

People with Disabilities and the Justice System:

A Meta-Synthesis

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Abstract

Individuals with disabilities are overrepresented in the criminal justice system. This meta-synthesis explores the experiences of juveniles and adults with disabilities in the criminal justice system. Topics discussed include rates and characteristics of offenders with disabilities in the criminal justice system, experiences of offenders with disabilities within the justice system, recidivism risk factors for offenders with disabilities, and recommendations and needed changes for the criminal justice system.

1. Introduction

1.1 Background

On September 16th, 2015 in Kodiak, Alaska, 28-year-old Nick Pletnikoff, who is autistic, walked to get the mail like he does every day. Like most individuals with autism, he is interested in things that most people wouldn't take notice of. In this case, he likes cars and in particular, the visors in the front of cars. On this particular day, as he walked he noticed a parked car belonging to tourists. What followed next is a story that is becoming more common as persons with disabilities encounter the various arms of the justice system (Court releases records, 2016).

Kodiak is a small community on the South Central island of Kodiak. It is the biggest city on the island. Like most small towns, people know each other. In Nick Pletnikoff's case, most people in the neighborhood knew who he was and that he was known to enter open cars and flip the sun visors up and down. He had never taken anything from these cars. But on that day, the tourists that had rented the vehicle did not know him or his history and when he entered their car, they called the police. The responding officers proceeded to ask for Nick's ID and then when he responded that he didn't have one, attempted to have him turn around so that they could handcuff him. Nick began to struggle and was subsequently taken to the ground and pepper sprayed. Nick's mother, Judy Pletnikoff, arrived and explained to the officers that her son had autism and that he would have struggled to understand and answer their questions and comply to their requests. The officers then released Pletnikoff, and charges were never filed (Barret, 2015).

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The documentary, *Making a Murderer*, premiered on Netflix in December of 2015. The film follows Steven Avery who was freed after serving 18 years in prison for Rape when DNA proved that it was another man that committed the crime. He subsequently filed a lawsuit alleging police corruption and prosecutorial misconduct. During his lawsuit, he became a suspect in another murder and was subsequently convicted and sentenced to life in prison. What makes his case compelling and relevant to this thesis is the treatment of his nephew, Brendan Dassey, a 16 year old with cognitive disabilities, as police interrogated him and subsequently tried and convicted him of being an accomplice to the same murder. In the documentary, police question Dassey, without a parent or a lawyer, for 4 hours. Dassey eventually confesses to helping his uncle to rape and kill. Dassey later recanted, but the damage was done. Both Dassey and his uncle were convicted on the basis of that confession (Knight, 2016)

The public is becoming increasingly aware of stories similar to Nick and Brendan's as cell phone videos, police car footage, and police body cam videos have been made public. People with disabilities are encountering the justice system at alarmingly and increasingly high rates. A 2011 report from the Bureau of Justice Statistics reported about 3 in 10 state and federal prisoners and 4 in 10 local jail inmates report having at least one disability (Bronson, Maruschak, Berzofsky, 2015). As people with disabilities are encountering the justice system at increased rates, educators are left with the questions, what is the role of an educator in this issue? How do we keep our students safe and prevent contact with the criminal justice system?

1.2 *Author's Beliefs and Experiences*

I always knew I wanted to be work with children, but becoming a Special Education Teacher was a bit like falling into the right position at the right time. From the age of 11 when I began working with children as a mother's helper, to babysitting every weekend and some weeknights, to being a nanny, every job I have had has involved children. I thought at first when I graduated high school I wanted to become a pediatric nurse and began taking course work to achieve that dream. My dreams began to change when I realized I didn't want to handle blood and sick and injured children. I decided to quit school and find work until I could figure out what I wanted to do. I got a job as an aide for a student in a wheelchair and fell in love with special education.

In rural Alaska working in special education means you do a bit of everything. In bigger districts there are specific programs for students with various degrees of disability. In smaller districts, you often have students with learning disabilities learning in the same classroom as a student with severe Autism. For me, this diversity of experiences allowed me to explore and figure out what areas of special education I was interested in. I eventually began working with a student with Autism and from this experience I knew that I wanted to specialize in teaching students with Autism.

I've always felt that I am unconsciously competent; that is, I don't always know the academic why of what I'm doing, but I know that what I'm doing is right. I strive to become consciously competent and able to explain why I'm doing what I'm doing every day. Part of that personal development began when I moved to Fairbanks and was

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fortunate enough to get a job as a substitute in a classroom that was focused on addressing students with autism. They used Applied Behavior Analysis methodology to shape, replace, eliminate, and change student's behavior. I knew immediately that what I had been doing with students was modified ABA. It made sense to me and I saw the results from a well-run, systematic student program. I began to understand that my philosophy of teaching was rooted in behaviorism and ABA. As I continued to work within the Autism program and got more training, I knew that I had found my calling and my passion.

Eventually I got a job teaching an ABA structured classroom for students with Autism and behaviors at a middle school in Fairbanks. Everything about working with students with Autism and behaviors within the framework of ABA makes sense to me. For me, every behavior is observable, measurable, and has a function. Once that function is determined, the team creates a plan to replace or eliminate that behavior, making my students more independent and successful. ABA also provides a framework within which to take data and track progress. My students make small steps forward every day. Tracking data helps me, my students, and their parents monitor their progress in the long term. It's often hard to see progress when you see the behavior everyday, but when the data shows you that there really has been change, albeit small, it is extremely rewarding.

As a teacher I foster and create close relationships with my students. I worry about them. I care about their wellbeing. As I have taught, I have become aware of the dangers my students face. Just as I write this, there is a report of an incident in Florida of an autistic man and his caregiver encountering the police and getting shot at and the

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caregiver wounded. Students with disabilities make up a large percentage of the population in jails and prisons. As a teacher, I want to know how I can protect my students and prevent them from entering the criminal justice system. This has led me to formulate the following research questions:

1. What is the experience of people and youth with disabilities in the justice system? What disadvantages do people with disabilities face in the justice system?
2. What types of crimes do people and youth with disabilities commit?
3. Are there effective programs and supports for people with disabilities that prevent criminal behavior and recidivism?

1.3- Purpose of this Meta-Synthesis

This meta-synthesis, which focuses on people and youth with disabilities in the justice system, had multiple purposes. One purpose was to review journal articles related to the experience of people and youth with disabilities in the criminal justice system. My second purpose is to explore what kinds of crimes individuals with disabilities commit. My third purpose is to research effective preventive programs and supports that help people and youth avoid contact with the criminal justice system and reduce recidivism rates. A fourth purpose is to classify each article by publication type, to identify research design, participants, data sources of each research study, and to summarize the findings of each study. My final purpose in conducting this meta-synthesis is to identify significant

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themes in these articles and to connect the themes to my own classroom experiences in teaching students with disabilities.

2. Methods

2.1. Selection Criteria

The 41 journal articles included in the meta-synthesis met the following selection criteria.

