

Keys to Success in Navigating the Criminal Justice System

Transition Age Youth with I/DD and Dual Diagnoses
Peggie Webb, MA
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ISSUE*

- ▶ As with the general population, most individuals with intellectual or developmental disabilities are law-abiding citizens
- ▶ While intellectual disabilities occur in 3% of population, estimates tell us 4.9% of criminal offending population has a DD:
 - This means 3 times as many people with DD find themselves involved in the criminal justice system that people without DD

*Njbic-2010-developmentally-disabled-offenders-program

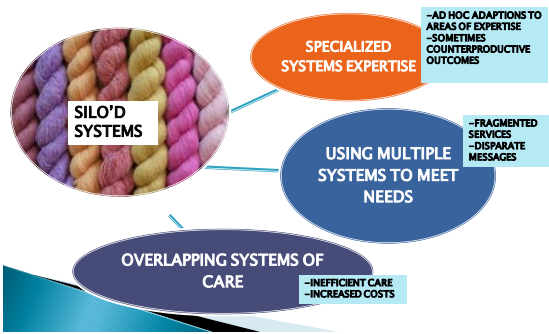


TAY Vulnerabilities

- ▶ Aging out of one system to another -'falling through the cracks'
- ▶ Emotional Disregulation typical in this age due to physical and developmental considerations
- ▶ 'First Breaks' common in late teens- young adult hood
- ▶ First exposure to and increased substance use
- ▶ Age range crosses two court systems



TAY-Dual Diagnosis Challenges



Offenders with Developmental Disabilities



Freedom and Responsibility



Balancing considerations



- › Best Interests of the person
- › Appropriate Consequences
- › Everyone staying in their 'own lane'
- › Personal Safety
- › Community Safety
- › Treatment options
- › Training options
- › Educating the Criminal Justice System - 'Training vs. Treatment'



Myths about Offending Behavior

- › Offenders with I/DD do not know right from wrong
- › Offenders with I/DD should always be 'rescued' from the criminal justice system for offending behavior - the human services system can manage this behavior better
- › Offenders with I/DD are never competent to stand trial
- › Offenders with I/DD should always be given a mitigated sentence because they have I/DD



Realities about Offending Behavior

- › Offenders with I/DD are unique individuals and each case must be judged based upon the all the facts of the case including consideration of their I/DD.
- › Offenders with I/DD are often found competent to stand trial
- › Offenders with I/DD may know right from wrong and may need to be held accountable for their illegal behavior by the Criminal Justice System



Important Behavioral Considerations

If a person is 'Regional Center' and as a result, there are limited/no consequences for Criminal Behavior, a person with a 2nd- 5th grade processing level *may* learn that Regional Center clients do not have to experience the same type of justice as others and this often ...**INCREASES** the likelihood that the criminal behavior will occur again.

Key Considerations

- ▶ Transition Age Youth age spans both Juvenile Justice and Criminal Justice courts for adults.
- ▶ Different systems - may require two different knowledge /'system' areas of expertise
- ▶ Minors - increased support system and contingencies - often more systems involved
- ▶ Adults - may require more support from experts and increased collaboration with courts and probation

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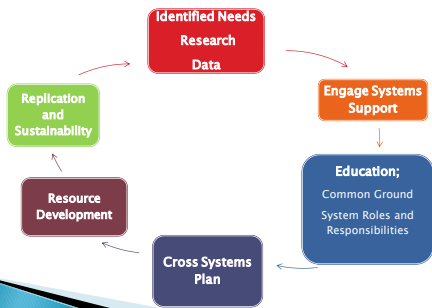
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The Building Blocks of Cross Systems Collaboration



Successful Collaboration



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"Sometimes I think the collaborative process would work better without you."



Engage Systems Support

- › Networking?
- › Research?
- › Committees?
- › Each community is different



Research and Education

- › Nothing speaks louder than research and data
- › We truly 'share' clients/consumers/individuals with multiple systems - we need to help them see our shared responsibility



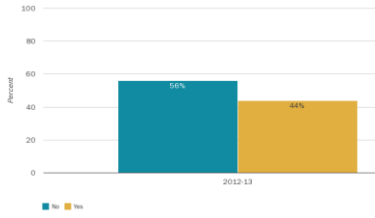
Frequency of Dual Diagnosis

- › Co-occurring Psychiatric conditions are *as likely* to occur in individuals with developmental disabilities as in the general population.
- › In fact, some research indicates the possibility that mental illness occurs *at a higher rate* in this population. (Zubin and Spring's **Stress Vulnerability Model**)



National Core Indicators 44% of persons with IDD last)

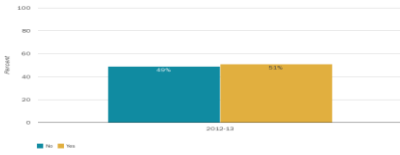
Mental Illness or Psychiatric Diagnosis



NCI Data: Mild ID : 51%

Mental Illness or Psychiatric Diagnosis

Level of ID: Mild ID



Clients and Substance Use

- ▶ **2.6%** – all persons with ID with Medicaid billing; diagnosable substance abuse disorder (Slayter 2010)
- ▶ **Other estimates using different methodologies; 26%** (Strain Buccino Brooner Schmidt & Bigelow, 1993)
- ▶ **Persons with Dual Diagnosis (MI-DD) ; estimates range from 7 to 20%** (Sinclair, 2004)

Education

- › Systems Information
- › Communication Tips
- › DATA!
- › Research
- › Education ... NOT a 'soft' outcome
- › Education... over and over and over again.



'Street-wise'

- › Limited Vocabulary?
- › Seems Eager to Please?
 - "yesing the Interviewer?"
- › Overly impressed by the uniform /badge?
- › Not socially typical for the situation?
- › Cannot answer complex questions ?
- › Does not know address?
- › Refers to 'my social worker', 'my group home'?
- › Cannot write name?
- › Receives SSI?



Communication Tips

- › Use simple words
- › Speak slowly
- › Do not shout
- › Be sensitive to cues and tone of voice
- › Pause.. Do not overload the individual with words
- › Be sensitive to non verbal cues and adjust your behavior accordingly.
- › Consider using gestures to make the message more concrete
- › Use visuals if necessary (drawing)



Resource Development

▶ The Skills System – Dr. Julie Brown

www.theskillssystem.com

- Having the capacity to benefit from emotions, rather than being paralyzed by them, offers people the opportunity to navigate difficulties, while being able to face life, relationships, and themselves with courage, grace, and strength.
- The guide presents nine simple, user-friendly adaptive coping skills effective for individuals of diverse learning abilities. Based on Dialectic Behavior Therapy principles, the Skills System helps people of all ages learn to effectively regulate emotions, thoughts, and actions to reach personal goals.



Resource Development

▶ TIP Model™

▶ The *Transition to Independence Process (TIP) Model™* is an evidence-supported practice based on published studies that demonstrate improvement in real-life outcomes for youth and young adults with emotional/behavioral difficulties (EBD). The TIP Model™ training materials are designed for personnel serving transition-age youth and young adults (14–29 years old) and their families.

◦ <http://www.tipstars.org>



Replication and Sustainability

SHOW UP

CHANGE/ADAPT

COLLABORATE

KEEP SHOWING UP



Questions and Discussion



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