THE ARC

ALTERNATIVES TO INCARCERATION FOR OFFENDERS WITH I/DD

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>> KATHRYN WALKER: Hi there. I'm Kathryn Walker, and I'm today's facilitator. Before we begin our presentation, I'd like to cover a few rules, especially for those of you new to WebEx.

Because there are so many of you, participants are in listen-only mode. During the presentation if you need help, if you would like to post a question to the chat on the side of your screen, we'll be happy to help you. At the end of this session, there will be time for questions. You can either post questions in the Q&A section or in the chat box. If you want your question to stay private, type "private" before your question. You can also e-mail us at nccjdinfo@thearc.org. If we don't get to your question during the presentation, we'll follow up with you afterwards.

This webinar is being recorded and will be posted to the site. During the presentation, you'll be asked to answer a few questions. We have one final request. You will receive a section evaluation after this webinar. Please take five minutes to complete and send it to us. This webinar is funded by the United States Department of Justice Bureau of Justice. Thanks for your participation.

The webinar today is the eighth of NCCJD's webinars and features Jessica Oppenheim of The Arc of New Jersey. Before we welcome Jessica, please answer these polling questions. All right. The first polling question, true or false? People with I/DD are more likely to commit criminal offenses than those who do not have an I/DD.

Polling question number 2. True or false. People are I/DD are more likely to have criminal charges dismissed than their codefendants without a disability.

Number 3. Employment and support services can have a positive impact on future recidivism.

And finally, true or false. Criminal justice professionals are well-versed in the obstacles faced by individuals with I/DD and understand the services that can help support them in the community.

Thanks for your participation with the polls. If you didn't get a chance to answer the same question here, it's on the post webinar survey.

All right. Thank you for your participation. Now, please welcome our presenter, Jessica Oppenheim.

>> JESSICA OPPENHEIM: Can you hear me? Good. I'm all set?

>> KATHRYN WALKER: Yes, sounds good.

>> JESSICA OPPENHEIM: I'm a newbie to high-tech. I'm used to talking to people face to face. Hopefully everybody can hear me. My name is Jessica Oppenheim, and I appreciate so many of you doing this on a beautiful summer day on a topic that can be complex and not particularly classy. We're talking about how people with intellectual and developmental disabilities become involved in the criminal justice system. Some this used to be the youthful offenders program, and we changed our name about four years ago, looking for a friendly title, also to really demonstrate -- and we're going to talk about this in a little more detail, what I like to call management for our clients but we also do training for all members of professional staff, so hopefully this title really demonstrates that.

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Okay. As with the general population of people with individuals or developmental disabilities are law-abiding citizens. They're no more dangerous in the community than anyone else because of the population, people with intellectual or developmental disabilities are no more dangerous than anyone else.

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Nevertheless, they tend to have developmental disabilities and the prison population is at 9 or 10%. You can see it's three times the number that individuals with developmental disabilities.

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So that gives you an idea. Here are more statistics. The numbers tend to be a little soft on this topic. For example, in Canada in 2009 they did a pretty comprehensive study that faced the number at 50% of individuals in their prison system. Identifiable or developmental disability. So that gives you an idea of the vast issues that we're talking about here. Over the course of the next hour, and I'm going to talk very fast, because it's not a lot of time and I'm from New Jersey, so we tend to talk fast. We'll cover this from the obstacles, particularly they face dealing with this issue, and I'll talk about the program.

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Criminal justice professionals, I want to define that term a little. It's a very broad definition. New Jersey, a population of 9 million people, 600 law enforcement agencies, about 38 to 48,000 formal law enforcement officers, some officers in big cities like Newark, all the way down to one or two people in rural communities, so we're trying to get to the prosecutor, the chief law enforcement officer, Texas and some larger states, we're a relatively smaller communities, but we actually have a very large population of law enforcement officers, and they know literally nothing with people with intellectual and developmental disabilities, and unless they have some personal connection to that group of people, they're not going to know anything at all.

