

HOW IS DISABILITY CRIMINALIZED?

The policing of disabled bodies in America happens disproportionately, impacting the outcomes of justice, equity, and equal treatment under the law. Here's how.

Disabled people, especially disabled people of color, experience

HIGH RATES OF VICTIMIZATION

This increases the likelihood that they will interact with police and the criminal justice system.¹

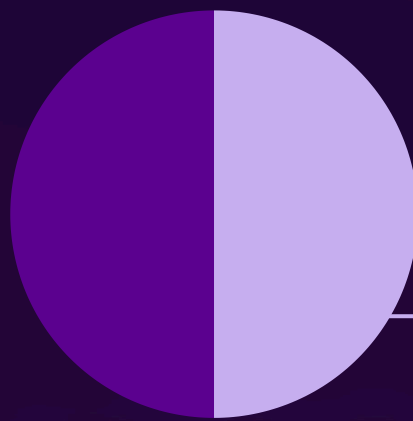


This can manifest as increased rates of

QUESTIONING DETAINMENT USE OF FORCE

More than half of Black disabled people are arrested by age 28.

OF THOSE
KILLED BY
POLICE



50%
are disabled.²



NON-NORMATIVE BEHAVIORS

Disabled people may display behaviors, like stimming or not following commands, that law enforcement see as

“SUSPICIOUS.”^{3 4 5}

Behaviors perceived as

RESISTANCE or NONCOMPLIANCE

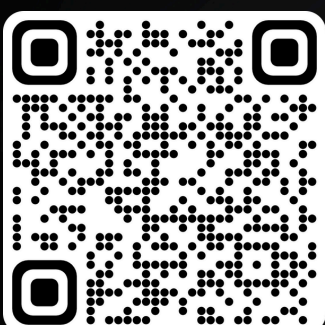
can be misunderstood by law enforcement, leading to potential escalation like the use of

EXCESSIVE FORCE

¹

This is compounded for Black disabled people, who experience a higher risk of coming into contact with police.⁵

Read the full IACC
Public Comment Letter



¹ Wallace, D., Herbert, J., Tyler, D., & McGee-Hassrick, E. (2021). Interactions between individuals on the autism spectrum and the police: The fears of parents, caregivers, and professionals. *Policing: A Journal of Policy and Practice*, 15(2), 950-964. <https://tinyurl.com/7haxkcjz>

² Thompson, V. (2021). Understanding the Policing of Black, Disabled Bodies. Center for American Progress. Washington, D.C. <https://tinyurl.com/23e9e84b>

³ Hutson, T. M., Hassrick, E. M., Fernandes, S., Walton, J., Bouvier-Weinberg, K., Radcliffe, A., & Allen-Handy, A. (2022). "I'm just different—that's all—I'm so sorry...": Black men, ASD and the urgent need for DisCrit Theory in police encounters. *Policing: An International Journal*, 45(3), 524-537.

⁴ Rava, J., Shattuck, P., Rast, J., & Roux, A. (2017). The prevalence and correlates of involvement in the criminal justice system among youth on the autism spectrum. *Journal of Autism and Developmental Disorders*, 47(2), 340-346. <https://tinyurl.com/44zrz3t8>

⁵ Morgan, J. (2021). Disability's Fourth Amendment. *Columbia Law Review*, 122(2), 489-580. <https://tinyurl.com/47h4u687>

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PERCEPTIONS OF FAIR TREATMENT

Both Black and White Americans believe that Black people receive unfair treatment from police and the criminal justice system, with



BLACK AMERICANS being **5 TIMES MORE LIKELY**

to report unfair stops due to race.¹

Despite declines in youth arrests and incarceration,

RACIAL DISPARITIES PERSIST

especially in the use of force.^{2,3}



This is especially true for people of color:

BLACK RESIDENTS face police misconduct, including racial slurs, at **12 TIMES**

the rate of White residents.

12x

LATINX INDIVIDUALS experience these same abuses **TWICE AS OFTEN**²

2x

GENDER AND POLICE FORCE

Threat or use of force by police against women as a whole has risen



488%

since 1999.²

Disabled individuals, nonbinary, and transgender folks, face **increased risk of police force** echoing patterns of abuse seen in communities of color and gender non-conforming individuals.^{4,5}

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¹ Desilver, D., Lipka, M. & Fahmy, D. (2020, June 3). 10 things we know about race and policing in the U.S. *Pew Research Center*. <https://tinyurl.com/38ehuztk>

² Wang, L. (2022, December 22). New data: Police use of force rising for Black, female, and older people; racial bias persists. *Prison Policy Initiative*. <https://tinyurl.com/5xjy58t4>

³ Rovner, J. (2023). Youth justice by the numbers. *The Sentencing Project*. Retrieved January 16, 2024. <https://tinyurl.com/2ep9hb8b>

⁴ Lewis, L. F., Ward, C., Jarvis, N., & Cawley, E. (2021). "Straight sex is complicated enough!": The lived experiences of autistics who are gay, lesbian, bisexual, asexual, or other sexual orientations. *Journal of Autism and Developmental Disorders*, 51(7), 2324-2337. <https://tinyurl.com/55mhnye>

⁵ Shaw, A. (2020). Violence and law enforcement interactions with LGBT people in the U.S. *UCLA School of Law Williams Institute*. Retrieved January 17, 2024. <https://tinyurl.com/3npk87tx>