A Narrated Review on the Prevalence of Police Violence in the Disability Community

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Abstract

It was September 10, 2011 when Gilberto Powell was beaten within an inch of his life by police officers in Richmond Heights, Florida. Just 22 years old, Powell had Down Syndrome and was utilizing a medical colostomy bag. As he was walking, police stopped him under the suspicion the bulge from his colostomy bag was a gun. Startled and confused, Powell resisted the officers' pat down and was then beaten severely before his father was able to intervene. The police officers later revealed they were "unaware" that Powell even had Down Syndrome ("Michelle Cusseaux", n.d.). Gilberto Powell is just one of many individuals who identify with the Disability community and whose life has been dramatically changed due to police violence. In reality, there are countless stories very similar to Powell's. A recent study found that up to half of those killed through acts of police violence identify with the Disability community. In addition, many well-known cases of police brutality involved a member of the Disability community (Perry & Carter-Long, 2016 as cited in Mueller et al., 2019). Many law enforcement agencies are ill-equipped and not fully educated on how to interact with those in the Disability community during high-stress scenarios (Engelman & Deardorff, 2016 and Salerno-Ferraro & Schuller, 2020). In combination, these topics bring up a much-needed conversation regarding how police violence disproportionately affects the Disability community. The purpose of this literature review is to: 1) recount experiences of police violence from those in the Disability community, 2) investigate what type of disability-related educational services or programs are offered or required in law enforcement agencies, and 3) discuss the implications of these findings. The overall goal of this review is to promote general disability visibility while also emphasizing the need for new and improved police training and programing on the Disability community in order to ensure the safety and well-being of those within it.

Keywords: disability, police violence, community, CIT training

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Introduction

Unbeknownst by some, the Disability community makes up one of the largest minoritized populations in the United States. From the years 2011 to 2015, around 14% of the United States population ages 12 and over, and not confined to an institution, identified as having a disability (Harrell, 2017 as cited in U.S Department of Justice Bureau of Justice Statistics). This diverse community includes educators, advocates, and change makers. Yet more importantly, it is a community deserving of equal access and equitable rights. Unfortunately, many instances exist in which members of this community are confronted with disrespect, hate, and negligence. In recent years, one disparity that has caught the public's attention is the brutal and inhumane way in which some law enforcement officers and agencies have been interacting with those who identify as having a disability -- either invisible or visible. When discussing the different types of disabilities, there are two main categories the disability may fall under. One category is visible disabilities which usually refers to a disability that can be visibly seen, such as someone who uses a wheelchair. The second category is invisible disabilities which are disabilities not obvious to the naked eye, such as bipolar disorder or schizophrenia. In this literature review, the topic of police brutality within the Disability community will be assessed and discussed in accordance with the current educational programming that exists for law enforcement agencies on the Disability community. In addition, narratives on those in the Disability community who were victims of police violence have been interwoven in order to pay tribute to their story and amplify the voices of others. The ultimate goal is to promote the social movement of disability visibility and share the stories of the meaningful lives that were taken from us too soon.

ETHAN SAYLOR: A Tragic Trip to the Movies

On January 12th, 2013, Ethan Saylor, a 26-year-old man with Down Syndrome, drove with his caregiver to a Maryland movie theater in order to see the movie, *Zero Dark Thirty*. As Ethan sat in the theater and watched the action unfold on the screen in front of him, none of his loved ones knew this would be their last day with him.

After the movie ended and the lights began to flicker on, Ethan and his caregiver left the theater. While Ethan's caregiver returned to the parking lot to pull the car up to the theater entrance, Ethan re-entered the theater hoping to see the movie he loved again. The manager saw this and approached Ethan to explain that if he hadn't paid for another ticket, he wouldn't be allowed to see the movie again. Since Ethan's caregiver usually handled the money for him when they went on outings, he became confused and frazzled resulting in some raised voices and cuss words.

As Ethan sat in the theater, the manager proceeded to call security in order to remove him. At this point, the security officers attempted to forcibly remove Ethan as his caregiver made desperate pleas for them to stop.

As quoted in WUSA9, Ethan's aide shared, "I kept telling them why don't you just let me go in there, give me like a few minutes with him, I'd just give him a big hug and he'd be right out, but they wouldn't listen. All of a sudden, I hear kicking and screaming and 'ouch, Mary, mom, that hurts, don't touch me, get off,' and so I run in and I'm crying hysterically, I don't know what to do. I see him jumping up in the air and screaming, so I turn around, because I was scared, and I turn back around, and all of a sudden, they're on the floor. and all the noise, it's just completely silent" (Alfarone, 2018).