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In particular, we're trying to make a connection to those who are social workers to make connections to the community, and they are not equipped to work with criminal offenders. They really struggle. They're going to provide appropriate services to the communities, other members of their communities think at the same time, they can provide good, effective services. The reality is that having an identifiable intellectual and developmental disabilities has not evolved. It's not a bar to prosecution. It's not a bar to conviction. And that's why the kind of services that we offer as alternatives to incarceration, the court services that provide the individuals are concerned.

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So what do we know? There's research that tells us that any criminal offender, whether they have a disability or not, will do better, in other words, will reduce their recidivism, when they have supervision or at least believe, feel, that they have supervision, and are gainfully employed or have some level of activity. It does make a difference in the life of everyone, and particularly people with intellectual and developmental disabilities, that they know there's some level of supervision and that they have something -- something that gives them the sense of accomplishment, makes people feel that they're a part of a community. Very important. But nonetheless, our system, and I imagine that most state systems don't provide a lot of specialized attention or supervision for these individuals, and you'll see a theme running through this discussion about the difficulties, the challenges that people have working and that they have a place to live. Housing and jobs are at the top.

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That's what we were talking about, and what's the result of that. If they don't have appropriate housing, appropriate job training, stuff that they can succeed at, we see recidivism.

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This is a very short description of the types of problems we're talking about, all the way from the beginning of that initial interaction with law enforcement. Someone with an intellectual or developmental disability -- and that's a wide range of individuals, as everybody on this webinar knows -- won't necessarily understand their rights, I mean the Miranda warnings, everybody watches "Law and Order," so you know you have the right to remain silent, a right to have an attorney, a right to have one if you can't afford one. Sounds simple, but if you have an intellectual and developmental disabilities, it's difficult to understand, and a lot of yes answers, especially, people who have been thought in their lives to be respectful, to work well with anybody who is an authority figure, to try to please them, to say something that they want to hear. There may be prone to regress out of fear, anxiety-producing to be dealing with someone in uniform, a squawk box, all that going on, and the client base we're working with is not particularly interested in informing anyone that they have an issue. We tried handing out cards to our clients with their names and case managers' names. Generally, they are not interested in that information, and they're going to try to cope on their own.

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So what does that lead us with. Statistically, research tells us that offenders with developmental or intellectual disabilities are more likely to plead guilty and more like to plead to original charges than nondevelopmentally disabled cohorts, which we'll talk about in an issue, and the problems follow all the way through.

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Into sentencing, we begin with those original charges and all the way through sentencing, we have additional issues that demonstrate this advances through the back end of the process. Probation and other programs, drug court, a very successful program, but it's very difficult to participate in, a lot of rules and regulations and it can be hard for our clients to be successful. If you're not going to be successful in a program, it's more likely the program won't accept you, right? (Indistinguishable.) So our clients tend to not be accepted for those things like drug court.

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Appeals, direct appeals of a conviction, motions for post-conviction, ancillary things, you have to be able to work with an attorney. Clients that we have with an intellectual disability, you may not be able to understand the level effectively to an attorney and a lot of those opportunities are lost.

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Probation, we'll touch on that a little bit more later. Again, it's a back end of the process to comply with probation, there are a lot of conditions that will have to be met. These are some examples. You can't meet those conditions, you violate, it results in a revocation.

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Always way to the end, reentry, in the prison, reenter the community and probably are already having obstacles with housing and jobs, despite the fact that there are attempts now to ameliorate this, things like statutes that keeps employers from asking up front about criminal history, nevertheless, imagine you have difficulties with the job anyway, and now we ask you about criminal history. There's no question we have a serious problem, a housing problem and a job focus.