1. The articles explored the experiences of people and youth with disabilities in the criminal justice system.
2. The articles were published in peer-reviewed journals related to the field of education.
3. The articles were published after 1995.

2.2. Search Procedures

Database searches were conducted to locate articles for this meta-synthesis.

2.2.1. Database Searches

I conducted Boolean searches within the Educational Resources Information Center (ERIC, Ebscohost) using these specific search terms:

1. (“Disabilities”) AND (“Justice System”)
2. (“Justice System”) AND (“Disabilities”) AND (“Juvenile”)

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3. (“Autism”) AND (“Justice System”)
4. (“Learning Disabilities”) AND (“Crime”)
5. (“Learning Disabilities”) AND (“Criminal Justice”)
6. (“Disabilities”) AND (“Crime”)

These database searches yielded a total of 41 articles (Alltucker, Bullis, Close, & Yovanoff, 2006; Atkins, Bullis, & Todis, 2005; Barron, Hassiotis, & Banes, 2004; Bullis & Yovanoff, 2006; Cant & Standen, 2007; Cheely, Carpenter, Letourneau, Nicholas, Charles, & King, 2012; Clark, Mathur, & Holding, 2011; Cockram, 2005; Cockram, 2005; Cuellar, 2015; Cumming, Strnadova, & Dowse, 2014; Emerson & Halpin, 2013; Fast & Conry, 2009; Garfinkel, 2010; Glaser & Florio, 2004; Hayes, 2007; Hellenbach, 2012; Hogan, Bullock & Fritsch, 2010; Hyun, Hahn & McConnell, 2014; Lundstrom, Forsman, Larsson, Kerekes, Serlachius, Langstrom & Lichtenstein, 2014; Maras & Bowler, 2012; Matta Oshima, Huang, Jonson-Reid & Drake, 2010; Mercier & Crocker, 2011; Mouridsen, 2012; Nelson, Jolivette, Leone & Mathur, 2010; O’Brien, Langhinrichsen-Rohling & Shelley-Tremblay, 2007; Osgood, Foster & Courtney, 2010; Raina, Arenovich, Jones & Lunsky, 2013; Redlich, 2007; Robinson & Rapport, 1999; Salseda, Dixon, Fass, Miora & Lark, 2011; Schroeder, Guin, Chaisson & Houchins, 2004; Smith, Polloway, Patton & Beyer, 2008; Sanford, Newman, Wangner, Cameto, Knokey & Shaver, 2011; Talbot & Riley, 2007; Unruh & Bullis, 2005; van der Put, Asscher, Stams & Moonem, 2014; Vanny, Levy, Greenberg & Hayes, 2009; Winters, 1997; Woodbury-Smith & Dein, 2014; Zhang, Hsu, Katsiyannis, Barrett & Ju, 2011.)

2.3. Coding Procedures

I utilized a coding form to categorize the information presented in each of the 41 articles. The coding form was based on: (a) Publication type; (b) research design; (c); Participants; (d) Data sources; and (e) Findings of the studies.

2.3.1. Publication Types

Each journal article was evaluated and classified according to publication type (e.g., research study, theoretical work, descriptive work, opinion piece/position paper, guide, annotated bibliography, review of the literature). *Research studies* use a formal research design to gather and/or analyze quantitative and/or qualitative data. *Theoretical works* use existing literature to analyze, expand, or further define a specific philosophical and/or theoretical assumption. *Descriptive works* describe phenomena and experiences, but do not disclose particular methods for attaining data. *Opinion pieces/position papers* explain, justify, or recommend a particular course of action based on the author's opinions and/or beliefs. *Guides* give instruction or advice explaining how practitioners might implement a particular agenda. An *annotated bibliography* is a list of cited works on a particular topic, followed by a descriptive paragraph describing, evaluating, or critiquing the source. *Reviews of the literature* critically analyze the published literature on the topic through summary, classification, and comparison.

2.3.2- Research Design

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Each empirical study was further classified by research design (i.e., quantitative, qualitative, mixed methods research). Quantitative research utilizes number to convey information. Instead of number, qualitative research uses language to explore issues and phenomenon. Mixed methods research involves the use of both quantitative and qualitative methods to present information within a single study.

2.3.3- Participants, Data, Sources, & Findings

I identified the participants in each study (e.g., children with disabilities in the justice system, people with disabilities in the justice system, teachers/clinicians working with children or people with disabilities in the justice system). I also identified the data sources used in each study (e.g., observations, surveys, & trials). Lastly, I summarized the findings of each study (Table 2).

2.4- Data Analysis-

I used a modified version of the Stevick-Colaizzi-Keen method previously employed by Duke (2011) and Duke and Ward (2009) to analyze the 41 articles included in this meta-synthesis. Significant statements were first identified within each article. For the purpose of this meta-synthesis, significant statements were identified as statements that addressed issues related to: (a) rates of juvenile and adult offenders with disability; (b) experiences of juveniles and adults with disabilities in the justice system; (c) Recidivism risk factors for juvenile and adult offenders with disabilities; (d)

recommendations and need for change in the justice system. I then generated a list of non-repetitive, verbatim significant statements with paraphrased formulated meanings. These paraphrased formulated meanings represented my interpretation of each significant statement. Lastly, the formulated meanings from all 42 articles were grouped into theme clusters, represented as emergent themes. These emergent themes represented the fundamental element of the entire body of literature.

3. Results

3.1 Publication Type

I located 41 articles that met my selection criteria. The publication type of each article is located in Table 1. Twenty-four of the 41 articles (58.53%) included in this meta synthesis were research studies (Alltucker, Bullis, Close, & Yovanoff, 2006; Atkins, Bullis, & Todis, 2005; Barron, Hassiotis, & Banes, 2004; Bullis & Yovanoff, 2006; Cant & Standen, 2007; Cheely, Carpenter, Letourneau, Nicholas, Charles, & King, 2012; Clark, Mathur, & Holding, 2011; Cockram, (Careers of offenders...)2005; Cockram, (Justice or differential treatment) 2005; Emerson & Halpin, 2013; Glaser & Florio, 2004; Hellenbach, 2012; Maras & Bowler, 2012; Matta Oshima, Huang, Jonson-Reid & Drake, 2010; Mercier & Crocker, 2011; O'Brien, Langhinrichsen-Rohling & Shelley-Tremblay, 2007; Raina, Arenovich, Jones & Lunskey, 2013; Schroeder, Guin, Chaisson & Houchins, 2004; Sanford, Newman, Wangner, Cameto, Knokey & Shaver, 2011; Talbot & Riley, 2007; Unruh & Bullis, 2005; van der Put, Asscher, Stams & Moonem, 2014; Vanny, Levy, Greenberg & Hayes, 2009; Zhang, Hsu, Katsiyannis, Barrett & Ju, 2011). Nine

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(21.42%) of the articles were reviews of the literature (Cumming, Strnadova, & Dowse, 2014; Hayes, 2007; Hogan, Bullock & Fritsch, 2010; Hyun, Hahn & McConnell, 2014; Lundstrom, Forsman, Larsson, Kerekes, Serlachius, Langstrom & Lichtenstein, 2014; Mouridsen, 2012; Salseda, Dixon, Fass, Miora & Lark, 2011; Smith, Polloway, Patton & Beyer, 2008; Woodbury-Smith & Dein, 2014). Eight (19.04%) of the articles were guides (Cuellar, 2015; Fast & Conry, 2009; Garfinkel, 2010; Osgood, Foster & Courtney, 2010; Redlich, 2007; Robinson & Rapport, 1999; Winters, 1997).