Ethan died eight hours later due to a fractured larynx. The security team had forced him to the ground and their use of brute force broke his larynx and he died by asphyxiation. So, I wonder, was Ethan's life equivalent to the worth of a single movie ticket?

Narratives written based on information found in David M. Perry, 2013; A Brief Summary of the Story; Debra Alfarone, 2018.

Literature Review

Prevalence of Violence and Police Brutality in the Disability Community

In recent years, acts of violence against the Disability community, such as those caused by police officers and law enforcement agencies, have steadily increased. However, there is little media attention and data about these instances and their colossal impacts on the well-being of the Disability community. Or, on the other hand, news media sources do not mention the fact that the victim of violence identified as being a member of the Disability community (Perry & Carter-Long, 2016). Therefore, any current data we have may be skewed by this inattention to

detail or just general lack of coverage and attention. As authors David M. Perry and Lawrence Carter-Long (2016) explain, “When we leave disability out of the conversation or only consider it as an individual medical problem, we miss the ways in which disability intersects with other factors that often lead to police violence” (p. 1). Hence, it is important to note that identifying as a member of the Disability community not only results in challenges related to accessibility, but combined with other intersecting identities, results in an individual becoming more vulnerable to acts of violence and general systematic oppression.

Even though there is not much data on this topic, there are some studies that have been observant and vigilant in their research and data recording. For instance, Perry and Carter-Long (2016) conducted a media study to more closely examine the gap between general acts of violence, as well as police violence against the Disability community, and the lack of media coverage. They discovered that, compared to other minority groups within the United States, those who identify as being disabled make up one-third to one-half of those killed in instances of police brutality with law enforcement (Perry & Carter-Long, 2016 as cited in Mueller et al., 2019). In addition to Perry and Carter-Long’s study, there have been numerous reports published on the pervasiveness of violence within the Disability community. In a statistical report published by the U.S. Department of Justice Bureau of Justice Statistics, it was explained that in 2015 around 29.5 per 1,000 persons aged 12 or older who identified as a part of the Disability community were victims of violence. Compared to the victimization rate of those not a part of the Disability community (11.8 per 1,000 individuals), this victimization rate was 2.5 times higher than average (U.S Department of Justice Bureau of Justice Statistics, 2017). Even though this data was collected from 2009 to 2015, the sentiment still rings true: our current educational programming and form of policing may not consider those within the Disability community.

Crisis Intervention Team (CIT) Training

One of the newer and more popular forms of training programs that has been adopted by many law enforcement agencies is the Crisis Intervention Team (CIT) Training (CIT International, n.d.). While CIT programs can look different based on an agency's time, access to resources, and funding, the general goal stays the same: to form a community-based partnership with law enforcement officials, mental or behavioral health professionals, and individuals who live with mental illness or disorders. So in this sense, CIT Training is used as an umbrella term many states, cities, and counties use to describe their program. The goal is by creating and facilitating these partnerships, a more compassionate and empathetic crisis response team can provide treatment rather than place an individual in the criminal legal system due to their invisible disability (CIT International, n.d.).

Generally speaking, there have been many success stories that have emerged from the implementation of CIT Training (e.g. Engelman & Deardorff, 2016; Kelly & Hassett-Walker, 2016; Paraniuk-Talesnick, 2019; Salerno-Ferraro & Schuller, 2020;). For instance in Eugene, Oregon, the founders of the White Bird Clinic have been seeing progress with their mobile crisis response program called Crisis Assistance Helping Out On The Streets (CAHOOTS). Similar to the general intention behind CIT Training, the goal of CAHOOTS is to provide a "unique response to non-violent situations…in order to assess, aid, and make a plan to help" (Parafiniuk-Talesnick, 2019, p. 2). Due to their knowledgeable and apt team, in 2014 CAHOOTS responded to 9,662 emergency calls. In 2018, they responded to 17,440 calls. Even though creating a mobile crisis response team was daunting to members of the White Bird Clinic, it ended up being greatly beneficial to members of the community and supported many other emergency services in the area. The combination of CIT Training and their mobile unit has been able to benefit the

community of Eugene by providing emergency services that are more holistic and take into account many invisible disabilities related to mental health. Their program has become so successful it has led to other states initiating similar programs and reaching out for their expertise (Parafiniuk-Talesnick, 2019).