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So where do we come in? To provide an alternative to incarceration. Our clients don't do well -- we'll talk about the prison system and the problems our clients have as a result of that. So our goal really is to provide, as I said earlier, alternative for incarceration for our clients. They are people who are eligible for services (indistinguishable), and they already are entitled to certain services, possibly entitled to alternatives, but our goal is really to coordinate those services along with other needs in the community, provide that case management, and essentially convince the court and the prosecutor that this is an alternative that they can ultimately be successfully held in the community. We notice here, both for the criminal history side, about people with developmental disabilities and also on the other side who are the social service community.

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Our staff, 3 1/2, 21 counties, unlike some of your states, we go from one end to the other within a day, but nonetheless, we cover a lot of ground. It's about 100 cases.

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I noted before, we've been in business a while, since 1985. We really are the only one in New Jersey. There are a handful nationwide, I'll point out a couple of those. North Dakota, Colorado, Georgia, DC, District of Columbia, and Missouri have similar to ours nationwide, Colorado, interesting work with their clients. So there are a few out there. Hopefully you can see them. We run an annual conference, and we have a private program that we're running with, and it's a broad array of topics that we cover. What do we do particularly for our clients?

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If there's any distinct service out in the community that will increase the likelihood that they will not commit new offenses. It's as simple as that. Everything from drug treatment, recreational programs, respite, residential, things related to that and save that topic for another day. You'll note under psychologists and therapists, one of the things I pointed out therapy and services for sex offenders, and we'll talk a little bit more about sex offending in the intellectual and developmental disabilities community. The reality is that routinely, more than half of our client base have been convicted of a sex crime, both juvenile and adult, so we know this issue is even a separate issue unto itself, and we do just that for the courts (indistinguishable).

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But we ultimately create, we call it a personalized justice plan. It's pretty much what it sounds like. We have a personal plan for the offender. As you see, one of the things with that individual is ready to be a part of this process. As you know, if any of you were working in drug court, probation, you know people with clients with the conditions are being offered, it can be very difficult. One of the things we've done in the past that's been successful is a contract with our clients, a list of all (indistinguishable) the sign it. It may not be legally binding, but it has the idea of people -- having that sense that they have these obligations they have to fulfill.

(New slide.)

Finalize that plan, give it to the court. Hopefully the court will respect it. That's the goal of this, ultimately, that we can provide this in lieu of state prison time. We'll set forth all the specifics, all the parties, defense counsel, prosecutor, the court all accept it, we'll show up in court and explain whatever needs to be explained, and hopefully, in a perfect world, our clients are placed on probationary statistics, our PJP can be a condition of that probation, and we'll work hand in hand with those, they can successfully complete probation and that's the best case scenario, other than having charges dismissed, which we also are successful at, at a lower support level.

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So that's essentially what we're doing on behalf of our clients. Sometimes our clients -- again, a whole other webinar when we're talking about the ability of someone who is incompetent to stand trial, oriented to time and space, and let's say they're found incompetent. Ultimately in New Jersey, every state has their own rules, but our goal is to avoid recidivism. We're trying to take a longer view than just disposing of the current offense. In light of that, with (indistinguishable) they may end up if -- something like that, come back out, our goal is really that they be successful back in the community.

(New slide.)

So let's say that probation is not acceptable to the court, which can happen. Sometimes community placement (indistinguishable) is the ultimate resolution of the matter. Sometimes our client end up in prison. Sometimes they end up in a treatment facility of some kind. We'll have the social service program at that facility, understand what kind of disability that we're talking about and the kinds of programs they do have, that the New Jersey Department of Corrections has done very well in the way of programs specifically, but define what we can, keep them out of general population, of course, in a dangerous situation.

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So that's what we do. That gives you an overview of how we work individually with our clients. Some of our clients we have for many years. For instance, I'm going to talk about this in a minute, Megan's law, people who register and have some kind of -- they've had to -- those who are on parole supervision for life. We'll hang on to those to ensure that (indistinguishable). So who are we talking about? What's the general profile of an offender with developmental disabilities? One of the things I want to point out is the portfolios you have of the offender, barely speaking in the criminal justice arena. Most people are young males.

