



Position Paper on Policing and the Disability Community

What is the issue?

People with disabilities face alarming and disproportionate rates of police violence compared to persons without disabilities. In the United States, an estimated 33-50% of people killed by police had a disability.¹ People with disabilities are also more likely to be unfairly criminalized and viewed by police as non-compliant based on behaviors related to their disability, magnifying arrest rates, and police violence. Over the past four years in DC, there have been 13 community member complaints against the Metropolitan Police Department (MPD) for discrimination based on disability.² Black people with disabilities are disproportionately impacted by policing and police violence, and “more than half of Black people with disabilities have been arrested by the time they turn 28—double the risk compared to their white disabled counterparts.”³

Additionally, people with disabilities are more likely to be in contact with the police because they are victims of crime at higher rates than people without disabilities. People with disabilities are 3.8 times more likely to be victims of violent crime than people without disabilities, and people with cognitive disabilities are 6.8 times more likely to be victims of violent crime than people without disabilities.^{4 5} In the United States, people with intellectual disabilities are seven times more likely to be sexually assaulted than people without disabilities.⁶ Yet, rapes and sexual assaults against people without disabilities were nearly twice as likely to be reported to law enforcement as those against people with disabilities.⁷ Although there are not many statistics specific to DC for disability and policing, the MPD does record the number of hate crimes against people with physical disabilities reported per year, which has

¹ Understanding the Policing of Black, Disabled Bodies. 10 February 2021. *Center for American Progress*. <https://www.americanprogress.org/article/understanding-policing-black-disabled-bodies/>

² Government of the District of Columbia, Police Complaints Board, & Office of Police Complaints. (2022). *Annual Report 2021*. <https://policecomplaints.dc.gov/page/annual-reports-for-OPC>

³ Understanding the Policing of Black, Disabled Bodies. 10 February 2021. *Center for American Progress*. <https://www.americanprogress.org/article/understanding-policing-black-disabled-bodies/>

⁴ *Crime Against Persons with Disabilities, 2009–2019 – Statistical Tables*. Bureau of Justice Statistics. <https://bjs.ojp.gov/library/publications/crime-against-persons-disabilities-2009-2019-statistical-tables>

⁵ The Bureau of Justice Statistics defines a cognitive disability as a “serious difficulty in concentrating, remembering, or making decisions due to a physical, mental, or emotional condition”

⁶ <https://www.npr.org/2018/01/08/570224090/the-sexual-assault-epidemic-no-one-talks-about>

⁷ *Crime Against Persons with Disabilities, 2009–2019 – Statistical Tables*. Bureau of Justice Statistics. <https://bjs.ojp.gov/library/publications/crime-against-persons-disabilities-2009-2019-statistical-tables>

been two over the past five years. They do not record this data for people with other types of disabilities.⁸

MPD currently lacks a comprehensive protocol for providing alternative communication methods and technologies for people with little to no understandable speech, people who need more time to process and communicate, Deaf and Hard of Hearing people, Blind people, and those who need plain language communication. The current policy for providing ASL interpreters is limited, and no policy directives exist to protect the rights of those who cannot communicate for other reasons.⁹ This lack of a clear policy allows police to treat a lack of response from suspects as a defiant response, and that disproportionately harms people with disabilities. The Deaf and Hard of Hearing Liaison Unit works to achieve policing equity for that group, but no liaison unit currently exists for other people with disabilities.

Why is this issue important to the DC Developmental Disabilities Council (DDC)?

People with disabilities, especially Black, Indigenous, and other People of Color (BIPOC) people with disabilities and those with high support needs, are more often victims of crime and police violence and face additional challenges in reporting crime and seeking help than people without disabilities. DDC Members and many other DC residents with disabilities and their families have consistently shared concerns about these challenges. The DDC [Fiscal Year \(FY\) 2022-2026 State Plan](#) and our [Anti-Racism Statement](#) commit us to work toward equity and justice and respond to the needs and concerns of our DC community. Additionally, in 2020, the DDC convened the [Disability Community and Policing Working Group](#), which made several recommendations to the DC Council's Police Reform Commission. Ensuring that people with disabilities can feel safe in their homes and communities and know who can help them stay safe is essential to the DDC's work.