Table 1

Author(s) & Year of Publication	Publication Type
Alltucker, Bullis, Close, & Yovanoff, 2006	Research Study
Atkins, Bullis. & Todis, 2005	Research Study
Barron, Hassiotis, & Banes, 2004	Research Study
Bullis & Yovanoff, 2006	Research Study
Cant & Standen, 2007	Research Study
Cheely, Carpenter, Letourneau, Nicholas, Charles, & King, 2012	Research Study
Clark, Mathur, & Holding, 2011	Research Study
Cockram, (Careers of offenders...)2005	Research Study
Cockram, (Justice or differential treatment) 2005	Research Study
Cuellar, 2015	Guide
Cumming, Strnadova, & Dowse, 2014	Review of the Literature
Emerson & Halpin, 2013	Research Study
Fast & Conry, 2009	Guide
Garfinkel, 2010	Guide

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Glaser & Florio, 2004	Research Study
Hayes, 2007	Review of the Literature
Hellenbach, 2012	Research Study
Hogan, Bullock & Fritsch, 2010	Review of the Literature
Hyun, Hahn & McConnell, 2014	Review of the Literature
Lundstrom, Forsman, Larsson, Kerekes, Serlachius, Langstrom & Lichtenstein, 2014	Review of Literature
Maras & Bowler, 2012	Research Study
Matta Oshima, Huang, Jonson-Reid & Drake, 2010	Research Study
Mercier & Crocker, 2011	Research Study
Mouridsen, 2012	Review of the Literature
Nelson, Jolivette, Leone & Mathur, 2010	Guide
O'Brien, Langhinrichsen-Rohling & Shelley-Tremblay, 2007	Research Study
Osgood, Foster & Courtney, 2010	Guide
Raina, Arenovich, Jones & Lunsky, 2013	Research Study
Redlich, 2007	Guide
Robinson & Rapport, 1999	Guide
Salseda, Dixon, Fass, Miora & Lark, 2011	Review of the Literature
Schroeder, Guin, Chaisson & Houchins, 2004	Research Study
Smith, Polloway, Patton & Beyer, 2008	Review of the literature
Sanford, Newman, Wangner, Cameto, Knokey & Shaver, 2011	Research Study
Talbot & Riley, 2007	Research Study
Unruh & Bullis, 2005	Research Study
van der Put, Asscher, Stams & Moonem, 2014	Research Study
Vanny, Levy, Greenberg & Hayes, 2009	Research Study

Winters, 1997	Guide
Woodbury-Smith & Dein, 2014	Review of the Literature
Zhang, Hsu, Katsiyannis, Barrett & Ju, 2011	Research Study

3.2 Research Design, participants, data sources, and findings of the studies

As stated previously, I located 24 research studies that met my selection criteria (Alltucker, Bullis, Close, & Yovanoff, 2006; Atkins, Bullis. & Todis, 2005; Barron, Hassiotis, & Banes, 2004; Bullis & Yovanoff, 2006; Cant & Standen, 2007; Cheely, Carpenter, Letourneau, Nicholas, Charles, & King, 2012; Clark, Mathur, & Holding, 2011; Cockram, (Careers of offenders...)2005; Cockram, (Justice or differential treatment) 2005; Emerson & Halpin, 2013; Glaser & Florio, 2004; Hellenbach, 2012; Maras & Bowler, 2012; Matta Oshima, Huang, Jonson-Reid & Drake, 2010; Mercier & Crocker, 2011; O'Brien, Langhinrichsen-Rohling & Shelley-Tremblay, 2007; Raina, Arenovich, Jones & Lunskey, 2013; Schroeder, Guin, Chaisson & Houchins, 2004; Sanford, Newman, Wangner, Cameto, Knokey & Shaver, 2011; Talbot & Riley, 2007; Unruh & Bullis, 2005; van der Put, Asscher, Stams & Moonem, 2014; Vanny, Levy, Greenberg & Hayes, 2009; Zhang, Hsu, Katsiyannis, Barrett & Ju, 2011). The research

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design, participants, data sources, and findings of each of these studies are identified in table 2.

Table 2

Authors	Research Design	Participants	Data Sources	Findings
Alltucker, Bullis, Close, & Yovanoff, 2006	Quantitative	531 incarcerated youth	Oregon Youth Authority database analysis	Youth with experience in foster care and youth with a family member convicted of a felony were both more likely to be early start delinquents. Youth with a disability was not a predictor for early start juvenile delinquency
Atkins, Bullis, & Todis, 2005	Qualitative	16 juveniles on probation ranging in age from 14-20; 14 staff members, 8 parents, 5 juvenile justice officials	Semi-structured Interviews and Observations	Juveniles involved in alternate education or work programs after incarceration were less likely to re-offend.
Barron, Hassiotis, & Banes, 2004	Quantitative	61 adult offenders with disabilities	Wechsler Adult Intelligence Scale-Revised, The Aberrant Behavior Checklist, The Psychiatric Assessment Schedule for Adults with Developmental Disabilities, Semi-Structure	Offenders with intellectual disabilities offend at an early age and had a history of multiple offenses. Violent offences and petty crimes were the most common offence types, followed by arson and sex crimes. Half the offenders

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			d Questionnaire	had re-offended at the end of the study.
Bullis & Yovanoff, 2006	Mixed Methods	531 incarcerated youth	Structured interviews, Oregon Youth Authority database analysis, Oregon Department of Corrections database analysis	Results indicate a need for improving comprehensive transition models for youth leaving incarceration, including employment-related services, with an emphasis on more support for individuals with disabilities and women.
Cant & Standen, 2007	Qualitative	28 professionals involved in the criminal justice system	Semi-Structured interviews	Three themes were identified: problems with the identification of offenders with learning disabilities, the need for the criminal justice system to be flexible, and no differential treatment for offenders with disabilities. The participants' views on these topics are important because they're decisions effect the outcomes for people with disabilities in the criminal justice system.
Cheely, Carpenter, Letourneau, Nicholas, Charles, & King, 2012	Quantitative	609 juvenile offenders with Autism	Department of Juvenile Justice, the South Carolina Law Enforcement Division, and the South	Juvenile offenders with Autism had higher rates of crimes against people and lower rates of property crimes. Juvenile offenders with Autism were less

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			Carolina Autism and Developmental Disabilities Monitoring Program database records analysis	likely to be prosecuted.
Clark, Mathur, & Helling, 2011	Quantitative	2 transition specialist, 144 juveniles over 14 with disabilities in detention	Single-blind, quasi-experimental design study with participants being assigned to treatment (enhanced transition services) or non-treatment (basic transition services) groups and not informed to which group they were assigned, binary logistic regression	Youth with disabilities that received enhanced transition services from a specialist were less likely to recidivate.
Cockram, (Careers of offenders...) 2005	Quantitative	843 offenders with disabilities, 2442 offenders without disabilities	Disability Services Commission data base analysis cross referenced with Western Australian Police Services database analysis	The study found that people with intellectual disabilities have a higher rate of recidivism. Some possible risk factors for these findings are prior arrests, poverty and socioeconomic status, addiction, criminal association, unemployment, and identity known to the police.