(New slide.)

The offenders that are being represented in the criminal justice system. Male, mild intellectual -- mild to moderate intellectual disability, broader than just the mild range. Basically 20 to 40, young people committed offenses. I'll point out, sexually-related offenses, not at all uncommon, (indistinguishable). When there are codefendants involved, our clients are very rarely -- in concert with others, used by more savvy codefendants who hold the weapon, hold -- those things that put them in more danger because they're anxious to be a part of the group, they want to be people's friends, all the concerns that you would imagine.

(New slide.)

And here they are. One of the things I want to point out about this as well, is that not only are these characteristics of people with developmental disabilities to be involved in the criminal justice system, but similarly, these are individuals who are vulnerable to those themselves, (indistinguishable) the developmental disability, we know they're particularly vulnerable to being the victim of crime, violent crimes in particular, sexual assaults. We know that. Similar (indistinguishable), that lack of social skills makes a young woman with an intellectual or developmental disability highly vulnerable. We noticed an increase in our client base who committed sexual assaults, young men in their 20s getting involved with girls who are too young (indistinguishable) and that's the problem that we see.

Some of the other concerns, I'll just note.

(New slide.)

And talking about the difference between right and wrong. The world can be a complicated place, learning a lot of these things, if it's -- if there's some (indistinguishable) particularly and will that's what we're seeing.

(New slide.)

We've had a particular problem with prosecution, and the competence to waive Miranda, here in New Jersey, there's very little -- I know others, competency. These are major issues that are -- from case law to mitigation. If I have the time, what I wanted to do is show you a quick case study of one of our defendants.

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CM. As you can see, this is fairly serious, and animal abuse, offending, and the community -- set a barn on fire, serious allegations. He was diagnosed with that, wants FASD, if you think back to some of those characteristics that I talked about, the impulsivity, the willingness to do about anything, those are a real problem for FASD and the things that go along with that.

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This individual also had a diagnosis of mental illness, that dual diagnosis, a very strong problem, medicated, and then his parents, they contacted the developmental disabilities here in New Jersey, and he was found eligible -- appropriate.

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What happened, unfortunately, he slipped through the cracks and ended up living in a motel. That's a very bad match for our clients, as I'm sure you know. Found a lot of the wrong individuals, and ultimately (indistinguishable). He was the first one arrested.

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And he was in a bad situation.

(New slide.)

Fortunately at that point, they made contact with our agency. He was appointed supervision, and we were able to coordinate all those services and an appropriate home to live in, able to support that. You can see on there, the court, for those -- mental health probation, a recent addition to our toolbox here in New Jersey, the addition of probation services, a mental health probation officer. We often have to have our clients be a part of that program, mental health, and it's going to be a big help in improving the possibility that they have -- a successful outcome. Move forward with services, (indistinguishable). I think it's going pretty well. Hasn't had any new offenses, or drug use, but because we're available, because -- over time, we look at our numbers, a reduction in recidivism.

(New slide.)

I mentioned this earlier, sex offenses. In full disclosure, I'm the person who wrote the guidelines for Megan's Law in New Jersey (indistinguishable), so perhaps I'm particularly sensitive to the subject, but I don't think so. Half of our client base has committed a sex offense, 14 and 15-year-olds all the way up to the adult men, mostly men, some women, but mostly men, run the gamut of offenses. Force is rarely an issue. That's too general for sex offenses, (indistinguishable) coercive in that relationship. But nonetheless, let's say we have a client who is 22 years old and has a relationship with a teen, that is second degree sexual assault and the impact

from -- there may be a mandatory sentence, parole supervision for life. I think most people doing some version of that, and it is exactly what it sounds like. A parole officer will oversee that individual with a very lengthy and specific list of conditions over their life. There are possibilities of (indistinguishable). Sexually violent predator, I believe some have a part of, and right now, in New Jersey, we have about 460 offenders who have been designated sexually violent predators. I know that they're out there.

