



AMERICAN JAIL ASSOCIATION
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SUPPORTING INDIVIDUALS WORKING IN OUR NATION'S JAILS

American Jail Association Resolution

Persons with Intellectual and Developmental Disorders in American Jails (IDD)

- WHEREAS,** A report issued by the U.S. Department of Justice, Bureau of Justice Statistics (Dec 2015), showed that four out of ten (40%) local jail inmates have at least one disability, and
- WHEREAS,** Three out of ten (30%) jail inmates reported as having a cognitive disability, also known as Intellectual and Developmental Disorder (IDD), which is the most commonly reported disability along with hearing, vision, ambulatory, self-care, and independent living, and
- WHEREAS,** IDD's differ from mental illness in that:
- the symptoms of cognitive disabilities conditions are permanent; mental illness symptoms are cyclical
 - medications cannot fully restore cognitive limitations; medications for mental health conditions can control symptoms
 - IDD's include Down Syndrome, autism, dementia, attention deficit disorder, learning disorders, intellectual disabilities or traumatic brain injury whereas,
 - Mental health disorders include depression, bipolar, anxiety disorders and schizophrenia
- WHEREAS,** The prevalence of IDD's in American jails (30.9%) when compared to the community (4.7%) causes greater demand on already overtaxed departmental resources, and
- WHEREAS,** Persons with IDD's are at a distinct disadvantage because they often:
- Go unrecognized as having a disability,
 - Fail to understand their rights but pretend to comprehend
 - Fail to understand commands and/or instructions
 - Become overwhelmed with official presence
 - Say what they think the official wants to hear, and
- WHEREAS,** Incarcerated persons with cognitive disabilities are often involved in uses of force and housed in segregation, many times due to the lack of appropriate alternative accommodations.
- THEREFORE BE
IT RESOLVED
THAT** the American Jail Association supports its members and recommends improved responses to persons with IDD's when in contact with the criminal justice system by creating policies, procedures, and programs that will:
- Ensure individuals with cognitive disabilities receive fair and equal treatment during incarceration, and

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- Train and educate employees to recognize and respond effectively to cognitive disability symptoms, and
- Provide appropriate supports and accommodations necessary to adequately prepare persons with IDD to re-enter society, and
- Support the development of programs that divert individuals with cognitive disabilities away from jails and toward more appropriate and culturally competent community-based mental health care services.

**BE IT FURTHER
RESOLVED
THAT**

the American Jail Association encourages Congress and U. S. officials to work with State and local governments to acknowledge the effects of incarcerating persons with IDD and assist them with:

- Funding for housing, training, and treatment to address the increasing demand for IDD services
- Broaden the spectrum for Grant opportunities so state and local governments may qualify for funding
- Continue to collect data and perform research on the long term effects of IDD and incarceration
- Facilitate partnerships between jails and communal resources for a seamless transition from incarceration back into the community.

Resources:

<https://aaidd.org/news-policy/policy/position-statements/criminal-justice>

<https://www.bjs.gov/content/pub/pdf/dpji1112.pdf>

Adopted by the American Jail Association Board of Directors on May 18, 2019 in Louisville, Kentucky.