



BlickClinic

Enhancing The Lives of People With Disabilities

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COMMUNITY CRISIS INTERVENTION TEAM TRAINING

Developmental Disabilities

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The term “developmental disability” means a chronic disability of an individual that:

- Is attributable to a mental or physical impairment or combination of mental and physical impairments;
- Manifested before the individual attains age 22;
- Likely to continue indefinitely;
- Results in substantial functional limitations in three or more of the following areas of major life activity:
 1. Self-care;
 2. Receptive and expressive language;
 3. Learning;
 4. Mobility;
 5. Self-direction;
 6. Capacity for independent living; and
 7. Economic self-sufficiency

**Developmental
Disabilities Act
section 102(8)**



What is the difference between developmental disabilities and mental illness?

- Developmental disabilities refer to below average abilities to learn and process information, but mental **illness** refers to a person's thought processes, emotions and relating.
- Developmental Disabilities occur before a person is 22 years old. Mental Illness can occur at any age.
- Like everyone else a person with developmental disabilities can have a mental illness but they are separate conditions.



People with Intellectual Disabilities in the Criminal Justice System: Victims & Suspects

Leigh Ann Davis, M.S.S.W., M.P.A.

Look for clues in the person's communication, behavior and reaction to police contact.

Communication: The individual may have...

- Limited vocabulary or a speech impairment.
- Difficulty understanding or answering questions.
- A short attention span.

Behavior : The individual may...

- Act inappropriately with peers or the opposite sex.
- Be easily influenced by others.
- Be easily frustrated.
- Have difficulty with one or more of the following tasks:
 - Reading and writing.
 - Making change.
 - Using the telephone
 - Telling time

“Police officers and court officials often do not realize that a majority of those affected by intellectual disabilities are mildly affected and will not readily appear as having a disability.”



People with Intellectual Disabilities in the Criminal Justice System: Victims & Suspects *continued*

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Reaction to Police Contact:

When in contact with law enforcement the individual may...

- Not want disability to be noticed.
- Not understand rights.
- Not understand commands.
- Have the tendency to be overwhelmed by police presence.
- Act very upset at being detained and/or try to run away.
- Say what he or she thinks others want to hear.
- Have difficulty describing facts or details of offense.
- Be the last 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.

**People with
Intellectual
Disabilities actions
may be easily
misunderstood.**



Modifying language when speaking with a person with a intellectual disability

- Speak directly to the person.
- Keep sentences short.
- Use simple language, speak slowly and clearly.
- Ask for concrete descriptions, colors, clothing, etc.
- Break complicated series of instructions or information into smaller parts.
- Whenever possible, use pictures, symbols, and actions to help convey meaning.
- Take time giving or asking for information.
- Avoid confusing questions about reasons or behavior.
- Repeat questions more than once or ask a question in a different way.
- Don't ask questions in a way to solicit a certain answer. Don't ask leading questions.
- Phrase questions to avoid "yes" or "no" answers, ask open-ended questions (e.g., "Tell me what happened.").



Do people with developmental disabilities understand the Miranda warnings?

People with developmental disabilities often do not understand the Miranda warnings. In fact, many individuals with DD often answer yes after they are read the Miranda warnings even when they do not understand their rights.

Most people with DD usually want to please police officers and may appear to incriminate themselves even when innocent of any crime. They often fake greater competence than they actually possess.

When reading the Miranda warnings to someone with DD, or to others who may have difficulty understanding, use simple words and modify the warnings to help the individual understand. It's important to determine whether the individual genuinely understands the principles, protections and concepts within the warnings.

Ask the person to repeat each phrase of the Miranda warnings using his or her own words. If the person simply repeats the phrase word for word, check for understanding by asking questions that require the individual to use reasoning abilities and think conceptually.

For example, you can say, "tell me what rights are, give me an example of a right you have, tell me what a lawyer is, how can a lawyer help you, why is a lawyer important, why do you want to talk to me instead of a lawyer, can you explain to me why you don't have to talk to me, etc." A person with DD may be able to recite the entire Miranda warnings, or even a simplified version of it, but he or she typically cannot understand its meaning or the implications of his or her responses.



Major Unusual Incidents

A major unusual incident ([O.A.C.5123:2-17-02](#)) is defined as any alleged, suspected, or actual occurrence of an incident that adversely affects the health and safety of an individual. There are nineteen types of incidents defined in the rule that are considered major unusual incidents (MUIs). All of the incidents require that immediate action is taken to protect individuals from further harm.

Report all allegations of abuse, neglect, theft, sexual abuse, domestic violence etc. to the Summit County Board of Developmental Disabilities MUI Department

Summit DD Emergency numbers

**Business Hours: MUI Unit Hotline Number:
330-634-8684**

**After Hours Emergency on call #:
877-271-6733**

Police Reports

Summit DD contracts with the Summit County Sheriff's Department to complete MUI criminal investigations.

Police reports are now submitted to Detective Joe Storad at 330-634-8823.

Evenings, Weekends and Holiday calls are made to...

Summit County Sheriff's Radio Room at (330) 643-2181 and the caller is to request the Investigation's Bureau Supervisor.



Why do agencies sometimes need the police?

Safety Issues: Help is needed when a consumer that is harming themselves and others. Staff has been directed to call 911 and request a CIT Officer if they feel the situation they are managing is not safe.

Staff safety: At times staff may be concerned about their personal safety when visiting a new home and will request that an officer accompany them.

Legally gain access to a home: Gaining access to a home if there are concerns about the health and safety of a client that lives alone or with elderly parent. Example: There are individuals that have been home when their elderly parent has become very ill or died and they do not know what to do.



What to do when a person with a developmental disability is in crisis:

- Check to see if they have residential services or family caregivers. Clients often have this information in their pockets, wallets, purses etc.
- Contact Summit County Board of Developmental Disabilities to determine if the individual receives services: 330-634-8000
- If the individual is arrested they are often placed in the mental health unit of Summit County Jail. They may not be able to report what medication they are on or other specialized needs. Please call the numbers listed above as soon as possible.
- If an individual is a victim of a crime, and does not have support contact Summit DD for emergency help
- Clients of Summit DD are assigned a SSA (Case Worker). To follow up with concerns and services needed contact the SSA Department at 330-634-8959.



Laws Specific to persons with disabilities:

- 2903.34 Patient abuse or neglect
- 2903.341 Patient Endangering
- 2903.16 Failing to provide for a functionally impaired person
- 2903.10 Functionally impaired person and caretaker defined
- 2903.33 Patient Abuse and Neglect in Care Facilities Definitions
- 2907.02 Rape
- 2907.03 Sexual Battery
- 2907.05 Gross Sexual Imposition
- 2907.06 Sexual Imposition
- 2913.02 Theft
- 2913.49 Identity Fraud
- 2913.73 Evidence that victim lacked capacity to give consent
- 2903.33 Patient Abuse and Neglect in Care Facilities Definitions



Scenarios

A 62 year old woman with intellectual disabilities had an argument with one of her roommates and hit her on the arm. When police arrive she begins to cry and says, “I’m bad, I’m bad, I’m bad.”

A woman with mild intellectual disabilities has broken windows and injured two staff working at the home. Upon seeing officers she sits down and states that the staff should mind their f.... business.

A 30 year old man with autism is found wandering barefoot on Arlington St. at 11:00 PM. He appears frightened and runs from police officers.

QUESTIONS

COMMENTS