(New slide.)

So what else do we want to talk about? The prison issue, as you know, that the research tells us that they are more likely to be incarcerated for longer times for a variety of reasons, but one of those reasons is the setting, inability to comply with disciplinary rules and regulations, as some of you, as many of you are familiar with your prison system will know, a failure to comply (indistinguishable). Also, our clients are often not successful on parole when release on parole for number of reasons, but you have to show you have a home to go to, a job to go to, you're not going to be a burden on society, you're going to be successful in the community, and it's very hard for our clients to reach that burden.

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There also are programs, some do provide success to college education classes or continuing education or high school courses. Our clients -- not appropriate for them. And you can see that.

(New slide.)

I just want to mention that there is some protection out there for individuals who are -- who have recidivism. Pennsylvania Department of Corrections versus Yeskey, ADA requirements should apply to all state prisoners, so if they have a diagnosed intellectual and developmental disabilities they should be given reasonable accommodations for them to be in compliance with ADA.

(New slide.)

Again, if anyone on the line is from California, the law office did a great job in this state. They've worked very hard to make sure that people with intellectual and developmental disabilities are afforded services out in the California Department of Corrections and I just want to share with all of you that this quote.

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From the district court judge that sums up the concern that we have, why we are so anxious to see that our clients avoid those serious state prisons or get services, and I apologize mentally retarded is a part of the quote, evidence demonstrates that mentally retarded prisoners and those with autism spectrum disorders are verbally, physically, sexually assaulted, exploited, and discriminated against in California prisons. I think this is to open up communication with the justice in the long run, local law enforcement all the way up to (indistinguishable).

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So that's a very quick overview of the program that we have. If there are any questions, please feel free to ask them. You can see, I've given you my contact information. And ask anybody who is interested, people on our website, download -- we have a video there, law enforcement that is (indistinguishable). Information about our program. And that's it.

>> KATHRYN WALKER: All right, thanks, Jessica.

(New slide.)

I do have a couple of questions for you. The first is from Leah, and she wants to know, the discrepancies in racial representation among incarcerated people in general map on to the population of incarcerated people with intellectual and developmental disabilities.

>> JESSICA OPPENHEIM: Unfortunately, yes. The reality is that, it's socioeconomic status. Poor people are generally more likely, regardless of whether or not they have a disability, are simply more likely to end up in prison. They're less likely to be able to afford their own counsel. They're more likely to not get the kind of support and services that somebody with their own personal things that they can look to, family, supportive family, jobs, things like that, that that's simply the reality of our criminal justice system. More people are representing in prison.

>> KATHRYN WALKER: The next question is from Gina. There was a card batted around by consumers. Would you be able to talk about that?

>> JESSICA OPPENHEIM: What we had created was small wallet-sized cards, this is my name, this is the name of my case manager, this is the disability that I have, aimed towards law enforcement officers. The problem that we found with that is the clients really don't want to have those, so one of the obstacles that we can face, you're going to want to deal with is the clients that you're working with, if they want to take this opportunity to deal with law enforcement, we weren't particularly successful at it. I do try to go out to the self-advocacy community as far as historically, they're not typically interested in carrying those. So I'd be curious to hear if you do implement that how it works out.

>> KATHRYN WALKER: This next one is from John. What suggestions do you have for advocating for offenders of IDD to employers, especially when the job requires a background check?

