



FASD AND LAW ENFORCEMENT: MOVING FROM A REACTIVE TO A PROACTIVE FOCUS

Presented by Lucy Beadnell from The Arc of
Northern Virginia

SHARING TODAY

- History of Disability and Justice System Interactions
- Some Men We Know
- Proactive Options to Limit and Avoid Issues
- Navigating an Arrest or Other Challenge
- ADA and Accommodations
- Resources for People with Disabilities

CONCERNS ABOUT DD AND JUSTICE INTERACTIONS

- **People with disabilities** in the study – including emotional, physical, cognitive or sensory disabilities – were **nearly 44 percent more likely to be arrested** by age 28. (Cornell Study, 2017)
 - Black men with disabilities in the study were at a particularly high risk of arrest: 55 percent had been arrested by age 28
 - Juveniles with FASD have been shown to experience incarceration at many times the rate of non-FASD Peers (Popova et al., 2016)
- For both males and females in 2010 through 2014, the **rate of violent victimization was higher for persons with disabilities** than for those without disabilities. (Vision Aware)

STORIES BEHIND FIRST RESPONDER ENCOUNTERS, ARREST, AND INCARCERATION

- Increased anxiety and complex medical needs
- Behavioral issues
- Challenges answering questions and asking for help
- Difficulty quickly complying with directions or intuiting desired responses
- Problems slowing down the interaction
- High level of suggestibility and eagerness to please or “pass”



SOME MEN WE KNOW

Neli Latson

Matthew
Rushin

Blake K.



PROACTIVE OPTIONS TO AVOID NEGATIVE INTERACTIONS


PRACTICE EVENTS

- Go to safety fairs and/or Arc practice events to work through traffic stops, walking stops, and emergencies
- Talk to officers in your local station
- Interact with officers and first responders you see in your community




DISABILITY ID CARD

- Clip to your ID
- Practice handing out
- Practice saying nothing else
- Keep copies in the glove box, wallet, desk, and with support staff/family

		Developmental Disabilities Identification Card	
I HAVE A DEVELOPMENTAL DISABILITY			
I may have difficulty understanding and following your directions, or may become unable to respond. I may become physically agitated if you prompt me verbally, touch me, or move too close to me. I am not intentionally refusing to cooperate.			
I may need your assistance.			
Please see the back of this card.			
----- Fold Here -----			
HOLDER INFO	First and Last Name		
	123 Main Street, Anytown, VA 12345		
	DOB: MM / DD / YYYY		
Emergency Contact:		Contact Name	
Phone:		(xxx) yyy-zzzz	
Additional Information:			
Provide any information that a first responder may need when interacting with you or your loved one with a disability.			
<small>This card is to be used solely to assist the holder in interactions with law enforcement or emergency services personnel. It confers no rights to, nor establishes any eligibility for developmental disability services.</small>			

FLAG SHEET/MARCUS ALERT PROFILE

- Print your basic information, needs, calming techniques and triggers with a photo and drop at local first responder offices
- Create a Rapid SOS Profile



The Arc
Northern Virginia

**When seconds matter,
RapidSOS is your lifeline to safety**

When you call 911, the operator on the other end of the line relies on you to clearly share important information in an emergency, including pre-existing conditions and personal information about the people responders will meet on the scene .

When you create an Emergency Health Profile with **RapidSOS**, your critical information is automatically communicated to first responders, giving them the information they need in order to care for you in an emergency situation.

Registration for RapidSOS requires the use of a mobile phone that can receive SMS messages. In order for your profile to be sent to public safety personnel, your call to 911 must come from the number registered to your account. This system is in use throughout Northern Virginia.

The service is **FREE**, and it can help provide the peace of mind of knowing that in an emergency, you and your loved ones receive the most effective response possible.

It's free and easy to set up. Here's how it works:

- 1) Sign up at emergencyprofile.org and create a **FREE** Emergency Health Profile.
- 2) In the event of an emergency, dial **911**.
- 3) Your Emergency Health Profile is automatically sent to 911 through **RapidSOS**.

emergencyprofile.org

IEP GOALS AND OPPORTUNITIES

- Learning how and when to self identify
- Learning to call for help and report accurately
- Learning to only answer questions about your name and emergency contact
- Learning who safe people are



BUILD A PROACTIVE TEAM

- Have many people on call
- Talk to neighbors and others likely nearby if there is an issue and give your information to them
- Have numbers and options accessible to person with FASD



NAVIGATING NEGATIVE INTERACTIONS

IF ARRESTED

ASK FOR...