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Cockram, (Justice or differential treatment) 2005	Quantitative	843 offenders with disabilities, 2442 offenders without disabilities	Disability Services Commission data base analysis cross referenced with Western Australian Police Services database analysis	This Australian study found that people with disabilities are treated differently at sentencing and disparities exist between those who have disabilities and those who do not and the types of penalties imposed. Individuals with disabilities were more likely to be sentenced to detention, community-based order, discharged or have the charges dismissed, and less likely to be fined.
Emerson & Halpin, 2013	Quantitative	15,772 juveniles ages 13-14	Secondary analysis of Longitudinal Study of Young People in England cross referenced with English National Pupil Database analysis	Parents of children with intellectual disabilities were more likely to report contact with police. Children with intellectual disabilities were more likely to self-report fighting, shoplifting, and graffiti.
Glaser & Florio, 2004	Quantitative	24 offenders with intellectual disability receiving psychiatric attention	Questionnaire	The study found that offenders with both intellectual disabilities and psychiatric labels have needs that are more complex and require an integrative and consistent model of care.
Hellenbach, 2012	Qualitative	14 custody sergeants	unstructured interviews	Findings indicated a need for more training for staff in

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				the justice system to better understand and define offenders with learning disabilities.
Maras & Bowler, 2012	Quantitative	32 participants with autism, 30 participants without autism	The State-Trait Anxiety Inventory, The Rosenberg Self-Esteem Scale, The Brief Fear of Negative Evaluation Scale, The Paranoia Scale, Gudjonsson Compliance Scale	Unlike previous studies, findings indicate that individuals with Autism may be no more likely to yield to interrogative pressures than their typical counterparts. Results may reflect the small sample size and the high functioning autistic people included in the study.
Matta Oshima, Huang, Jonson-Reid & Drake, 2010	Quantitative	1,568 juveniles	Electronic administrative records database analysis	Rates of offending behavior for children with disabilities were higher than those for similarly poor peers. Youth with ED or OHI were at higher risk of entering adult corrections.
Mercier & Crocker, 2011	Qualitative	14 professional participants from different parts of the criminal justice system. 5 participants from the criminal justice system, 5 from social services, 4 from	Semi-directed interviews of the participants	The study identified 4 outcomes for defendants with disabilities. The defendant is more likely to be returned to service providers if they are known to social or disabilities services. The defendant will be referred to specialized services if they are known to have mental health or drug problems, homeless, or present obvious

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		community organizations		psychosocial problems. There is a greater chance of the defendant's disability to go unnoticed if they are unknown to social or disability services. There is little chance for an undiagnosed or borderline or mild disability being identified and taken into consideration upon arrest. The study results should be interpreted with caution due to the small participant number.
O'Brien, Langhinrichsen-Rohling & Shelley-Tremblay, 2007	Quantitative	101 male adjudicated juvenile offenders	Gates-MacGinitie Reading Tests-4 th ed.:The GMRT (MacGinitie & MacGinitie, 2000), Conners-ADHD/DSM-IV Scales-Adolescent (CADS-A): The CADS-A (Conners, 2001), Reynolds Adolescent Depression Scale: The RADS-2 (Reynolds, 2003) Piers-Harris Children's Self-Concept Scale 2 nd ed.:	Findings indicated that 44.6% of adjudicated youth met the criteria for having a reading problem. These findings are not easily generalized due to the small sample, but draw attention to the need for educational assessments and reading remediation opportunities for adjudicated youth due to the potential high rates of youth with disability.

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			The PHCSCS-2 (Piers & Herzberg, 2002), Children's Nowicki-Strickland Internal-External Control Scale-Short Form: The CNS-IE (Nowicki & Strickland, 1973)	
Raina, Arenovich, Jones & Lunskey, 2013	Quantitative	138 individuals with intellectual disabilities	Demographic information, Qualitative description of crisis incidents with police	15 people were arrested, 76 were taken to the hospital, 47 received on site resolution. Those with previous contact with police, those in less supported settings, and incidents involving physical aggression were more likely to be arrested.
Schroeder, Guin, Chaisson & Houchins, 2004	Qualitative	3 African-American men with disabilities on death row	Interviews	Lack of early intervention, systemic failure, and inequitable treatment of minorities can lead to entry into the justice system. A continuum of care as well as more communication, and cooperation between social services, health care delivery systems, and economic development can prevent entry into the justice system.

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Sanford, Newman, Wangner, Cameto, Knokey & Shaver, 2011	Quantitative	11,276 youth with disabilities who were 13-16 years old on or above December 1, 2000.	Interviews, surveys, academic assessments, comparison data taken from the National Longitudinal Survey of Youth, 1997	Study described differences and similarities between students with disabilities and without disabilities in the areas of postsecondary education, employment, engagement, household, and social and community involvement.
Talbot & Riley, 2007	Quantitative	177 prison staff members	Questionnaire	Offenders with learning disabilities are not screened for or identified upon entry into the justice system and do not get the supports they may need to understand and function in the prison setting.
Unruh & Bullis, 2005	Quantitative	348 juvenile offenders with disabilities	Oregon Youth Authority, Oregon Department of Education, Oregon Vocational Rehabilitation Services database analysis	There are distinct gender differences between male and female offenders and they are important factors to consider for effective preventive programs, transition programs, and juvenile justice programs. Female juvenile offenders with disabilities are more likely to have a history of physical and emotional abuse, neglect, early pregnancy, and running away from home or residential settings. Female

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				juvenile offenders with disabilities are less likely to have attention difficulties, been retained a grade in school, be unable to maintain employment.
van der Put, Asscher, Stams & Moonem, 2014	Quantitative	102 juvenile offenders with intellectual disabilities, 526 juvenile offenders without disabilities	Washington State Juvenile Court Assessment which is a structured interview to determine risk and protective factors	No difference between juvenile offenders with and without disabilities within the recidivism risk factor domains of criminal history, school, use of free time, relationships, family, drugs/alcohol, and aggression. Significant differences between juvenile offenders with and without disabilities within the recidivism risk factor domains of attitude and skills.
Vanny, Levy, Greenberg & Hayes, 2009	Quantitative	60 accused people ages 18-70	Kaufman Brief Intelligence Test 2 nd ed., Vineland Adaptive Behavior Scales 2 nd ed., Psychiatric Assessment Schedules for Adults with Developmental Disabilities Checklist	Individuals with IQ scores of 70 or less were three times as likely to be accused of crimes as the rate found in the general population. Individuals with deficits in adaptive behavior were four times as likely to be accused of crimes as the rate found in the general population.
Zhang, Hsu, Katsiyannis, Barrett & Ju, 2011	Quantitative	5,015 African-American and Caucasian	South Carolina Department of Juvenile Justice	The study identified subgroups of juvenile offenders with a higher risk of

