



Welcome
everyone!

The Conference
will begin shortly.

Thank You to Our Generous Supporters



COLLEGE OF MEDICINE TUCSON
Sonoran Center for
Excellence in Disabilities

ABILITY360

Gold Supporter



Equal
Opportunity
Department

Silver Supporter



Bronze Supporter

Thank you to our Gold Supporter!

ABILITY360 



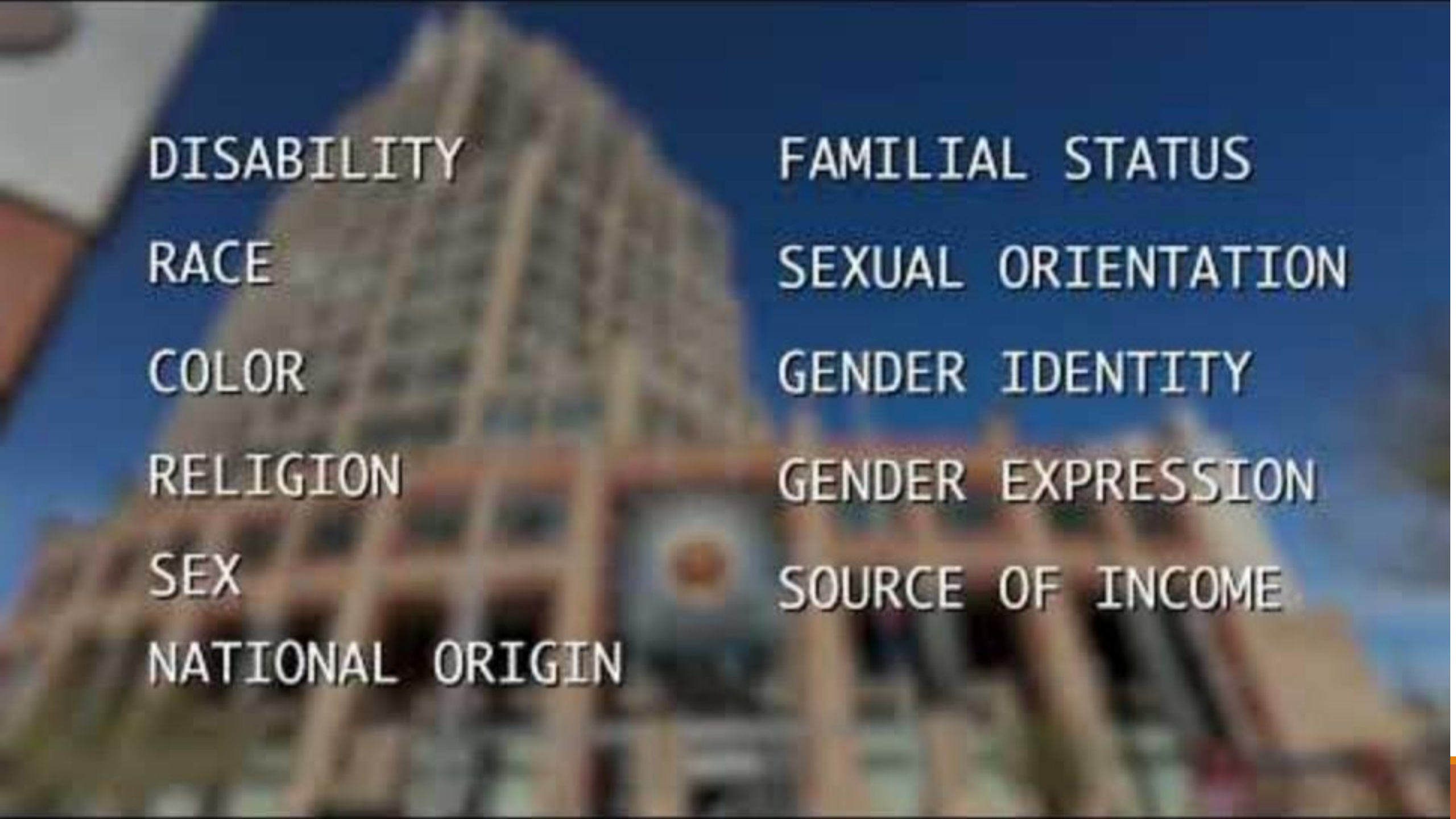
Ability360.org

(602) 256-2245

Thank you to our Silver Supporter!



