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This document should be considered in conjunction with the Academic Training Initiative's resources [Mental Health Conditions & Developmental Disabilities: Why Know the Difference](#) and [Developmental Disabilities: What Law Enforcement Officers Need to Know](#).



Supported Decision-Making

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Supported decision-making is a strategy for people with disabilities to empower and enhance individual decision-making. People using supported decision-making often select trusted advisors, such as friends, family members, or professionals, to serve as supporters. Supporters help the person with a disability understand and analyze information, and effectively communicate informed decisions. Supported decision-making can provide a legal alternative to guardianship and has been created by statute in some states¹⁰ To learn more about supported decision-making, visit the [National Resource Center for Supported Decision-Making](#).

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- Ask if the person has a support person available who can help them communicate and understand what is going on.

A support person can help someone with developmental disabilities communicate during interactions with law enforcement.

The presence of a support person may lead to enhanced communication with law enforcement and provide connections to needed support.

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The Arc's [National Center on Criminal Justice and Disability](#) created the [Pathways to Justice Model](#), presented below, which is a planning tool that law enforcement and community partners can use to

STEPS:

- identi cation
- accommodations
- support

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This model is based on The Sequential Intercept Model. SAMHSA's GAINS Center for Behavioral Health and Justice Transformation. (2013). Developing a comprehensive plan for behavioral health and criminal justice collaboration: The Sequential Intercept Model. Delmar, NY: Author.

consider diversion opportunities. It is based on the [Sequential Intercept Model](#) (SIM) and identifies needed accommodations and gaps in services in the criminal justice system for people with developmental disabilities, particularly if there is no allegation of criminal wrongdoing or if an individual with a

Examples of Accommodations for Individuals with Developmental Disabilities

• Give the person space and time to calm down if there is no danger of self-harm, harm to others, or harm to officers. This allows officers to maintain a calm atmosphere while building rapport with an individual who may be unable to orally communicate quickly or effectively.

- Speak slowly and clearly.
- Use plain language in written and verbal communication, such as shorter sentences, common words, pictures, and symbols. Avoid jargon.
- Take time to listen and provide information. To check for understanding, ask them to repeat what was said using their own words.
- Use active listening skills and a calm tone of voice when responding. People with developmental disabilities may not provide typical listening confirmation, such as nodding or eye contact.
- Ask open-ended questions that don't suggest the answer.
- Avoid yes/no questions as people with developmental disabilities may respond quickly without fully understanding what is being asked.
- Ask additional questions, if needed, and give the individual plenty of time to respond.
- Ask what they need to help them communicate or feel safe (e.g., using assistive devices or technology) and, to the extent possible, meet that need.
- Reduce distractions, when possible, by moving to a quiet location, having one person speak at a time, and lowering the volume of the police radio, when able.
- Turn off sirens or patrol lights for people who appear to be highly sensitive, to help them feel calm and less anxious or agitated.

• Ask the individual if there is a supporter(s) (such as family members, caregivers, or disability professionals) to provide information about the person, to help with communication and the provision of accommodations, and to help them understand any documents they are asked to sign.

- Check with the individual's supporter(s) to find out if there is a support plan in place. Based on information from this plan, officers can connect people to behavioral health and other services. Support plans emphasize the use of least restrictive community-based alternatives to incarceration as early as possible in the criminal justice process.
- Leverage agency or community resources to better engage with the individual, such as requesting a crisis response-trained officer or school resource officer to assist.
- If circumstances and time permit, seek out experts who have experience working with this population when interviewing potential or known victims, witnesses, or suspects with developmental disabilities.

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Federal law requires reasonable accommodations be provided to individuals with developmental disabilities. Providing accommodations for people with disabilities makes clear they are valued members

the system, view the ["Overview of the Disability Services System"](#) online training. Additional materials and a list of [community-based services organized by type of disability is available here.](#)

When locating services and supports in the community, it is helpful to reach out to organizations that work closely with people with developmental disabilities. Below is a list of developmental disability-related agencies that may be available in local communities. It is helpful to establish contacts with local agencies in advance so that relationships are established prior to officers encountering people with developmental disabilities. Partnerships build understanding. Understanding builds trust. Trust builds cooperation. Cooperation increases officer and community safety.

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The Autism Society provides information and referral services assisting individuals in finding education assistance, recreational and social activities, support groups, and other autism-related programs and services. It offers a supportive place where individuals on the spectrum, their families, or others affected by autism can find help and guidance.

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Endnotes

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