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		juveniles with birth dates from 1981 to 1988 in the South Carolina Juvenile Justice System with disabilities	Management Information System database analysis	recidivism. Male, African American Juveniles with disabilities who are from a family with an incarcerated member are more likely to have a record of adjudication, determinant commitment, and probation.
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3.2.1- Research Design

Eighteen of the 24 studies (75%) used quantitative research design (Alltucker, Bullis, Close, & Yovanoff, 2006; Barron, Hassiotis, & Banes, 2004; Cheely, Carpenter, Letourneau, Nicholas, Charles, & King, 2012; Clark, Mathur, & Holding, 2011; Cockram, (Careers of offenders...) 2005; Cockram, (Justice or differential treatment) 2005; Emerson & Halpin, 2013; Glaser & Florio, 2004; Maras & Bowler, 2012; Matta Oshima, Huang, Jonson-Reid & Drake, 2010; O'Brien, Langhinrichsen-Rohling & Shelley-Tremblay, 2007; Raina, Arenovich, Jones & Lunskey, 2013; Sanford, Newman, Wangner, Cameto, Knokey & Shaver, 2011; Talbot & Riley, 2007; Unruh & Bullis, 2005; van der Put, Asscher, Stams & Moonem, 2014; Vanny, Levy, Greenberg & Hayes, 2009; Zhang, Hsu, Katsiyannis, Barrett & Ju, 2011). Five of the studies (20%) used a qualitative research design (Atkins, Bullis. & Todis, 2005; Cant & Standen, 2007; Hellenbach, 2012; Mercier & Crocker, 2011; Schroeder, Guin,

Chaisson & Houchins, 2004). One of the studies (4%) utilized a mixed method research design (Bullis & Yovanoff, 2006).

3.2.2. Participants & Data Sources

All of the 24 research studies included in this meta-synthesis analyzed data from a variety of human subjects. These studies collected data from a variety of participants including juvenile offenders with or without disabilities, adult offenders with or without disabilities, and professionals in the justice system. Twelve of the studies (50%) analyzed data collected from juvenile offenders with and without disabilities (Alltucker, Bullis, Close, & Yovanoff, 2006; Atkins, Bullis, & Todis, 2005; Bullis & Yovanoff, 2006; Cheely, Carpenter, Letourneau, Nicholas, Charles, & King, 2012; Clark, Mathur, & Holding, 2011; Emerson & Halpin, 2013; Matta Oshima, Huang, Jonson-Reid & Drake, 2010; O'Brien, Langhinrichsen-Rohling & Shelley-Tremblay, 2007; Sanford, Newman, Wangner, Cameto, Knokey & Shaver, 2011; Unruh & Bullis, 2005; van der Put, Asscher, Stams & Moonem, 2014; Zhang, Hsu, Katsiyannis, Barrett & Ju, 2011). Eight of the studies (33%) analyzed data collected from adult offenders with or without disabilities (Barron, Hassiotis, & Banes, 2004; Cockram, (Careers of offenders...) 2005; Cockram, (Justice or differential treatment) 2005; Glaser & Florio, 2004; Maras & Bowler, 2012; Raina, Arenovich, Jones & Lunsky, 2013; Schroeder, Guin, Chaisson & Houchins, 2004; Vanny, Levy, Greenberg & Hayes, 2009;). Six of the studies (25%) analyzed data from professionals in the justice system (Atkins,

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Bullis. & Todis, 2005; Cant & Standen, 2007; Clark, Mathur, & Holding, 2011; Hellenbach, 2012; Mercier & Crocker, 2011; Talbot & Riley, 2007;). In addition, data was analyzed from additional participants such as caregivers and parents.

Thirteen of the research studies (54%) included in this meta-synthesis utilized data collected through interviews, questionnaires, observations, and surveys (Atkins, Bullis. & Todis, 2005; Barron, Hassiotis, & Banes, 2004; Bullis & Yovanoff, 2006; Cant & Standen, 2007; Clark, Mathur, & Holding, 2011; Glaser & Florio, 2004; Hellenbach, 2012; Mercier & Crocker, 2011; Raina, Arenovich, Jones & Lunskey, 2013; Schroeder, Guin, Chaisson & Houchins, 2004; Sanford, Newman, Wangner, Cameto, Knokey & Shaver, 2011; Talbot & Riley, 2007; van der Put, Asscher, Stams & Moonem, 2014). Nine of the research studies (37%) used database analysis (Alltucker, Bullis, Close, & Yovanoff, 2006; Bullis & Yovanoff, 2006; Cheely, Carpenter, Letourneau, Nicholas, Charles, & King, 2012; Cockram, (Careers of offenders...) 2005; Cockram, (Justice or differential treatment) 2005; Emerson & Halpin, 2013; Matta Oshima, Huang, Jonson-Reid & Drake, 2010; Unruh & Bullis, 2005; Zhang, Hsu, Katsiyannis, Barrett & Ju, 2011). Four of the research studies (16%) used scales based assessments (Barron, Hassiotis, & Banes, 2004; Maras & Bowler, 2012; O'Brien, Langhinrichsen-Rohling & Shelley-Tremblay, 2007; Vanny, Levy, Greenberg & Hayes, 2009).

3.2.3. *Findings of the studies*

The disabilities discussed in the studies included learning disabilities, intellectual disabilities, and mental health disorders. For the purposes of this meta-synthesis, unless

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specified, when summarizing the general term disabilities is used to encompass all types of disabilities. The findings of the 24 research studies included in this meta-synthesis can be summarized as follows:

1. The calculation of rates of juveniles and adults with disability vary from study to study due to the lack of consensus on the definition of disability, but most agree that rates of offending behavior for juveniles and adults with disabilities of all types were higher than those for similar peers and they are over represented in the criminal justice system.
2. Recidivism risk factors for juvenile offenders with disabilities include experience in foster care, family members incarceration, disability, lack of early intervention, systemic failure, and inequitable treatment of minorities can lead to entry into the justice system. Recidivism risk factors for adult offenders with disabilities include criminal history, poverty and socioeconomic status, addiction, and criminal association, young age at first arrest, unemployment, and identity known to the police.
3. There is a need for a system of identification of intellectual disabilities in the justice system, a need for more training for staff to better understand and define offenders with learning disabilities, and a need for cooperation, communication, and comprehensive programs for youth leaving incarceration, especially for those with disabilities.