**Equal
Opportunity
Department**



DISABILITY

RACE

COLOR

RELIGION

SEX

NATIONAL ORIGIN

FAMILIAL STATUS

SEXUAL ORIENTATION

GENDER IDENTITY

GENDER EXPRESSION

SOURCE OF INCOME

Thank you to our Silver Supporter!





Thank you to our Silver Supporter!





Supporting the independent spirit

When you or a loved one needs extra care, you want someone you can trust. Someone who can help you get the right services and support at the right time. With UnitedHealthcare® Community Plan, you get:

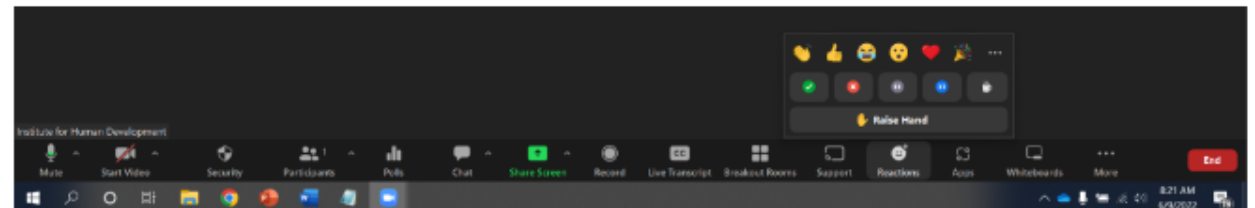
- A wide network of doctors, specialists and hospitals
- Case managers to help you get the care you need and answer questions about staying independent
- Connection to the community through job opportunities, volunteering and other activities

Proud sponsor of the Annual African American Conference on Disabilities.



Zoom Guidelines

- **Assume good faith from all attendees. We are all here to learn together.**
- **Recognize and respect others' feelings, background, and cultural differences.**
- **Please use the “chat” or “raise hand” function if you wish to share verbally.**
- **If you are speaking, please speak slowly for our ASL and closed captioners.**
- **Try to limit yourself to 30 seconds or less. It can be just as courageous to listen as it is to share.**



TRAUMA INFORMED CARE IN CRISIS RESPONSE:

WHAT YOU NEED TO KNOW

Presentation subtitle



SPEAKERS



**Leigh Anne
McKingsley**

Leigh Anne is Senior Director of Disability and Justice Initiatives at The Arc of the U.S. where she founded and oversees The Arc's National Center on Criminal Justice and Disability.



Sey In

Sey is the interim managing attorney for the healthcare team at Disability Rights Arizona (DRAZ). He has worked at DRAZ for 7 years on various matters including healthcare, housing, employment, and access to public services.

AGENDA



- 01 Provide background information on problems with crisis response
- 02 Review specific examples
- 03 Discuss responses to issues that arise
- 04 Review past cases involving crisis response
- 05 Explore the ADA for self advocacy strategies

The Arc's NCCJD

Advocating at the
Intersection of
Disability Advocacy
and Criminal Justice
Reform



The Arc®

*National Center on
Criminal Justice & Disability*

The Arc of the United States

- The Arc's Mission:
 - *To promote and protect the human rights of people with intellectual and developmental disabilities and actively support their full inclusion and participation in the community throughout their lifetimes.*
- Largest organization in the U.S. that serves people with intellectual and developmental disabilities (IDD) and their families
- Policy, program, and legal advocacy
- 600+ chapters across the country



The Arc®

*National Center on
Criminal Justice & Disability*

National Center on Criminal Justice and Disability



- Created in 2013 with support from the Bureau of Justice Assistance
- Mission: Advocate at the intersection of criminal justice reform and the advancement of disability rights
 - Work on both victim/witness issues and on issues facing those who are charged with crimes
- Broad portfolio of projects and contracts from the federal government and foundations
- Target audiences: Disability advocates, criminal justice professionals, people with IDD and The Arc's chapter network

National Center on Criminal Justice and Disability



Training and technical assistance

- Pathways to Justice®
www.nccjdpowerstojustice.org
- Community-based program that creates Disability Response Teams (or DRTs)



Information and referral

- For people with disabilities and their families as well as criminal justice and allied professionals
- <https://thearc.org/our-initiatives/criminal-justice/>