>> JESSICA OPPENHEIM: Sadly, you can see through this presentation that job development is -- you're right, over 90% of employers now are doing background checks. What concerns me is the way they do background checks, most of them use a private company and often the information may not be correct. So one of the things I want to point out to you, to be sure the information is even correct. Sometimes they're basing it just on a name, for example, and they have information that isn't accurate and a lot of our clients, people are -- it may have occurred 16 years ago, they won't necessarily show that. Take advantage, too, of (indistinguishable). You have one, very specific, so it doesn't assist everyone. It's not a panacea. But it's available to you for that opportunity to expunge before you get the letter. Now, dealing directly with the employer, hopefully your state is calling what we call here in New Jersey, a ban the box legislation. A lot of employers are using online applications, and you never get to talk to them. They're checking out the box, hex the ban, they check off the box that they have a criminal history, and that application is simply not going to be considered anymore. The nice thing, you could send it out, supported employment, working with you, is that you have the opportunity to have that conversation directly with an employer. Very often, offenses on paper sound worse than they really are, so it's a good opportunity to explain the offenses, an opportunity to explain a person with an intellectual disability and there might have been extenuating circumstances, so if you have that opportunity to have that direct conversation, you at least have an opportunity to confront the issue. But is it a problem? I think so. That's helpful.

>> KATHRYN WALKER: Thank you. The next question is from Margaret. What percentage of the offenders do you work with are diagnosed with FASD? My experience is they're the highest number of folks involved in the criminal justice system.

>> JESSICA OPPENHEIM: I suspect it's a large number. A lot of them that I suspect have FASD, you're not getting a real diagnosis, if you can't determine whether the mother drank during pregnancy, I think everybody on the webinar is aware, it's the most preventable. If you're in New Jersey, you do have four FASD diagnostic centers, so to have that available for them, to have an actual diagnosis. The short version is, I suspect we have many, many that are not diagnosed because we don't know. If they've been adopted or some other reason, they don't have all the information, we can't get a formal diagnosis on this issue. (Indistinguishable).

>> KATHRYN WALKER: All right. This is from Teresa. Did your organization pass legislation to establish your agency and to provide an alternative to incarceration or do you just pursue on a case-by-case basis with each individual court?

>> JESSICA OPPENHEIM: Legislation, what a great idea. I'll have to try that. No, unfortunately, the way we're set up is our funded by Arc Developmental Disabilities. We're a private nonprofit with a contract with the state and they provide the funding for our case managers and our court services, so that's why with the client base that we deal with are applying for that. I might talk to you about legislation. I might do that.

>> KATHRYN WALKER: All right. This question is from Barb. Do you have some ideas on supporting individuals in day programs that are elected to work with individuals with criminal offenses, sex offenders, and given their ratio, and also, Barb want to know when your annual conference is.

>> JESSICA OPPENHEIM: It's April 30th and I think the topic is going to be dual diagnosis. We talked on that a little bit. You're right, getting support coordinators to putting people to work with this population can be challenging. One of the things I go out and do -- I have one that we do for the case managers. What do I do -- just to give them an understanding of the criminal justice system, we go out and talk to programs about what it means if they have somebody with a history or what it doesn't mean. It doesn't necessarily mean that this individual is any more dangerous than anyone else. (Indistinguishable) puts in places the services they need, medication, for example, or if they need to go to NA or AA or some version of that, that they're doing that. Therapy. Particularly sex offenders, specific treatment for people with a true sex offender history, so I'm a big proponent that that matches with the right treatment and the right person. The communication between the criminal justice system and that social service system, your client and the client's job and housing and the individuals can survive that (indistinguishable).

>> KATHRYN WALKER: All right. This question is from Dana. How do we get the D.A.'s office not to charge clients who live in a foster home or a 24-hour residential group home?

>> JESSICA OPPENHEIM: You're probably not going to get them not to charge them. Having a disability, I mentioned early, is not -- I hear your frustration, and we certainly have had situations here where we have charges being brought against individuals who should not be brought. If you take that opportunity for the D.A., give them the training that they need about what -- so they can make as early a decision as possible, you might be able to intervene. If you can assure them that this person isn't going to be a danger to the community, that can often calm a situation, get them to -- remember, I'm assuming that the D.A.s have the same discussion that we have here as a prosecutor. I was a prosecutor for 27 years and I was able to make decisions about (indistinguishable) but it really helps that they have -- training. Training, training. Go out there, have a meeting with them, communicate with them in your municipalities, if you have that, share it. So that they have an opportunity to learn before the incident happens, what they might be, and be ready to offer some supports so that they feel comfortable. And then you take it on a case-by-case basis.

