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New Report Shows How Individuals with Intellectual and Developmental Disabilities Experience the Criminal Legal System in Texas

Joint Report Shines Light on Texans with I/DDs and Their Disproportionate Involvement in Justice System

AUSTIN, TX — A new [joint report](#) from the Texas Criminal Justice Coalition (TCJC) and The Arc of Texas shows how individuals with intellectual and developmental disabilities (I/DDs) are more likely to become involved and entrenched in the criminal legal system, and it highlights the unique challenges they face. The report, released during Disability Employment Awareness Month, is the fifth entry in TCJC’s “One Size FAILS All” report series.

Studies estimate that individuals with I/DDs are more likely to enter the criminal legal system, with some showing that they represent two to three percent of the U.S. population but four to ten percent of the adult incarcerated population. I/DDs are often unrecognized by criminal justice practitioners, either due to a lack of training or because assessment tools are not tailored to identify them. This means that the four to ten percent approximation is likely conservative.

The Arc of Texas estimates that 50 to 80 percent of police encounters involve people with some type of disability, and, like many other areas of the criminal legal system, Black people with I/DDs are at higher risk. There are even estimates that one-third to one-half of all people killed by police have a disability. The new report reads:

“Bullying, trauma, isolation, misunderstanding and misinterpretation by others, and exclusion from evidence-based therapies and preventive treatments can result in individuals with I/DDs entering the criminal legal system at higher rates than those without I/DDs. Once involved with the criminal legal system, the I/DD population faces numerous unique challenges and obstacles, such as increased victimization in jail and prison, longer sentences, and decreased likelihood of probation or parole.”

The report’s authors provide a series of recommendations, including: increased funding for Home and Community-Based Service (HCBS) Medicaid providers, support staff, and therapeutic service options; strategies to prevent arrest, including ending the overreliance on law enforcement to manage the behavior of individuals with I/DDs; strategies to identify people with I/DDs in jail and rapidly coordinate their release; and plans for trainers to hire self-advocates and people with I/DDs to co-lead and provide immersion-based training.

Read the new report “Misunderstood and Mistreated: How Individuals with Intellectual and Developmental Disabilities Experience the Texas Criminal Legal System” [here](#).

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The Texas Criminal Justice Coalition (TCJC) advances solutions and builds coalitions to end mass incarceration and build safer Texas communities. To learn more about TCJC, visit www.TexasCJC.org.