Resource collection and creation

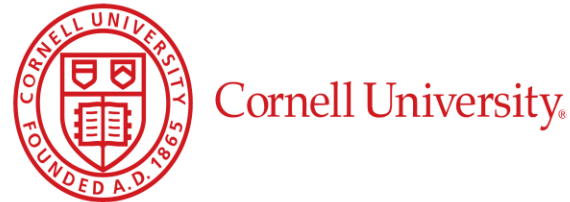
- Policy briefs, fact sheets, other publications



Education

- Social media, webinars, and conferences

Project Partners



NCCJD Projects & Initiatives

- *Just Policing: Virtual Training for Police on IDD*
- *Language Access Barriers to Justice Among Victims with IDD*
- *Crisis Response Intervention Training & Technical Assistance*
- *Interviewing People with IDD – International Assoc of Chiefs of Police*
- *Home Safe: People with autism/IDD and wandering*
- *Transforming Healthcare: Sexual Violence Prevention*
- *International work: Access to Justice International Knowledge Hub*
- *NCCJD's Community of Practice for The Arc's chapter network*



Achieve with us.®

What the Data Tells Us



*National Center on
Criminal Justice & Disability*

Victims



*Cognitive disabilities include Down syndrome, autism, dementia, learning disabilities, intellectual disability, and traumatic brain injury.

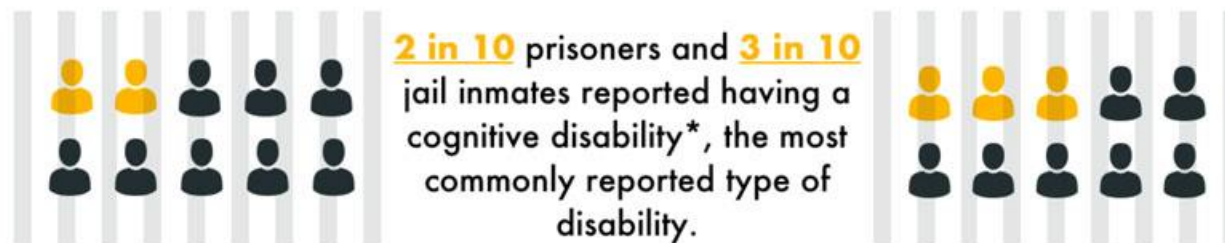
Barriers



to Justice

- Reports of victimization are not believed
- Cases may go unprosecuted, especially if there are communication challenges
- Inaccessible services and supports

Suspects/Defendants/ Incarcerated People



*Cognitive disabilities include Down syndrome, autism, dementia, learning disabilities, intellectual disability, and traumatic brain injury.

Source: Bureau of Justice Statistics



of those later exonerated after giving a false confession to police had characteristics of intellectual disability.

Source: National Registry of Exonerations

Barriers



to Justice

- Disability goes unrecognized or is dismissed as irrelevant
- Face higher rates of arrest, conviction, and longer sentences
- Inaccessible diversion and rehabilitation programs

Race & Disability

- American Journal of Public Health article (McCauley, 2017) found that young people with disabilities are **13% more likely to be arrested than their peers without disability**
 - That figure jumps to **17% for Black youth with disabilities**
- People with disabilities have an **overall 43% chance of arrest, with a disproportionate risk falling on young Black men**



National Center on
Criminal Justice & Disability

Achieve with us.®

A Tragic Mistake



Supporting People With Disabilities through a Trauma-Informed Lens

- New Resource from The Arc
- When someone with IDD resists, lashes out, or shuts down, it's easy to mistake it for a behavioral problem. **But it might actually be a trauma response**, and knowing the difference can change how you support them.

“In the 25 years I have practiced psychology in the field of intellectual disability, I have found that approximately 90% of behavioral issues have actually been trauma-based responses.

We may, in fact, be misunderstanding many behavioral issues when the core of these issues is the expression of emotional trauma.”

Karyn Harvey, PhD
Author, Psychologist, and Director of Training and
Development, Park Ave Group

Trauma's Impact on People with IDD

- Looks different from person to person; fight, flight or freeze
- Behavioral issues are often manifestations of trauma
- Behavior modification does not address the root issue
- Well meaning attempts to address behavioral issues only increase trauma they have already experienced

Safety

Ensuring physical and emotional safety



Choice

Individuals have choice and control



Empowerment

Prioritising enablement and skill building



Trustworthiness

Task clarity, consistency, interpersonal boundaries



Collaboration

Sharing decision making and power

Trauma-informed care incorporates...