>> KATHRYN WALKER: This question is from Deb. So what do you believe would be most helpful to offer folks in this situation? Legalized advocacy supports, special courts, law enforcement -- I think Deb is looking at getting started in this direction. Where would you share it?

>> JESSICA OPPENHEIM: I have to tell you, a little bit of two things. Education, I think, is imperative for everybody. And one of the obstacles, I know that Leigh and I have talked about, you're not going to be alone and you're not going to do it for everybody here. Information for people with intellectual and developmental disabilities has to be a part of what goes out to every police academy class, every agency, over and over again, and you have to do -- (indistinguishable). That was a hard lesson for me to learn. I've done training in the past and thought, a good one, done. The reality is, you're never done. You have to do it over and over again, so get the material (indistinguishable). Together with that, start the program that allows you to have some impact on case management, that would be great. I don't know if anybody here is -- is from Ohio. Ohio doesn't specifically have a program like ours, but one of the things they have done is set up -- I would call a multidisciplinary committee at the county level, in Cuyahoga County and they have all the right people communicating under this level and that's another great start, intellectual and developmental disabilities, issued things in that group. So a great place to start, before you get off the ground, if you put together a multidisciplinary team of the right people, and I emphasize the right people, of all the different disciplines together, you can start some of the programs there.

>> KATHRYN WALKER: All right. This question is from Joanna. She said, do you ever use the FAS facial computer analysis that they're using in Canada?

>> JESSICA OPPENHEIM: No, I never have. We're not a clinical agency. We just provide services. I would be interested to see what people are finding with it, if it's just Canada or if other people are using it.

>> KATHRYN WALKER: All right. This next one is from Dale. Are your case management services voluntary or are they court-ordered?

>> JESSICA OPPENHEIM: In a perfect world, they are court-ordered. It's not voluntary for the client. The Division Of Developmental Disabilities, for persons eligible for services from the division, that's voluntary. So in reality, eligible for services from the Division of Developmental Disabilities, they have a guardian, but once we've reached the point where we've had involvement, in other words, they're already involved in the criminal justice system, what would you do is try to make our personalized justice plan a part of probation and that is not voluntary on the part of the client. They have to meet those conditions or what they face is potential violation.

>> KATHRYN WALKER: All right. Thanks. And I just wanted to give a quick mention to something that NCCJD is working on when you're talking about getting all of the professionals together, we're talking about getting information on getting a DRT, a disability response team, so look out for that on our website in the future.

And this next question is from Erica. Do the majority of the people with I/DD have surrogates or guardians?

>> JESSICA OPPENHEIM: (Indistinguishable) an individual can have a guardian for financial purpose, for example, or medical needs, but it will impact the criminal justice for all. Most are at a point to get themselves involved in criminal offenses often do not have a guardian. I would say 80% of our clients are their own guardian and only a small number where there's a parent or sibling who is a guardian and even smaller (indistinguishable). So the bulk of them don't have that.

>> KATHRYN WALKER: All right. Here's the next one. What is the first step to take to educate my local court system about people with I/DD? Can we educate attorneys and judges at the same time?

>> JESSICA OPPENHEIM: If you have a bar association you can. A good condiment is your local bar association. We have a very active local bar association at the local and state level. I'm a member of those, and one of the things I do is provide as much training as I can through that. Judges are ordinarily members of their bar association, just like counsel, counsel and prosecutors are, so it's a good way to get to all of them at the same time. Hopefully they do ongoing training, like they'll do here, municipal and superior court level. (Indistinguishable). Right here. The administrative office support, so call your court management system and ask them when they do training (indistinguishable).

