.