Five Trauma-Informed Principles

1. Ensure physical and emotional safety

Use restraints only as a last resort when safe to do so and after attempting less invasive options such as engaging the person with conversation, eye contact, and body language. Maintain an even and respectful tone, use short encouraging phrases, and use postures and body proximity that convey safety and support versus control.



National Center on
Criminal Justice & Disability

Achieve with us.®

Five Tips for Trauma Response

2. Give people choice and control

- Identify ways to ensure effective communication by giving the person options on how it is easiest for them to communicate.
- If no assistive device is readily available, consider providing other options such as paper and a pen or a dry erase board with a marker. They may be able to draw their thoughts, feelings, or emotions. This can quickly de-escalate a situation because the person feels heard.



National Center on
Criminal Justice & Disability

Achieve with us.®

Five Tips for Trauma Response

3. Prioritize enablement and skill building

- Consider ways to use supported decision-making
- Understanding their options can make them feel more in control, decreasing the fight, flight, or freeze response. The supporter does not make any final decisions for the person but can help them weigh their options and communicate their thoughts or decisions.

Five Tips for Trauma Response

4. Provide task clarity, consistency and boundaries

- The person may believe they can't trust anyone due to their past trauma experiences. For this reason, it is critical to build a level of connection and trust, especially if there are repeated incidents of trauma
- Refer to agencies, programs, or professionals such as therapists or counselors with expertise in assisting people with IDD
- The counselor can identify core reasons for behaviors, address the underlying trauma causing the behavior, and reduce future incidents



National Center on
Criminal Justice & Disability

Achieve with us.®

Five Tips for Trauma Response

5. Share decision-making and power

- Instead of telling the person to calm down, which is often ineffective, try listening to them about the cause of their anger and emotional distress
- Whenever possible, give them options on what to do in the situation. For example, when looking for a safe space where you can talk privately, give options about where to go and who they would like in the room
- This can go a long way in helping the person feel like they can talk openly, express their feelings, and share what they need to feel safe again

WHY WE CAN'T STOP ADVOCATING

Ethan Saylor (2013)



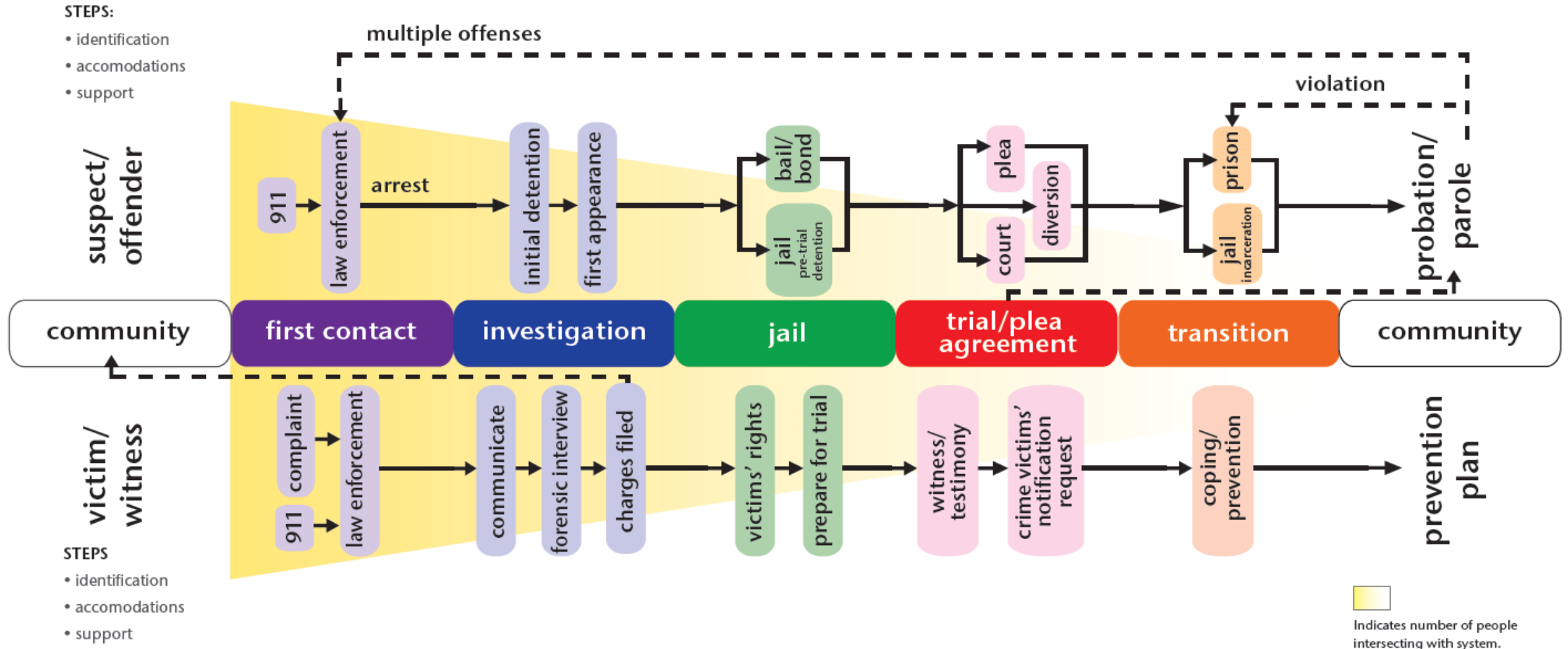
Eric Parsa (2020)

