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The Arc of Illinois Testimony
Joint Hearing with Senate Special Committee on Public Safety and
Senate Criminal Law Committee
Subject Matter Hearing on Police Training and Use of Force
September 1, 2020

Dear Chairpersons Sims and Peters, Senators Stewart and Curran, and Committee Members,

Thank for the opportunity to contribute to the discussion about how to ensure that law enforcement officials have adequate training in order to minimize the use of force. On behalf of The Arc of Illinois, we want to recommend increased training related to interactions with people with disabilities, positive engagement of police with people with disabilities on an ongoing basis, opportunities for alternative supports when crises with people with disabilities arise and diversion for people with disabilities from entering the justice system, beginning with arrest.

The Arc of Illinois is a statewide organization that advocates on behalf of the human and civil rights of individuals with intellectual and developmental disabilities (I/DD). We bring together advocates, connect people and families, train and educate, and provide resources and support. Our programs and policy work at the state level is led by individuals and families who are changing systems and living the lives they choose.

People with intellectual and developmental disabilities (I/DD) often face unique and serious challenges when encountering law enforcement and the criminal justice system. For example, the causes of behavior that may attract police attention, and the responses needed to best resolve a situation, may be quite different when a person has Autism Spectrum Disorder, Down syndrome, a dual diagnosis, or Fetal Alcohol Syndrome, from that of a person with mental illness without I/DD or with no disability at all. In addition, Black and Brown children and adults who also have disabilities are at an even greater risk of the use of force by law enforcement. We must end the violence against people of color with disabilities that result from discrimination and a lack of understanding of disability support needs.

We believe any legislation considered should have special consideration for people with disabilities, in particular, people of color with disabilities. Here are just a few of the areas where we see specific opportunities to improve interaction or divert interactions from law enforcement, which could decrease the use of force and improve experiences for people with disabilities:

Police Education

We see a lack of understanding by some police in working with people with disabilities who might have sensory or communication challenges, a lack of ability to respond to verbal instruction or who, because of a history of trauma, might have atypical reactions to raised voices and sirens. Failure to respond might mean that someone does not understand or hear instructions, not that they are ignoring a command. Removal of assistive technology such as an

iPad or other electronic device might result in communication limitations. We are aware of cases of people being separated from their wheelchairs or who are deaf and handcuffed with hands behind them, which removes their communication abilities.

Across the state, we need a commitment to high quality and robust training about working with people with disabilities, especially those with I/DD and Autism. This should start at the Police Academy and be revisited in ongoing training throughout the law enforcement career. We recommend bringing in self-advocates and families as well as professionals to educate and facilitate discussion. We need to see significantly more training throughout the state of Illinois and we encourage a more significant amount of time to be allocated to disability training, including more role plays specifically with people with autism and I/DD.

Utilization of Alternative Professionals to Support People with Disabilities

We recommend that the state redirect funds to allow for alternative professionals to be called in situations involving people with disabilities. We support mental health and social worker task forces to handle crises for people with mental health issues and/or people with I/DD. The problem is not just that the police need to be trained about how to interact with people with disabilities, but that they are called in in the first place to situations that do not require an armed officer of the law. This brings people with disabilities into the criminal justice system and criminalizes behavior that might not really be against the law. With adults with disabilities living with family or in residential services, we need to offer an alternative option to calling 911 when there are behavioral challenges. We support ensuring that there are targeted ombudspersons who can work in various police departments specifically with people with disabilities.

Additionally, in the school setting, we encourage the state to expand the use of alternative trained professionals who are able to intervene with special education students as needed instead of bringing in law enforcement in order to break the school-to-prison pipeline.

Engagement with People with I/DD

We encourage training and subsequent activities that ensure that law enforcement know, interact with and get involved in the communities they work in and specifically with people with disabilities, connecting with school-aged families, service providers who support people living in communities and disability advocates.

We look forward to being a part of the discussion going forward with the Illinois Legislature to ensure that people of all ages with I/DD are able to have safe and meaningful relationships with law enforcement officials and can be diverted where appropriate from interacting with police when issues arise. Please do not hesitate to contact Meg Cooch at 773-558-5136 or meg@thearcofil.org, or Phil Milsk, at 815-685-8553, philmilsk@hotmail.com for more information.

Sincerely,

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Achieve with us.