3.3. Emergent Themes

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Four themes emerged from my analysis of the 41 articles included in this meta-synthesis. These emergent themes, or theme clusters, include: (a) rates and characteristics of juvenile and adult offenders with disability; (b) experiences of juveniles and adults with disabilities in the justice system; (c) Recidivism risk factors for juvenile and adult offenders with disabilities; (d) study limitations, needs and recommendations for change in the justice system. These four theme clusters and their formulated meanings are represented in Table 3.

Table 3

Theme Cluster	Formulated Meanings
Rates and characteristics of juvenile and adult offenders with disability	<ul style="list-style-type: none">● Between 28%-43% of incarcerated juvenile offenders have special education needs.● 50% of young male offenders have significant deficits in figurative/abstract language, sentence repetition, and narrative language skills.● Between 30%-50% of adult offenders have special education needs.● 38% of intellectually disabled offenders had received inpatient treatment at a psychiatric hospital and 29% had a diagnosis of a psychiatric disorder.● The calculation of rates of disability varies due to amount of participants in a study, and the lack of agreement on the definition and identification protocol of intellectual disability.● Juvenile offenders with disabilities often begin offending at an early age with minor property crimes and in some cases continue to recidivate and commit more serious crimes.● Common disabilities in correctional facilities are learning disabilities, behavioral disorders, mental illness, and intellectual disabilities.● Zero tolerance policies and lack of mental health services in schools and communities increase the risk factors leading juveniles with disabilities into contact with the criminal justice system.● Individuals with disability who offend are often young males, single, member of a minority, had previous arrests

	<p>and incarcerations, had foster care experience, abuse and neglected as a child, had a chaotic family life, and attended special schools.</p> <ul style="list-style-type: none">● Female juvenile offenders with disabilities are more likely to have a history of physical and emotional abuse, neglect, early pregnancy, and running away from home or residential settings.● Female juvenile offenders with disabilities are less likely to have attention difficulties, be retained a grade in school, and be unable to maintain employment.● People with a disability are not more likely to commit crime, but they are more likely to get caught when doing so.● High risk factors for juvenile delinquent behavior include family members with criminal history, drug/alcohol abuse, lack of success in school, and poor parenting skills.● Juveniles with intellectual disabilities that come into contact with the justice system often have high rates of school suspension and expulsion.● Offenders with disabilities often have high rates of physical health problems, poverty, poor accommodation, lack of social support, mental illness, and communication deficits.● Offenders with intellectual disability are often school dropouts, unemployed, poor, from a minority group, been abused and neglected, have deficits in communication and adaptive skills, and have a mental illness.● Individuals with learning disabilities often commit less serious offenses, serve shorter sentences, but have multiple prison stays● Individuals with intellectual disability are often described as gullible and vulnerable to manipulation, which can lead to participation in group crimes and false confessions of crimes.● Individuals with intellectual disabilities are more vulnerable to police interrogation tactics for many reasons including gullibility, belief that police must be respected and obeyed, and a wish to please the officer.● Individuals with disabilities have difficulty understanding their Miranda rights and need an attorney present during interrogation. One study reported 67% had little or no understanding of one or more parts of the warning.● 58% of individuals with a disability from one study said that they would talk to police before talking to a lawyer; only 50% would reveal that they had a disability, and 38%
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	<p>reported believing that they would be arrested for having a disability.</p> <ul style="list-style-type: none"> ● An estimated 75% of individuals with disability who are arrested are not identified as having a disability and 10% of these cases go unidentified during their prison term. ● Offenders with intellectual disabilities who do not also show physical signs of disability are more likely to come into contact with the criminal justice system. ● Individuals with a disability are more likely to be arrested when they live independently or with family instead of a group home or residential treatment. ● Individuals with FASD with an IQ above 85 (low average) were more likely to have contact with the criminal justice system than those with an IQ below 70 (mental handicap). ● Juveniles with autism often have impaired communication, deficits in social skills, deficits in abstract thought, and comorbid psychiatric disorders, which may prevent them from understanding the consequences of breaking the law. ● Juvenile offenders with autism have higher rates of offenses against people, lower rates of offenses involving property, are less likely to commit a crime involving premeditation, more likely to be charged with offenses at school, and are less likely to be charged with probation violations.
<p>Experiences of juveniles and adults with disabilities in the justice system</p>	<ul style="list-style-type: none"> ● There is no uniform justice system for juveniles and therefore no consistent philosophy, policy, or regulation that determines how juveniles with disabilities are processed and treated. ● Common scenarios that happen when an individual with disabilities comes into contact with the criminal justice system seem to be: the defendant is more likely to be returned to service providers if they are known to social or disabilities services. The defendant will be referred to specialized services if they are known to have mental health or drug problems, are homeless, or present obvious psychosocial problems. There is a greater chance of the defendant's disability to go unnoticed if they are unknown to social or disability services. There is little chance for an undiagnosed or borderline or mild disability being identified and taken into consideration upon arrest. ● Correctional facilities are required to identify and serve juveniles with disabilities. ● Most secure juvenile facilities do not have the resources or training to meet the needs of offenders with disabilities,