Pathways to Justice Training Program



*National Center on
Criminal Justice & Disability*

Pathways to Justice™ Model



Pathways to Justice®

STEP 1:
Disability
Response
Team (DRT)

STEP 2:
Training
for Justice
Professionals

STEP 3:
Ongoing
Technical
Assistance



Pathways Principles:

- Nothing about us, without us
- Community-based
- Multidisciplinary
- Relationship-oriented



National Center on
Criminal Justice & Disability

Achieve with us.®

Pathways to Justice®: A Comprehensive Approach

*Module 1: Introduction to DRTs and the
Pathways to Justice Training Program*

Module 2: Disability Basics

Module 3: Law Enforcement

Module 4: Victim Service Providers

Module 5: Attorneys

Module 6: Developing a PTJ Plan

Evaluation Process



National Center on
Criminal Justice & Disability

Achieve with us.®

Disability Response Team (DRT)

Hosted by Chapters of The Arc/other NGOs

Criminal Justice
Professionals

Disability
Community

Law
Enforcement

Victim
Services
Providers

Legal
professionals

Family
advocates

Disability
advocates
(other than
The Arc)

Self-
advocates

10 Facts Law Enforcement Needs to Know

When Serving & Protecting People with Intellectual and Developmental Disabilities (I/DD)



- 1. People with disabilities make up the single largest minority group in the U.S. and officers who have the skill set to work with this population have a significant advantage over officers who do not.** Officers may not realize just how common disability issues impact everyday society or the issues they pose while on the job. The more educated the officer is about disabilities in general, the more likely safe and positive outcomes will occur between law enforcement and people with disabilities.
- 2. Using ADA accommodations decreases liability and improves community trust.** By law, people with disabilities are entitled to the same level of access to law enforcement services as provided to those without disabilities. Law enforcement can avoid liability by ensuring officers are trained to interact and communicate effectively with people with disabilities. It's important to increase community trust by demonstrating an understanding and acceptance of people with disabilities.
- 3. Training for law enforcement on Intellectual or Developmental Disabilities (I/DD) is rare, and yet the need is rising.** Crisis Intervention Training (CIT) programs, which sometimes include the topic of I/DD, but only briefly, are not mandatory or provided at all police departments, and the rise of incidence of some I/DDs, such as autism spectrum disorders (ASDs) and Fetal Alcohol Spectrum Disorders (FASDs), heightens demand.
- 4. Citizens with I/DD are over-represented in the criminal justice system.** Many citizens with disabilities end up in the criminal justice system with their disability playing a role in the situation that led them there. People with disabilities are twice as likely