>> KATHRYN WALKER: All right. This question is from Teresa. Does your agency also provide support for jail detainees with intellectual disabilities, for example, seeing they're separated from the jail population?

>> JESSICA OPPENHEIM: We try to. That's why we try to have a relationship with the social service group in every one of our -- here are independent entities (indistinguishable). So it's important for us to try to have that relationship. One of the things we do request is that the individual (indistinguishable). Also, for the medical unit, one of the dangers we wanted to make sure you're aware of and know about, depending on how the jail is set up, that may mean that your client will (indistinguishable). And you want to ensure that they're safe, that they're not going to be taken advantage of by other inmates, but isolation is not a good thing for -- that's not the only outcome. So a good thing to do is to try to go to your local warden, use them as a sounding board and try to have that relationship, impact, the best option. If they get that far.

>> KATHRYN WALKER: All right. Can you repeat the states that have programs like yours and what makes a program most successful?

>> JESSICA OPPENHEIM: These are the ones that I'm aware of, and I think it's -- Leigh, you've done programs -- we've done some quick -- maybe a year ago, because we wanted to have a sense of what was out there, and the ones we found was North Dakota, Colorado, Georgia, District of Columbia, and in Missouri, there was a program just focused on St. Louis County, the City of St. Louis, and I've spoken to them over the phone and seem to do the same thing we do just been that small geographical area, and Colorado is doing some stuff too, around Aurora and Colorado and virtually the same program that we have, and I do think it's one of the best options, a level of case management, I might refer to extreme case management to have that level of involvement with the client. I think, unfortunately, because it's -- it's a high-maintenance program, I think maybe it's the best way the individual is going to be successful.

>> LEIGH DAVIS: Jessica, this is Leigh, how are you? If anyone wants to know more about what programs are going on nationally, they can go to the national -- (no audio)

>> KATHRYN WALKER: Sorry, everyone. I think we're having issues with audio with WebEx. Sorry about that. We'll jump right back in with one more question. Is the sex offender issue a problem in all states?

>> JESSICA OPPENHEIM: I would say yes. If that's the answer, I -- that would be my guess. I have to tell you, every single state has some version of Megan's Law. It's been upheld as constitutional in all 50 states, so everybody has some level of registration and some level of community notification, and I guarantee you that every state has some version of (indistinguishable), whether parole supervision for life, community supervision for life, some mechanism for supervising sex offenders. So it's an issue across the country. Not to get into the specifics about its effectiveness, because we really don't have any data that tells us that it's effective on any level, but nonetheless for our clients, it can be very challenging for them to meet these obligations, obligations placed on you as a sex offender, I know someone had a question about job development, so I assume some of you are support services and job developers. You know that finding jobs for people with a sex offender history is probably the most challenging. It's simply -- even if jobs where it's not relevant, employers are very reluctant to hire. So yes. I think that sex offending -- the impact of being convicted of a sex offense, and levels of prosecutors have gone -- here in New Jersey, we have (indistinguishable), you probably know Washington state passed the first back in 1990, and that's now, what, 20, 25 years, up on my math skills, but over the years, there's no doubt we've seen an increase in sexual assault.

>> KATHRYN WALKER: All right, Jessica, we are out of time, so thank you for this wonderful and thoughtful presentation. It's wonderful to hear what you're doing in New Jersey. We'll let everyone know that next month's webinar on September 26th will be on Fetal Alcohol Spectrum Disorders and talking about that for suspects and offenders. Don't forget to use our TA request service, so if you've got questions, e-mail us at NCCJDInfo@thearc.org, and that's all we've got today.

Thank you, Ms. Oppenheim, and don't forget to register for our next webinar.

>> JESSICA OPPENHEIM: Thank you.

(End of session at 1:29 p.m.)