Representation of Disability Community

Though many CIT Trainings and programs have been embraced by communities and have been rewarding, there are still many disparities within these trainings and other various educational services geared toward law enforcement agencies. The main disparity is many educational programs do not include insight or opinions from those in the Disability community which can lead to a lack of representation. This sentiment was evidenced in a study conducted by researchers Alisha C. Salerno-Ferraro and Regina A. Schuller where they distributed an online survey to 35 adults who identified as having autism spectrum disorder (ASD). When completing this survey, participants were asked to share their lived experiences with ASD and provide recommendations on how to improve interactions based on those lived experiences. In the responses, many participants described how there are a variety of communication differences between someone with ASD and someone without. For example, when overstimulated or overwhelmed, someone with ASD may resort to “selective mutism” or “shutting down” rather than choose to verbally communicate (Slaerno-Ferraro & Schuller, 2020). When this happens, as some participants mentioned, those with ASD are afraid their silence could be interpreted as refusal to engage rather than attributed to their anxiety or ASD.

Moreover, many individuals with ASD who responded to the survey had a variety of suggestions on how to improve current tactics between police officers and those with ASD. One of them being those with ASD should be involved in the creation and implementation of training

programs for police officers. When asked whether or not it is important for police officers to be trained and knowledgeable on ASD one respondent stressed, “Yes. But only if this includes interactions with adult autistics ourselves, not advocates speaking for and about us who are non-autistics” (Slaerno-Ferraro & Schuller, 2020, pg. 6). Even though consultations from experts or advocates are useful and helpful, it can be more valuable to learn from those who are invested stakeholders (i.e. in the case of this study, those with ASD). Furthermore, some survey respondents provided tangible ways in which those with ASD can be involved and represented. In this situation, participants proposed police officers could hold meetings with neurodiverse individuals or receive training based on suggestions from neurodiverse individuals. If these suggestions were implemented, it could allow those with ASD to have a seat at the table when designing educational programming as it relates to their own lived experiences.

Intersection of Race and Disability Status

When discussing the pervasiveness of those with disabilities becoming victims of police violence, it would be remiss to not discuss the intersection of race and how it presents itself within this topic. While some studies include the intersection of race and disability, these studies are still far and few between. Furthermore, some conclusions drawn from existing studies on this topic are contradictory and need further examination. In Perry and Carter-Long’s paper (2016), it was argued that race and disability come together to increase the risk level of violence (as cited in Mueller et al., 2019). On the other hand, the U.S. Department of Justice Bureau of Justice Statistics (2017) found in their report although those who identified as being multiracial and part of the Disability community had the highest rates of violent victimization, there was no significant difference in these victimization rates as compared to other racial and ethnic minorities (as cited in Mueller et al., 2019). Since these two reports found contrary conclusions,

more efforts should be made in current research in order to distinctly and separately analyze this intersection of identity.

Even though there is little research specifically studying the intersection of race and disability, that has not stopped many advocates and members of these communities from making their voices heard. In fact, some Black activists in the Disability community have critiqued the Back Lives Matter movement for not including them in their liberation. In the year of 2017, an organization called the Harriet Tubman Collective, which consists of many Black disabled allies and advocates, released a statement where they claimed, “Ableism and audism are present in every institution named by the Movement as a perpetrator of violence against Black bodies and communities. That a movement whose primary focus is ending police brutality ignored the violence experienced by Black Disabled and Deaf people is problematic…” (Harriet Tubman Collective, 2017). By not addressing the influence race has in this problem, researchers are leaving out important pieces of this discussion and excluding the voices of those who have been impacted. Therefore, research that has addressed race in their studies of this topic should be critically analyzed to serve as an example for future research endeavors.

Implications

This literature review suggests further exploration of police violence in the Disability community is critically needed and highlights a number of follow-up actions. For example, law enforcement agencies and police officers should be interviewed to gauge how they perceive their current educational programming on the Disability community or if there are any programs or policies in their departments. Some literature reviewed in this search began with approaching local law enforcement agencies to inquire what they felt should be added or fixed about the educational materials they receive on those with disabilities. For instance, authors Alina

Engelman and Julianna Deardorff published the results they discovered during their mixed-methods evaluation on cultural competence training given to law enforcement personnel on responding to instances of domestic violence (DV) with the deaf and hard of hearing (HH). In their published results they conclude, “understanding and responding to the needs of law enforcement with some of the 36 million Deaf/HH Americans can significantly advance culturally competent DV response for all populations” (Engelman & Deardorff, 2016, p. 184). So, by gathering a consensus on the attitudes toward the Disability community and the educational programming provided, changes can be implemented when creating new and improved programs.