What is the DDC's position, and what is the change we would like to see?

The DDC stands by the recommendations previously developed by the Disability Community and Policing Working Group, which include:

1. Creating a policy that requires the representation of the disability community on the MPD Chief's Advisory Council.
2. Encouraging and supporting people with disabilities and their supporters to join their local Citizen Advisory Councils.
3. Increasing staff training in up-to-date best practices about working with people with disabilities, including students in school, and in broad crisis intervention skills.

⁸ Metropolitan Police Department DC. (2022). *Annual Report 2021*. <https://mpdc.dc.gov/annualreports>

⁹ *Communication Rights for the Deaf or Hard of Hearing*. (n.d.). Metropolitan Police DC. Retrieved July 5, 2022, from <https://mpdc.dc.gov/page/communication-rights-deaf-or-hard-hearing>

4. Establishing a policy and training for police officers to take all possible steps to avoid using deadly force when working with people with disabilities, including behavioral health disabilities.
5. Creating a Disability Liaison Unit.
6. Creating more unarmed crisis intervention teams with behavioral health and disability experts.
7. Training dispatchers to identify what resources are necessary for people with disabilities.
8. Considering [DefundMPD](#)'s recommendations to reallocate funds toward social services.
9. Increase education efforts and a public awareness campaign for and by people with disabilities regarding criminal justice.¹⁰
10. Increasing awareness about alternatives to calling the police.

The DDC now also recommends that MPD create a policy governing police interactions with people with disabilities, like their policy governing interactions with juveniles.¹¹ This should create explicit standards for communicating with people with disabilities and requirements for interaction before reaching the point of arrest. This policy should also outline requirements for having behavioral health and mental health specialists ride along and/or be available for certain police interactions. Additionally, funding for training and social services, including the 988-crisis line or other mental health support hotlines, should be prioritized over adding more police officers to MPD. The DDC reiterates these recommendations and additionally urges the MPD to revisit the recommendations of the DC Police Reform Commission.¹²

Finally, DC government entities that work with people with disabilities, including schools, should create resources and supports for people with disabilities and their families about how to interact with police and the justice system. There should also be more opportunities for people with disabilities of all backgrounds to share their stories and information about police and the community at large and more opportunities to increase understanding of the disability community and prevent violence against it.

¹⁰ *Disability Community and Policing Working Group*. (2020). DC Developmental Disabilities Council. <https://ddc.dc.gov/page/disability-community-and-policing-working-group>

¹¹ *MPD Updates Policy Governing Interactions with Juveniles*. (n.d.). Metropolitan Police DC. Retrieved July 5, 2022, from <https://mpdc.dc.gov/release/mpd-updates-policy-governing-interactions-juveniles>

¹² Koma, A. (2022, March 31). *A Year Later, D.C.'s Police Reform Commission Fears It's Been Ignored*. Washington City Paper. <http://washingtoncitypaper.com/article/552716/a-year-later-d-c-s-police-reform-commission-fears-its-been-ignored/>

Glossary

ASL: American Sign Language

DCPS: DC Public Schools, the DC traditional public school system

DDC: Developmental Disabilities Council, responsible for identifying the most pressing needs of people with developmental disabilities and advancing public policy and systems change that help them gain more control over their lives.

DDS: Department of Disability Services

Disability Community and Policing Working Group: An ad hoc committee of the DC Developmental Disabilities Council that met for 12 weeks and developed recommendations for DC government agencies to increase awareness of disability issues among law enforcement and increase the response of unarmed disability and mental health professionals to crisis situations.

MPD: Metropolitan Police Department, the public police department of DC