- Self-identify
- Ask for comfort kit
- Know your local programs
 - Diversion First
- Attorney with DD experience immediately or inform your public defender about the need
- Mental health court

CREATE...

- Personalized Justice Plan
 - Plan for diversion
 - Options you can put in place to prevent repeat issues and encourage learning
 - Can be public, private, or both
 - Tie disability and assessments to the act
- Team to help you

KNOW THE LAWS THAT OFFER PROTECTION

- Educational records for juveniles in school-based offenses
- People with autism or ID eligible for dismissal if there is evidence of the disability being cause of conduct
- Children may have mandatory minimums waived and ACES considered
- Prosecutors can drop charges for good cause
- Sentence credits expanded for people with disabilities
- Mental condition considered in deciding bail and sentencing

ACCOMMODATIONS WE OFTEN SUGGEST



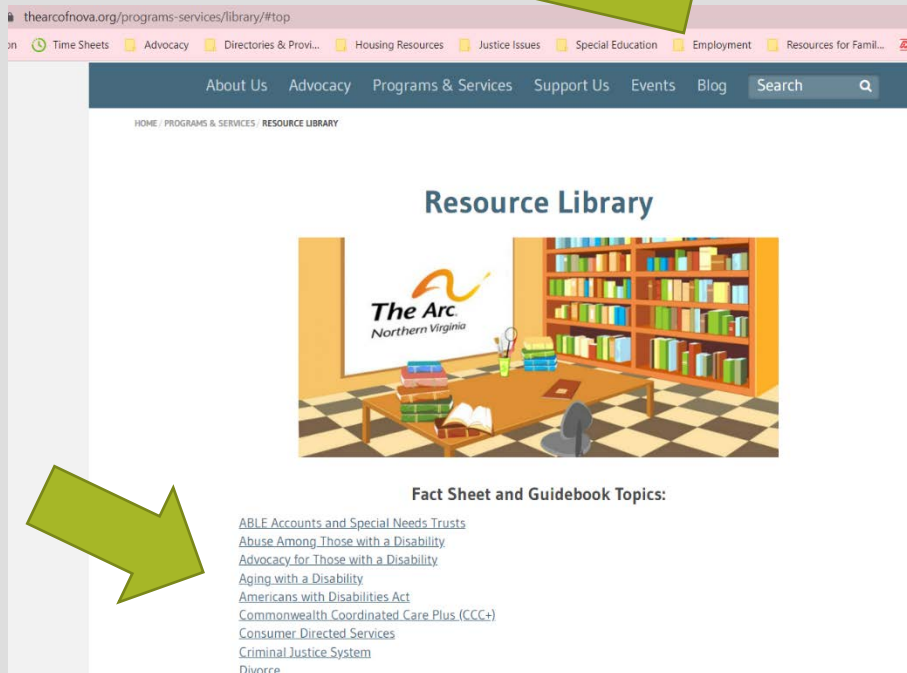
- Supporter with the person with DD
- Slower, plain language
- Help to understand unspoken rules
- Miranda adaptations
- Communication devices
- Diversion plans
- Comfort kits
- Longer calls or time with visitors

ADA AND ACCOMMODATIONS

- ADA covers all governmental entities and **all offices with a staff of 50+ need an ADA Coordinator**
- DD “accommodations” are sometimes dangerous
 - Incarceration
 - Solitary
- *Note: guardianship offers no accommodations/ supports in the criminal legal system*



RESOURCES WE'VE DEVELOPED



- Long resource guides for PWD and attorneys
 - Lots of relevant updates legal changes in Virginia for people with DD
- Sample ID card and bumper sticker/magnet
- Videos
- One page guides
- Comfort Kit, 911 calls, traffic, and walking stop information

THANK YOU!



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- 703-532-3214 x116
- Justice Library- <https://thearcofnova.org/programs-services/library/#c-j-s>