	<p>mental health disorders, drug/alcohol abuse, or have had physical or sexual abuse.</p> <ul style="list-style-type: none">● Juveniles with a disability in correctional facilities are entitled to a free and public education in the least restrictive environment.● The least restrictive environment for students with disabilities in a correctional facility is one that does not separate them from their nondisabled peers except for security purposes.● Identification of individuals with disabilities is often difficult because there is no established system for identification and it often relies on self-report from the offender.● More individuals and juveniles with a disability are identified when correctional staff has been trained in this area. Unfortunately, only about one-third of correctional staff has been trained.● Most referrals for assessments in a correctional facility occur only when the disability is noticeable and individuals with mild or borderline disabilities go unnoticed.● Juvenile offenders with intellectual disabilities may not receive services due to improper or inadequate identification, failure of staff to recognize and refer students for screening, and lack of training for staff.● Offenders with disabilities who are not identified miss out on much needed services, appropriate defense, safe-guards in the system, and diversionary options.● Currently, there is no systematic sharing of information between schools, agencies, and services providers that can help a correctional facility find out if an offender has been previously assessed and diagnosed with a disability.● Schools often fail to transfer records of juvenile offenders to correctional institutions in a timely manner if at all.● Individuals who have not been identified properly can appear to be uncooperative, aggressive, or affected by substances and subsequently put into a more secure unit such as a psychiatric facility or mainstream prison population, which may not address their needs adequately.● Improper placement of individuals with disabilities can contribute to management difficulties due to unmet needs as most secure placements have no systematic assessment procedures.● Placement in a psychiatric hospital may be necessary for an offender who may have comorbid diagnosis of intellectual disability and mental health problems, but it is often not in
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	<p>the best interest for a person with disabilities because the sentence length for a hospital is often longer than that of a prison.</p> <ul style="list-style-type: none">● Youth with disabilities are more likely to be committed to correctional facilities instead of remanded to parental custody because of an inability to comprehend and appropriately respond to questions.● Individuals with disabilities were more likely to be sentenced to detention, community-based order, be discharged or have the charges dismissed, and less likely to be fined.● Individuals with disabilities may have difficulties communicating with their legal representatives, making it less likely that they will appeal their sentences.● Individuals with a disability often are unaware or do not understand their legal rights. Often they are under the impression that police could imprison them against their will.● Individuals with disabilities confess to guilt more quickly than their peers, provide more self-incriminating material, and have difficulty understanding and participating in the plea bargain process.● Individuals with disabilities are more likely not to receive bail and to remain incarcerated because they are less likely to be employed or have substantial ties to the community.● Individuals with FASD may make false confessions or statements for reasons that include a belief that if they confess they will be allowed to go home, a desire to please authority, inability to understand questions asked, and inability to understand abstract concepts.● Given the high rates of juvenile offenders with disabilities, police are more likely to interrogate a juvenile with a disability than without.● The criminal justice system and community advocates make efforts to seek alternatives to custody for individuals with disabilities. Often caregivers hesitate to call police and only do so when safety concerns warrant assistance with restraint of an individual, but they do not want legal action afterward.● The outcome of police intervention varies by situation and individual, but can often be predicted by history of involvement in the criminal justice system, residence at the time of crisis, and incidents involving physical aggression.● Because of various skill deficits, individuals with FASD may have difficulties participating in their own defense.
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	<ul style="list-style-type: none"> ● Statements by individuals with FASD may need to be corroborated because they may be prone to suggestion and agree with leading questions, change answers to please the interrogator, and make false confessions. ● Individuals with FASD are likely to be influenced by others when participating in criminal behavior. ● Individuals with FASD are at increased risk of contact with the criminal justice system because they may have mental health problems, social skills deficits, drug/alcohol abuse, academic deficits, unemployment, and daily living skills deficits.
<p>Recidivism rates and risk factors for juvenile and adult offenders with disabilities</p>	<ul style="list-style-type: none"> ● Juvenile offenders with disabilities have high rates of recidivism. ● Juveniles with significant academic deficits are more likely to reoffend. ● Juvenile offenders with severe intellectual disabilities have lower rates of recidivism, perhaps because they lack the skills to commit more crime, are under higher levels of supervision, or have been diverted away from the court. ● Within 6 months of release, juveniles with disabilities were 2.8 times more likely to be re-incarcerated and 2.2 times less likely to be employed or enrolled in school. ● 60% of incarcerated youth transitioning back to the community dropout of school. ● Juveniles arrested before the age of 14 are 2-3 times more likely to become chronic adult offenders. ● Risk factors for recidivism in adults with disabilities are lack of accommodation, young age, unemployment, and previous incarcerations leading to being a known criminal to the police. ● Risk factors for recidivism in juveniles with disabilities include young age at first offense, absence of a father, member of a minority, drug/alcohol abuse, poverty, and time spent in foster care. ● Individuals with disabilities who are released without necessary supports and services are at high risk for reoffending because their needs are not being met. ● The chance that a juvenile with disabilities would recidivate decreased by 64% if they were receiving treatment and transition services. ● Work programs and interventions focused on job skills significantly reduce recidivism rates for individuals with disabilities.
<p>Study limitations, needs, and</p>	<ul style="list-style-type: none"> ● Limitations to the studies include relevance and generalization.

<p>recommendations for change in the justice system</p>	<ul style="list-style-type: none">● Studies done outside the U.S. have limited generalization and relevance to the U.S. criminal justice system due to the differences in cultures and systems.● Small numbers of participants in some of the studies limit generalization of the results.● There was no consensus of the definition of learning disability or intellectual disability within the studies.● Studies did not all differentiate what type of disability was included in the study.● Some studies relied on self-reported information from the participants making it difficult to generalize the results.● Studies do not differentiate or discuss factors that overlap with disability such as poverty.● Participants in the studies were often incarcerated or just released, and not randomly drawn from a representative population as a whole.● More focus, attention, and funding should be on programs that prevent the development of delinquent behavior at an early age.● Effective transition plans help students to develop critical independent life skills and reduce the risk of contact with the criminal justice system.● Schools should start the transition process earlier than 14 so that a juvenile with disabilities risk of coming into contact with the criminal justice system is reduced.● Life skills instruction should include basic information about potential interactions with the criminal justice system.● It is critical that the juveniles and adults with disabilities in the justice system receive effective services that protect their safety and that of their community, reduces recidivism, and addresses their mental and physical health needs.● Programs that support and service juvenile offenders often do not cooperate or coordinate their efforts. Often they are unaware of other service providers in the community.● Coordinated and collaborative efforts between the juvenile justice system, education, workforce development, mental health services, can help reduce the rate of recidivism for juveniles with disabilities.● Systematic assessment protocols in correctional facilities should be put into place to minimize improper placements and the risk of not receiving services.
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	<ul style="list-style-type: none">● If a person with disabilities is diverted to an alternative setting, a system should be established with clear criteria for release.● Ongoing and experiential training for correctional staff should be implemented.● Offenders with disabilities need safe environments after release from custody that have flexible graduated levels of supervision, and access to coordinated services.
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4. Discussion

In this section I have summarized the emergent themes from my analysis of the 42 articles included in this meta-synthesis. These emergent themes were then connected to my own practices as a special education teacher.

4.1 Rates and characteristics of juvenile and adult offenders with disability

Although the rates of disability vary from study to study, the majority agree that juveniles and adults with disability are overrepresented in the criminal justice system. These offenders often have learning disabilities, behavioral disorders, mental illness, and intellectual disorders. Individuals with disability are often minority males, single, have a history of incarceration, history of drug or alcohol abuse, unemployed, experience in foster care, childhood neglect and abuse, chaotic family life, high rates of school suspension and expulsion, deficits in communication and adaptive skills, and have been segregated into special schools. Juvenile offenders with disabilities often begin offending at an early age with minor property crimes that incrementally get more serious and in some cases lead to violent crimes. Individuals with a disability are not more likely to commit crimes, but they are more likely to get caught when doing so. Individuals with

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disabilities are more vulnerable to police interrogation tactics which can lead to false statements and confessions. They may not understand their rights and have little or no understanding of the Miranda statement warning them of these rights. They often believe that a police officer must be respected and obeyed or wish to please the officer.

4.2 Experiences of juveniles and adults with disabilities in the justice system

There is no uniform justice system for juveniles and therefore no consistent philosophy, policy, or regulation that determines how juveniles with disabilities are processed and treated. Correctional facilities are required to identify and serve juveniles with disabilities, but as there is no uniform system, there is no uniform identification system either. Correctional staff often lack the training necessary to identify juveniles and adults with disabilities. Often identification happens only when an individual shows physical signs or self-reports a disability, but mild or borderline disabilities go unnoticed. Currently there is no systematic sharing of information between schools, agencies, and service providers that can reveal if an individual has been previously assessed and diagnosed with a disability.

