

# Vera Institute of Justice

## Criminal Justice Issues and Prisoners' Rights

**<https://www.vera.org/blog/senate-hearing-highlights-challenges-of-law-enforcement-responses-to-individuals-with-disabilities>**

### Public Facing Advocacy Writing

In 2012, the number of patients with severe mental illness in prisons and jails was ten times the number in state psychiatric hospitals. Earlier this week, the U.S. Senate Judiciary Subcommittee on the Constitution, Civil Rights, and Human Rights held a hearing entitled Law Enforcement Responses to Disabled Americans: Promising Approaches for Protecting Public Safety. Led by Subcommittee Chairman Senator Dick Durbin, it featured the verbal testimony of a judge, law enforcement officials, and family members of individuals with intellectual disabilities and mental illness, who offered their experiences with the increasing and often uniquely challenging role of law enforcement in responding to incidents involving persons with disabilities.

Senator Durbin called attention to the over-representation of individuals with mental health disorders in the criminal justice system as a result of a move away from treatment and towards corrections, saying With reduction in inpatient bed space, our jails and prisons have become, sadly, our mental health institutions by default. However, state and local governments are leading the way in reforming the way law enforcement and communities respond to situations involving the mentally ill through successful diversionary tools like the 2,800 Crisis Intervention Teams (CITs) programs now active nationwide. One of the witnesses, Sergeant A.D. Paul of the Plano, Texas Police Department, noted that these trainings only represent a fraction of jurisdictions nationwide, indicating an ongoing unmet need. In the summer of 2013, the Senate Judiciary Committee advanced the Justice and Mental Health Collaboration Act out of committee. The bill, sponsored by Senator Al Franken, encourages collaboration between mental health agencies and the criminal justice system, including providing specialized training for law enforcement. Currently, the bill is awaiting further action on the Senate floor.

The Honorable Denise O'Donnell, Director of the Department of Justice's Bureau of Justice Assistance (BJA), introduced BJAs work to improve prevention and intervention strategies by correcting a common misconception that mentally ill individuals are inherently violent. A person with a severe mental illness with no history of substance abuse or violence has the same likelihood of violence as anyone else, she said, and is in fact more likely than members of the general public to be a victim of violence. Such testimony demonstrates the importance of research-based, empirical knowledge when evaluating how the criminal justice system responds to a particularly vulnerable group.

To that end, Vera's President and Director Nick Turner submitted [written testimony](#) that provided background on two aspects of the hearings topic: the often underserved and higher rates of victimization among people with disabilities, and the chronic intersection between individuals with mental health needs and the criminal justice system. The written testimony also detailed Vera's work in these areas, largely through our [Center on Victimization on Safety](#), which since 2008 has trained nearly 2,000 professionals in the field to respond more effectively to crime victims with disabilities, and our [Substance Use and Mental Health Program](#), which is currently working to improve access to mental health services by developing strategies related to Medicaid enrollment and care coordination.

While there is still much to be learned about how individuals with disabilities experience crime, use victim services, and interact with the criminal justice system, this hearing was an important step towards expanding the work being done in communities across the country to improve our services to the oftentimes most marginalized people that come in contact with them.

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