

Recommendations

Improving Police Interactions with the Disability Community CT Police Transparency & Accountability Task Force July 20, 2021

In recent years, fatal interactions between police officers and members of the public have received national media attention in the United States.¹ Despite heightened focus on these encounters, deeper contextual and case fact examinations are often absent from popularized conversations.² Public discourse trends are frequently rooted in minimal acknowledgement about specific factors underlying injurious and/or fatal interactions.³

More precisely, headlines typically gloss over disability(ies) that the individual presented on scene.⁴ For example, when responding police officers are not initially aware that the individual has epilepsy, they may mistake behavioral patterns for criminal action and address it as such. Likewise, if a police officer seeks to de-escalate a situation using verbal commands with a deaf individual, the scenario may deteriorate rapidly.⁵

According to the Centers for Disease Control and Prevention (CDC), 61 million adults in the United States live with a disability. A white paper released by the Ruderman Foundation and data contained within a 2015 Treatment Advocacy Center study indicated that 30-50% of individuals who die during encounters with law enforcement are those with disabilities.⁶ Moreover, persons with “untreated severe mental illness” are involved in at least one in four and nearly half of all fatal shootings involving police.⁷

¹ Notably, George Floyd’s death in Minneapolis, MN police custody ignited national and global focus. For an expanded understanding of this incident, see <https://www.fox9.com/news/who-was-george-floyd>. Also, see <https://www.thecourierdaily.com/george-floyd-criminal-past-record-arrest/20177/>; <https://nypost.com/2020/06/02/george-floyd-had-violent-criminal-history-minneapolis-union-chief/>; <https://apnews.com/article/virus-outbreak-us-news-ap-top-news-hip-hop-and-rap-houston-a55d2662f200ead0da4fed9e923b60a7> for additional assessments about different dimensions to the events and factors surrounding Floyd’s death. For an in-depth, well-documented scholarly overview on encounters between police and individuals in the United States, see Mac Donald, Heather. 2016. *The War on Cops*. New York: Encounter Books.

² Moreover, the escalating proliferation of social media as vehicles for news impacts consumption and perception of, empirical events. See Lee, Sun Kyong, Nathan J. Lyndsey & Kyun Soo Kim. 2017. “The effects of news consumption via social media and news information overload on perceptions of journalistic norms and practices.” *Computers in Human Behavior*, 75: 254-263. See also, A.W. Geiger. 2019. “Key findings about the online news landscape in America.” Pew Research Center: <https://www.pewresearch.org/fact-tank/2019/09/11/key-findings-about-the-online-news-landscape-in-america/>.

³ Police departments throughout the U.S. are simultaneously grappling with calls for greater accountability, transparency and retention of officers. For example, see <https://www.npr.org/2021/06/24/1009578809/cops-say-low-morale-and-department-scrutiny-are-driving-them-away-from-the-job>.

⁴ By disabilities, we mean behavioral, developmental, intellectual, mental health, and physical: both non-visible and visible disabilities.

⁵ For a story about a recent incident that occurred in North Las Vegas, see https://www.fox5vegas.com/news/crime/deaf-woman-says-nlvpd-told-her-11-year-old-twins-to-interpret-while-detained/article_034c3ed0-9db2-11eb-9a6b-2b7ff18b52d8.html.

⁶ See <https://rudermanfoundation.org/advocacy-media/white-papers/>

⁷ Ibid.

It is also worth noting that individuals from the police community live and work with disabilities (some work-incurred and/or related). According to a 2018 white paper issued by the Ruderman Foundation, first responders – including police officers and firefighters – are “more likely to die by suicide than in the line of duty.”⁸ This statistic speaks to the very real issue of mental health and other underlying disabilities within the law enforcement community. Addressing police interactions with the disability community necessitates a parallel discussion about improving the experiences of police officers with disabilities. Simply put, improving police interactions with the disability community warrants both inward and outward inspection.

On the one hand, if police were to have more information prior to answering crisis calls, outcomes may improve in substantive, measurable ways – be it less escalation, less injury, less fatality, fewer arrests, increased diversions to community and rehabilitation programs/resources.⁹ On the other hand, if people with disabilities were more comfortable providing relevant information to police and other emergency personnel within their communities, outcomes may likewise improve encounters not just during crisis call responses but also police and disability community dynamics in non-crisis times.¹⁰

At local, state, and federal levels of governance in the U.S., initiatives have arisen to improve law enforcement practices as well as foster conditions of trust between police and communities they pledge to protect. Under then-President Barack H. Obama, the President’s Taskforce on 21st Century Policing was established “to buil[d] trust between law enforcement officers and the communities they serve.”¹¹ In June 2020, President Donald J. Trump signed Executive Order 13929 “Safe Policing for Safe Communities.”¹² This EO highlighted the importance of certification and credentialing as well as information-sharing with the American public.¹³ Meanwhile, current federal administration efforts appear to target a number of elements, including racial equality policy and de-escalation training focuses.¹⁴

On these fronts, the Sequential Intercept Model (SIM) is a valuable tool to identify current resources the state of Connecticut and its localities have for improving police interactions with the disability community; to identify gaps or missing resources that could substantively change those interactions; finally, to identify specific opportunities for and mechanisms of, impactful, quantifiable, positive progress.