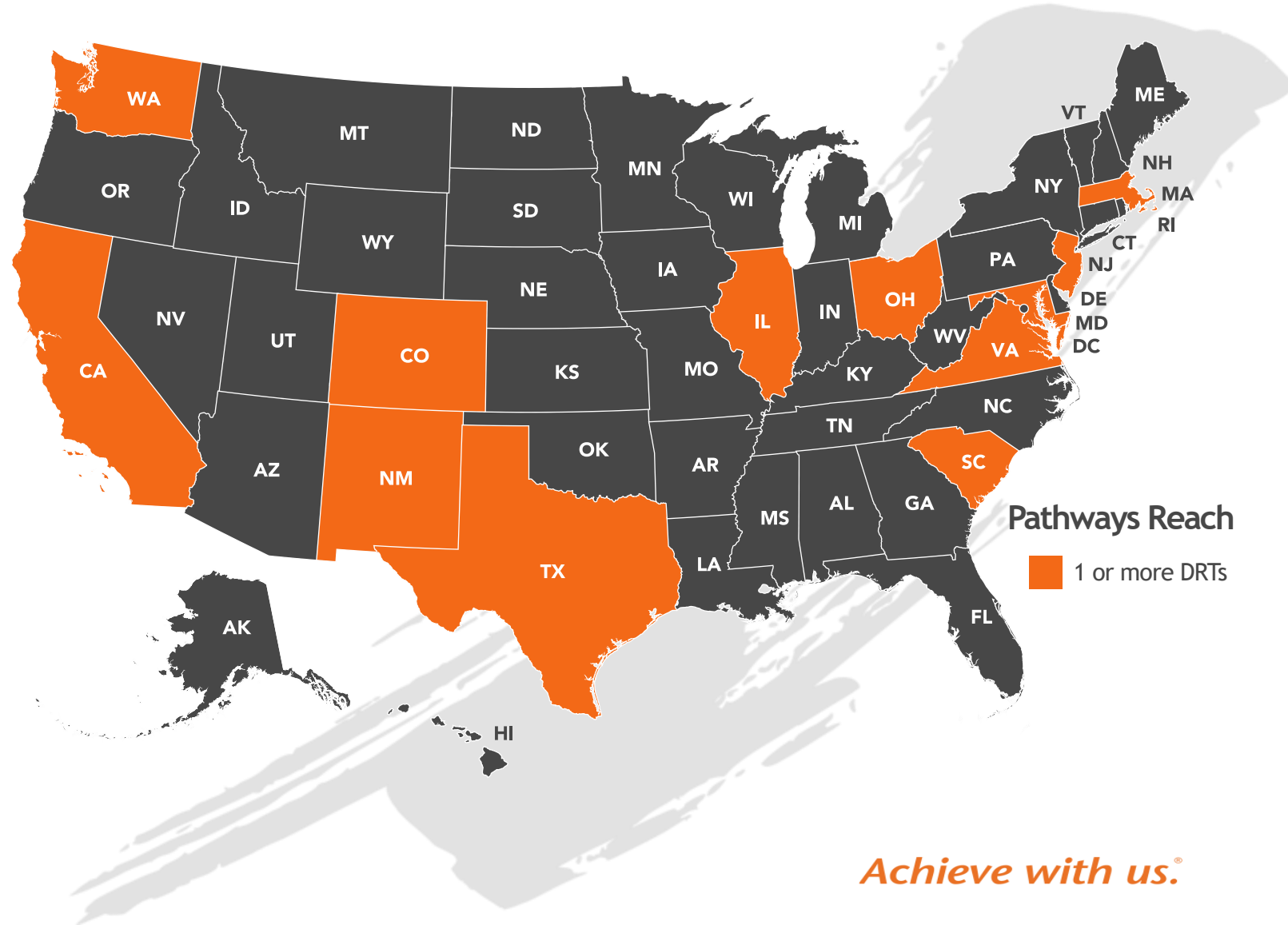
National Center on
Criminal Justice & Disability



Achieve with us.®

The Impact of Pathways to Justice

- **15 Disability Response Teams** in 12 different states
- **Over 1,700 justice professionals** trained since 2015



National Center on
Criminal Justice & Disability

Achieve with us.®

Contact Information

- NCCJD Staff
 - Leigh Anne McKingsley, Senior Director
Mckingsley@thearc.org
 - Tori Glaude, Program Manager
Glaude@thearc.org
 - Jessica Oppenheim, Expert Consultant
Oppenheim@thearc.org
- Visit NCCJD® online
www.thearc.org/NCCJD
- *Pathways to Justice*®
<https://thearc.org/our-initiatives/criminal-justice/pathway-justice/>





ABOUT DRAZ

Disability Rights Arizona (DRAZ) is a non-profit public interest law firm and the federally mandated Protection and Advocacy (P&A) agency for the State of Arizona. Our mission is to protect the legal rights of children and adults with a wide range of disabilities. We envision a society where people with disabilities enjoy full acceptance without barriers. To that end, we provide free legal services, advocacy, and resources to adults and children with disabilities in Arizona who face legal problems related to their disability.