If an individual is not identified as having a disability, they may not receive services, appropriate counsel or defense, and miss out on safeguards in the system or diversionary options. Lack of identification can also result in improper placement of individuals in more secure units or in the general prison population. Juveniles with a disability in the criminal justice system are still entitled to an education in the least restrictive environment with their peers.

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Individuals with disabilities may have difficulty with the processes of the justice system because they may not fully understand their rights and therefore have difficulty participating in their own defense. Individuals with disabilities confess to guilt more quickly than their peers, provide more self-incriminating material, and have difficulty understanding and participating in the plea bargain process. Individuals with disabilities were more likely to be sentenced to detention, community-based order, be discharged or have the charges dismissed, and less likely to be fined. Individuals with disabilities are more likely to not receive bail and to remain incarcerated because they are less likely to be employed or have substantial ties to the community.

Given the high rates of juvenile offenders with disabilities, it is highly likely that police will need to interrogate a juvenile with a disability. The outcome of police intervention varies by situation and individual, but can often be predicted by history of involvement in the criminal justice system, residence at the time of crisis, and incidents involving physical aggression. The criminal justice system and community advocates make efforts to seek alternatives to custody for individuals with disabilities. Often caregivers hesitate to call police and only do so when safety concerns warrant assistance with restraint of an individual, but they do not want legal action afterward.

4.3 Recidivism rates and risk factors for juvenile and adult offenders with disabilities

Juvenile and adult offenders with disabilities have high rates of recidivism and are overrepresented in the criminal justice system. Risk factors for recidivism for juveniles and adults with disabilities include young age at first offense, homelessness,

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unemployment, history of incarceration, member of a minority group, drug/alcohol abuse, poverty, and time spent in foster care. Juveniles arrested before the age of 14 are more likely to become chronic adult offenders. When individuals with disabilities are released with adequate support and needed services, the chances of their recidivism decrease. Programs that focus on life and job skills are effective preventive forces that lower recidivism rates.

4.4 Study limitations, needs, and recommendations for change in the justice system

Caution and thought should be taken when interpreting the results of many of these studies. There were many limitations that should be considered when interpreting and generalizing the findings. Many of the studies were done outside the US, which makes generalizing their findings difficult due to the differences in cultures and criminal justice systems. The studies used differing definitions of disability and identification methods, which make comparison and generalization difficult. Some of the studies did not differentiate what type of disabilities participants had, making it difficult to generalize the results as they were not specific. Studies did not differentiate factors that could be attributed to other issues such as poverty from disability and makes it difficult to interpret findings. Participants in the studies were often drawn from populations of incarcerated youth and adults and not randomly drawn from a representative population as a whole, which makes interpreting the statistical analysis difficult and limits the relevance of the study. Studies that have small sample sizes are particularly difficult to generalize due to their limited data and limited number of participants. All studies have limitations, but

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particular care should be taken when making definitive statements and conclusions from studies with the above difficulties.

Young age is a strong risk factor for recidivism in individuals with disability. The reasons are complex, but include issues related to poverty and increased police awareness and scrutiny of an individual that has been incarcerated before. More focus, attention, and funding should be spent on programs that work with students at a young age to prevent delinquent behavior from occurring. Schools should initiate strong transition programs at younger ages that include life skills instruction with lessons about the criminal justice system. Systematic identification processes should be put into place in correctional facilities so that offenders with disabilities receive the services they need and the placement that is appropriate for their needs. Ongoing and thorough training for staff in the criminal justice system in the identification of disabilities as well as the different needs of people with disabilities is needed. Transition programs that support and provide services to offenders with disabilities after they leave prison often are unaware of each other and do not cooperate or coordinate their efforts. Transition programs are needed that are coordinated and collaborative efforts between the justice system, education, workforce development, mental health services. These programs can help reduce the rate of recidivism for individuals with disabilities.

4.5 Themes connected to my own practice as a teacher of special education

These statements show how common contact with the criminal justice system is for people with disabilities and how vulnerable they can be throughout the criminal

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justice system and process. As a teacher of special education, I am on the frontlines for recognizing risk factors for students and helping them get needed interventions and services. Of particular interest to me as a teacher was the risk factor of young age at first offense, as well as the recommendation for life skills instruction that includes the criminal justice system.

I currently teach middle school age students. The fact that students who commit their first crime before the age of 14 have a greater risk of continuing to commit crimes means that I have students who could potentially be at risk. One of the ways to potentially reduce their risk is to initiate the transition planning process at a younger age than is currently practiced in my district. Students do not begin to focus on transition until the year that they turn 16. Perhaps by focusing on transition topics earlier, students will begin to think and plan for their future and be discouraged from making decisions that might lead to contact with the criminal justice system. They should also begin to build skills for self-determination and be allowed to make decisions for themselves so that they begin to understand responsibility and consequences.

Life Skills is a broad domain that includes many areas of focus. I have never taught a unit on the criminal justice system, but it seems to be incredibly important if I am to help my students avoid contact with it. Topics that seem to me to be important would be how to behave around a police officer, and your rights when you are talking to the police.

5. Conclusion

The issue of the overrepresentation of individuals with disabilities in the criminal justice system is complex. Risk factors for delinquency have been identified, but the prevalence of such high rates of people with disability in the justice system means that this population is not getting the services or programs needed to prevent delinquent behavior from developing or address it at an early enough stage. It has been said that delinquent behavior develops slowly over time as small criminal acts grow into potentially more violent incidents. If educators, service providers, and communities coordinate prevention efforts and collaborate, rates of individuals in the justice system might be reduced.

If prevention and behavior changes are unavailable or unsuccessful and an individual with a disability offends, then programs and services should continue in prison. Unfortunately, there are no consistent policies, regulations, or philosophies within the criminal justice system that guarantee this. Identification of individuals with disabilities within the criminal justice system is also problematic and can prevent needed services from being accessed. A systematic way of identifying individuals with disabilities and comprehensive programs to meet their needs while in the criminal justice system is needed to reduce rates of recidivism after they are released.

An individual with a disability is significantly less likely to reoffend if there are comprehensive, coordinated, and collaborative transition services provided to them upon release. If an individual is assisted in finding housing, a job, and education they are much less likely to recidivate. For individuals with disability, education is extremely important,

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as they are more likely to be able to find employment if they have a diploma or a GED, and having a job is a factor strongly connected to the prevention of recidivism.

There are no easy answers or silver bullets that will reduce the rates of people with disabilities in the criminal justice system. It is a complex issue, but what is overlooked is that people with disabilities do not often have the opportunities to determine their own lives and make decisions. Suddenly they are asked to make decisions they aren't prepared for with potential disastrous consequences. Bringing this topic out from the shadows and making people aware of the high rates is the first step. Advocating for the rights of people with disabilities and creating the cooperative and collaborative systems needed to support them within schools, communities, and the criminal justice system, is the next.

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