The Sequential Intercept Model (SIM) is a SAMHSA (the federal Substance Abuse and Mental Health Services Administration, housed within the U.S. Department of Health & Human Services) template for conversation and action.¹⁵ Various municipalities and counties in the United States have utilized it to direct conversations about bettering police practices in and

⁸ See https://rudermanfoundation.org/white_papers/police-officers-and-firefighters-are-more-likely-to-die-by-suicide-than-in-line-of-duty/

⁹ Various metrics which can be measured and quantified with data-gathering are vital to articulating goals in improving police interactions with people who have disabilities ought look like.

¹⁰ At its core, this facet entails a foundation of trust between police and the communities they guard and serve. For a classic, definitive scholarly work on this topic, see Jason Sunshine & Tom R. Tyler. 2003. “The Role of Procedural Justice and Legitimacy in Shaping Public Support for Policing.” *Law & Society Review*, 37(3): 513-548.

¹¹ <https://www.justice.gov/opa/pr/department-justice-announces-new-guidebook-21st-century-policing>

¹² See https://www.apostc.alabama.gov/wp-content/uploads/2020/12/Safe-Policing-for-Safe-Communities-Implementation-Fact-Sheet_v14_03dec20_508-1.pdf.

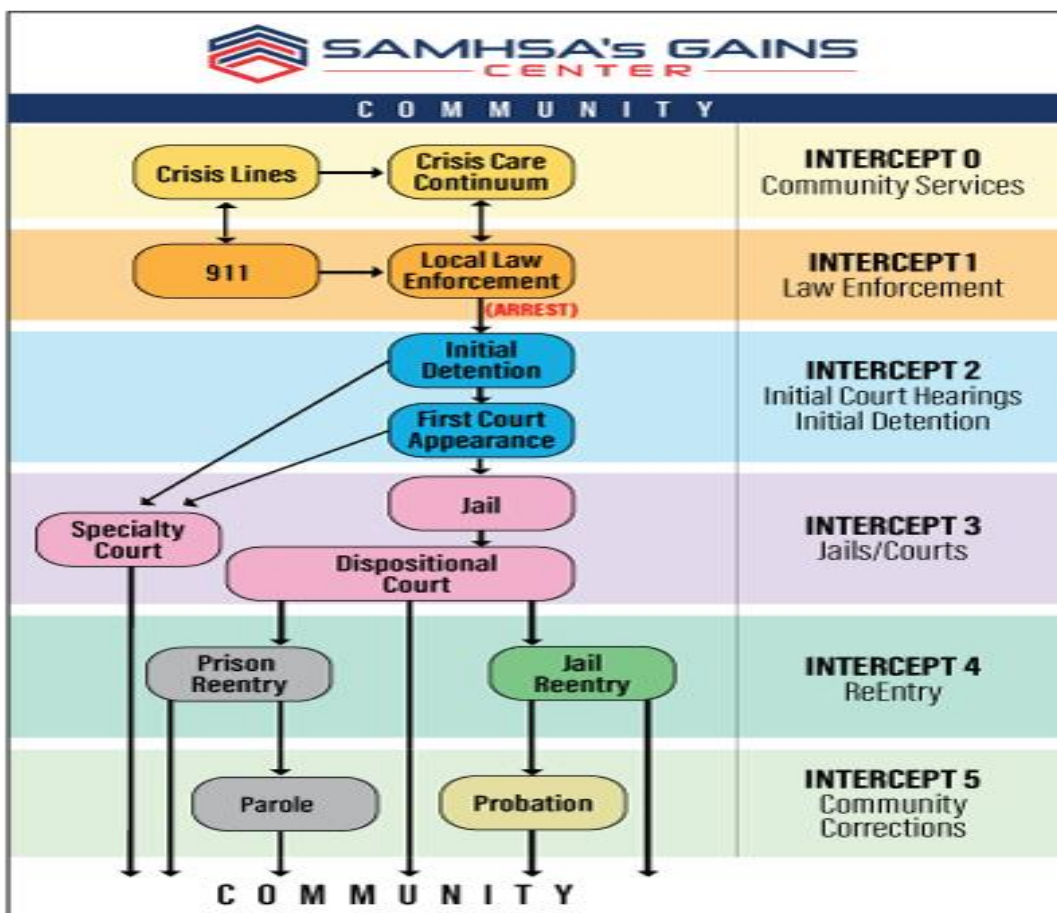
¹³ See <https://www.presidency.ucsb.edu/documents/executive-order-13929-safe-policing-for-safe-communities>