The ADA and other laws

Title II

Applies to state and local governments (courts, police, crisis responders)

Must make reasonable modifications to the policies and procedures to allow individuals with disabilities equal opportunity to services

Must provide auxiliary aids and services (primary consideration)

Exceptions include undue burden, fundamental alteration

Title III

Applies to places of public accommodations (hospitals, clinics)

Covered entities must make reasonable accommodations

Exceptions include undue burden or fundamental alteration

Affordable Care Act (ACA) - Section 1557

Must provide auxiliary aids and services (primary consideration)

Covered entities include any healthcare organization that receives federal funds

More about Title II of the ADA

-
- No qualified individual shall, because of their disability, be excluded from participation in, denied the benefits of, or subjected to discrimination in the services, programs, and activities of all state and local government entities.
 - Programs and activities may include interviewing witnesses or parties, conducting arraignment, taking testimony, providing notices of rights, police responding to complaints, vehicle stops and searches, arrests



Reasonable Modifications



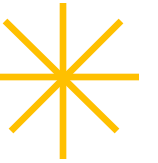
Make reasonable modifications in policies, practices, or procedures when necessary to avoid disability discrimination in all interactions, unless doing so results in a fundamental alteration.

Some examples of how law enforcement have implemented the ADA.

- Trained law enforcement officers
- Require officials to explore reasonable modifications
- Take appropriate steps to ensure effective communication

Source: [DOJ Examples and Resources for ADA Compliance](#)

ADA and Effective Communication



- State and local government must ensure effective communication and provide auxiliary aids and services.
- Primary consideration must be given.
- Auxiliary Aids and Services include: ASL interpreters (in-person, VRI), captioning, large print, Braille, and many others.
- Self-advocates: let the officer know if the auxiliary aid or service provided isn't effective

See [DOJ's ADA Requirements: Effective Communication](#)

Sheehan v City & County of San Francisco (9th Cir)

The ADA applies to crisis responses, but exigent circumstances may form the reasonableness under the ADA

What are exigent circumstances?

- Reasonableness requirement, emergency assistance required in the occupant's home (medical distress), bodily harm, destruction of property, destruction of evidence, hot pursuit





What Can Reasonable Accommodations Look Like

- Augmentative communication devices
- Request for first responders to speak slower
- Limit sensory distractions
- Involve support systems, caregivers
- Ask for additional time to process information
- Consider police registry (if available)

Complaint Options

FOR VIOLATIONS BY STATE AND LOCAL ENTITIES

- Police Department internal grievance processes
- Department of Justice complaint
- Contact your state or federal Representative, Senator

FOR VIOLATIONS BY HEALTHCARE PROVIDERS

- Arizona Dept of Health Services Quality of Care complaint
- HHS complaint (for Section 1557 complaints)
- Arizona Attorney General – Civil Rights Division (ACRD)

Tips for self-advocacy

- Utilize the Blue Envelope program
- Roleplay police interactions
- Understand your disability and explore accommodations
- Work with your local PD
- Have your ID handy
- Know your rights
- Consider creating a disclosure tool

RESOURCES



Blue envelope program <https://azdot.gov/mvd/services/driver-license-ID/blue-envelope>

DOJ guidance on effective communication <https://archive.ada.gov/effective-comm.pdf>

Job Accommodation Network (JAN) <https://askjan.org/> (great for exploring types of accommodations an individual may need)

THE DE-ESCALATION TRAINING ACT OF 2022

- Directs the DOJ to develop or identify effective existing training for law enforcement officers and covered mental health professionals regarding
 - De-escalation tactics
 - Safely responding to an individual experiencing a mental or behavioral health crisis
 - Successfully participating in a crisis intervention team
 - Making referrals to community-based mental and behavioral health services





CONTACT INFORMATION

Sey In

sin@disabilityrightsaz.org

<https://disabilityrightsaz.org/>



QUESTIONS?

Thank you for your support!

We must raise \$100,000 to ensure a successful in-person AACD in 2027, and we urgently need your support to reach this goal. The 2026 Virtual Conference and the 2027 in-person conference will be fully supported by the generous donations and contributions from individuals, organizations/agencies, and businesses.

We are calling on supporters, partners, and community members to stand with us.



AACD Virtual Sessions

Complete the survey to claim your certificate of attendance.

Use the survey QR code or link for **each** session you attend.

<https://bit.ly/AACDV26>

AFRICAN  AMERICAN
CONFERENCE ON DISABILITIES

