



March 30, 2023

Ms. Karin Underwood
White House Office of Science and Technology Policy

Submitted via Email: equitabledata@ostp.eop.gov, include "Criminal Justice Statistics RFI" in the message subject line.

Dear Ms. Underwood:

The National Disability Rights Network (NDRN)* writes in response to your Request for Information on Criminal Justice Statistics. The need for comprehensive and robust criminal justice statistics, including around disability is critically important to understanding what is happening in the criminal justice system to people with disabilities.

Our response today will focus on the following question:

3. What datasets are critical for law enforcement agencies to collect in order to ensure the comprehensive and disaggregated collection of operational data, incident-based datasets, and other data to produce more equitable outcomes? Why?

In general, data collection regarding arrest and police interaction with the public is insufficient with regard to disability. The lack of data collection and transparency impedes data analysis. People with disabilities have negative interactions with law enforcement, with some of these incidents being extreme, either resulting in death or serious injury. This lack of detail makes it difficult for State, Local, and Tribal law enforcement agencies to review data to determine needed policy changes and training.

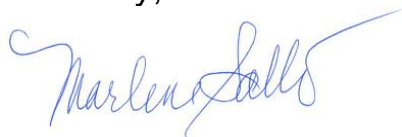
In addition, as communities create and update their crisis intervention services, inaccurate and incomplete information impedes the ability to design a comprehensive and responsive crisis intervention services implementation plan when incident data is not disaggregated. Lack of data can result in a reticence to remove/curtail the use of police in crisis intervention responses and an over confidence in the role of police, such that police are then involved in more crisis response calls than necessary or appropriate. There are presently a number of crisis intervention models that are successful at de-escalating situations that do not involve police. See: <https://whitebirdclinic.org/cahoots/>.

Another area that would benefit from additional data collection involves incident data regarding police intervention in community-based settings that serve people with disabilities, such as half way houses, group homes, residential treatment facilities, psychiatric hospitals, and sober homes.

Understaffed and poorly run facilities, even those specializing in psychiatric treatment, often call on police to control residents, which can result in injury to clients. Police departments have complained about being called too frequently and for matters that should have been managed inhouse, straining their resources. Since police officers are not trained as mental health providers, they often are unable to de-escalate residents, resulting in injury to resident and officer. Data regarding these incidents will help guide system design both for policing agencies and facilities.

NDRN and the nationwide network of P&A agencies appreciates this opportunity to provide comments to this Request for Information and please be in touch with Eric Buehlmann, Deputy Executive Director for Public Policy at eric.buehlmann@ndrn.org with any questions you may have.

Sincerely,

A handwritten signature in blue ink, reading "Marlene Sallo". The signature is fluid and cursive, with a large initial "M" and a stylized "S".

Marlene Sallo
Executive Director
National Disability Rights Network

* NDRN is the non-profit membership association of Protection and Advocacy (P&A) agencies located in all 50 States, the District of Columbia, and the United States Territories. In addition, there is a P&A affiliated with the Native American Consortium which includes the Hopi, Navajo, and San Juan Southern Paiute Nations in the Four Corners region of the Southwest.

P&A agencies are authorized under various federal statutes to provide legal representation and related advocacy services, and to investigate abuse and neglect of individuals with disabilities in a variety of settings, including the criminal justice system. The P&A Network comprises the nation's largest provider of legally-based advocacy services for persons with disabilities. NDRN and the P&A Network advocate for many people with disabilities with a connection to the criminal justice system.