¹⁴ See <https://www.policemag.com/598043/5-policing-initiatives-the-biden-administration-is-likely-to-tackle>

¹⁵ See <https://www.samhsa.gov/criminal-juvenile-justice/sim-overview>

relationships with, communities.¹⁶ As of this writing, Connecticut is the first to deploy SIM on a statewide scale. In these endeavors, objectives and recommendations seeking to actualize those goals are made in clear, specific ways.

In this vein, recommendations below align with the subcommittee’s charge of detailing ways to improve police community and disability community interactions.¹⁷ SIM operates on an intercept structure whereby distinct moments of contact map onto distinct facets within the American justice system space. For our purposes, recommendations adhere to the first two intercepts: “Intercept 0” (pre-police contact) and “Intercept 1” (initial police contact). SIM contains a total of five intercepts indicating different potential points of contact between individuals and law enforcement, represented below:



Source: <https://www.samhsa.gov/criminal-juvenile-justice/sim-overview>

¹⁶ For example, in 2016, Craighead County, Arkansas hosted a SIM workshop (<https://www.prainc.com/gains/enews/april16.html>); Pettis County, Missouri held a SIM workshop (<https://www.prainc.com/gains/enews/april16.html>); Manatee County, Florida conducted a SIM mapping workshop in 2019 (<https://www.usf.edu/cbcs/mhlp/tac/documents/mapping/sim-reports/manatee-adult-sim-2019.pdf>).

¹⁷ See p. 3 in “Annual Report of the Police Transparency & Accountability Task Force.” https://www.cga.ct.gov/jud/tfs/20200116_Police%20Transparency%20and%20Accountability%20Task%20Force/20210202/January%202021%20Draft%20Annual%20Report%20PTATF.pdf

“Intercept 0:” Pre-Police Contact (Community Programs/Resources/Services)
Awareness/Education/Training

Awareness

- 1) We recommend an expanded, more fully publicized United Way 2-1-1 phone line/affiliate 2-1-1 website public awareness campaign across the state. To this end, user-friendly public awareness messaging ought occur across a variety of communicative methods (for example, billboards, phone applications [“apps”], radio, social media, TV). By user-friendly, we mean that messaging is accessible and understood by persons across the disability community.¹⁸ In terms of implementation, we encourage communities to develop messaging in partnership with community stakeholders (for example, United Way personnel, disability community representatives, school youth population).

Education

- 2) We recommend a standardized implementation of United Way 2-1-1 phone line/affiliate 2-1-1 website education program. fully voluntary, opt-in resource available for use by all public, private, charter schools; home educator networks and co-op systems in the state. Put plainly, the program and/or curriculum would entail age-appropriate lesson plans, customizable per educator discretion and student learning styles/needs.

Training

- 3) We recommend clarification and expansion of, training on intersection between 2-1-1 and 9-1-1 phone line dispatching processes. This clarification and expansion process may include the following components: enhanced dispatcher training content and course availability; enhanced availability of licensing opportunities (where applicable/required) for community stakeholders (for example, individuals from the disability community); a concise yet specific step-by-step process document, publicly viewable that outlines scenarios in which a United Way 2-1-1 dispatcher would transfer crisis calls placed by persons with disabilities to 9-1-1; this document would be shared widely across a variety of communication/information platforms.

Awareness

- 4) We recommend clarification and expansion of, public messaging about the above-noted intersection between 2-1-1 and 9-1-1 phone line dispatching processes. Again, this clarification and expansion process may include multiple aspects, including a step-by-step create step-by-step process document that outlines conditions and criteria for when a person with disabilities in crisis should call 2-1-1, 9-1-1, or when a caller is unsure and that this document is widely shared via all relevant communicative platforms accessible to persons across the disability community.

“Intercept 1:” Police Contact (Police Programs/Resources/Services)

¹⁸ Acknowledging the array of disabilities represented is key to laying groundwork for improving police interactions with the disability community as a whole.

Social Worker Feasibility/Voluntary Registry System/Police Education & Training/School Resource Officer¹⁹

Social Worker Feasibility

- 1) We recommend that localities constitute and implement mobile Crisis Intervention Teams (CITs) in accordance with specific community needs based on three central considerations: crisis call volume/case load; safety considerations; budgetary factors.²⁰ In other words, localities with smaller populations, smaller budgets may find it more appropriate to join a regional CIT structure.²¹ Alternatively, localities with larger populations, larger budgets may determine their own CIT is warranted.
- 2) We recommend that localities hire Social Workers (SWs) in addition to or in place of, mobile Crisis Interventions Teams (CITs), contingent on the three central considerations delineated above: crisis call volume/case load; safety considerations; budgetary factors. On the one hand, localities with smaller populations, smaller budgets may require the sharing of SWs in a regional network, on a contractor basis. Whereas, localities with larger populations, larger budgets may require their own in-house SWs, either on a municipal payroll or police department payroll.
- 3) We recommend that localities hire Social Workers (SWs) as Licensed Clinical Social Workers (LCSWs) or Master of Social Work (MSWs) in accordance with and contingent on, specific community conditions/needs/resources.²²

Voluntary Registry System

- 1) We recommend that localities create an opt-in, fully voluntary registry system (VRS) for improving information sharing between individuals with disabilities and their local police department.²³
- 2) We recommend that in the event localities choose to create and implement a VRS, they elect storage of information via a secure database, as paper forms are less secure than electronic methods of submittal.²⁴ For example, the HIPAA (Health Insurance Portability and Accountability Act [HIPAA] Security Rule does not apply to paper forms. Residents should be provided a variety of submittal options to suit personal access needs. That said, storage of information ought ultimately reside in a secure database.²⁵

¹⁹ Research on School Resource Officers is ongoing; therefore, recommendations have not yet been formulated.

²⁰ These are cited as major rationales in the police department-issued social worker feasibility reports, required per CT General Assembly Public Act (PA) 20-1.

²¹ Review of the CT police department social worker feasibility reports as well as an preliminary survey of other states convey these themes.

²² See <https://socialworklicensemap.com/become-a-social-worker/lmsw-vs-lcsw/>

²³ See <https://www.theiacp.org/sites/default/files/all/a/Alz%20Voluntary%20Registry.pdf>; see also, https://thearc.org/wp-content/uploads/forchapters/18-086-Law-Enforcement-Registries-Resource-Sheet_v3.pdf

²⁴ See <https://www.hhs.gov/hipaa/for-professionals/security/guidance/index.html>

²⁵ See <https://www.cdc.gov/php/publications/topic/hipaa.html>

- 3) We recommend that decisions of whether and how to constitute VRS be left to localities, with input from their community stakeholders, including the disability community, police community, and privacy advocates. For example, decisions of if/how to share VRS information with other police departments ought remain in the resident applicant, family member, and/or legal guardian's purview.
- 4) We recommend that in the event localities choose to create and implement a VRS, they ensure opt-in choices for individuals with disabilities from the non-police community and police community alike. For example, ensure the VRS opt-in choice covers individuals with visible and/or non-visible disabilities working within the police profession (indeed, such disabilities may result directly from working within the profession).

Police Education & Training

- 1) We recommend an expanded, more fully publicized NextGen 9-1-1 system, voIP, text to 9-1-1 program public awareness campaign across the state.²⁶ To this end, user-friendly public awareness messaging would occur across a variety of communicative methods (for example, billboards, phone applications ["apps"], radio, social media, TV). By user-friendly, we mean that messaging is accessible and understood by a spectrum across the disability community writ large. In terms of implementation, we encourage communities to develop said messaging in partnership with community stakeholders (for example, DESPP (Department of Emergency Services and Public Protection/CSP (Connecticut State Police) personnel, local police departments, disability community representatives, school youth).
- 2) We recommend that expanded police officer curriculum and in-service training pertinent to addressing the unique needs of the disability community. Specifically, the Connecticut Police Officer Standards and Training Council (POSTC) could expand disability-training course offerings; expand disability-training in-service opportunities; clarify number of course hours and in-service trainings required annually for police departments; set required annual minimum number of hours for both course and in-service training tracks while leaving decisions about implementation thereof to localities. For example, "X number of hours is required by end of Fiscal Year 2021-2022. Local Police Department ABC determines that its officers can fulfill X number of hours every Y or Z number of weeks/months."

²⁶ See https://www.911.gov/issue_nextgeneration911.html; see also <https://portal.ct.gov/DESPP/Division-of-Statewide-Emergency-Telecommunications/911-In-Connecticut/Next-Generation-9-1-1>