From there, researchers, advocates, and other stakeholders will be better able to determine what type of educational services or materials would deliver optimal results for their local law enforcement agencies. One program that has been previously discussed and has been found effective, is the CIT Training program (e.g. Engelman & Deardorff, 2016; Kelly & Hassett-Walker, 2016; Paraniuk-Talesnick, 2019; Salerno-Ferraro & Schuller, 2020). Inspired by the success of the CAHOOTS program in Eugene, many other cities such as Austin, Chicago, Oakland, Denver, New York City, and Portland, have begun to fund similar programs in their communities. The hope is by funding and supporting CIT Training programs, these cities can replicate similar success. However, it is important communities go beyond the routine CIT Training and cater to the populations and communities they aim to serve. An article published by authors Henry J. Steadman and David Morrissette, discussed the ideal framework of a CIT Training and stressed the overall goal should be emphasizing the importance of collaboration between police officers and behavioral health specialists (2016). They conclude, “it is time to go beyond CIT training as the sole law enforcement response. Behavioral health and law

enforcement personnel need to be engaged jointly in designing, implementing, and operating all phases of our evolving crisis response and crisis continuum" (Steadman & Morrissette, 2016, p. 1056). To go beyond the basics of these trainings, there needs to be a partnership between behavioral health experts and leaders of law enforcement. Furthermore, as discussed previously, these programs need to consider inviting members of the Disability community to be involved and ensure there is an emphasis on the intersection of race and disability. By prioritizing collaboration, community-specific training, and inclusion of diverse voices, communities can ensure their CIT programs not only replicate existing successes but also pave the way for a more equitable and effective future of crisis response.

KAJIEME POWELL: Twelve Shots Later

In St. Louis, Missouri, a local shop owner called the police after 25-year-old Kajieme Powell had allegedly stolen some donuts and soft drinks from his store. Witnesses of the situation noted Kajieme's behavior was erratic and slightly uncontrolled leading many to believe he was experiencing symptoms of mental illness. Furthermore, he was walking around armed with a knife.

On August 19th, 2014, Kajieme was shot 12 times within 15 seconds of the police officers arriving at the scene.

Sent to control and de-escalate the situation, the officers arrived at the scene and pulled their squad car up to where he was pacing back and forth on the sidewalk. As they emerged from their vehicle, they shouted at Kajieme to get down. Kajieme turned away from the officers and stepped onto a raised car park before turning back toward the officers and taking a step.

Twelve shots later and it was over.

As Kajieme's story gained media attention, many people commented on the officers' excessive use of force. Why didn't the officers reach for their taser instead? Or, if they truly felt the need to use a gun, why not shoot him once in the foot? Why did he have to die?

Narratives written based on information found in McGreal, 2014 and Lipman, 2015.

DISABILITY SOLIDARITY: Completing the "Vision for Black Lives"

We are not an afterthought.
We are here.
We are fighting for all of our lives.
We are Black. We are Disabled. We are Deaf.
We are Black.
Our Black Disabled Lives Matter.
Our Black Deaf Lives Matter.

Excerpt from The Harriet Tubman Collective.

Conclusion

This literature review has explored the complex and extensive issue of police violence within the Disability community. The stark contrast between the vibrant lives of individuals with disabilities and the brutal reality of their interactions with law enforcement highlights the urgent need for change. Moving forward, research and reform efforts must prioritize collaboration with disability rights advocates and individuals within the Disability community. These diverse perspectives are crucial for creating a more comprehensive, culturally sensitive, and empowering approach to law enforcement education and programming. Moreover, the narratives included throughout this review serve as a powerful testament to the lives lost and the voices silenced. Through continued sharing of these stories and advocacy for change, the social movement of disability visibility can continue to evolve. Finally, further research is critical to fully understand the scope of police violence within the Disability community and develop effective solutions such as culturally competent CIT Training models. By actively pursuing these research avenues and implementing effective solutions, we can begin to dismantle the systemic barriers that perpetuate police brutality against the Disability community.

MICHELLE CUSSEAUX: More than a Statistic

It was a hot and dry August in Phoenix, Arizona, when 50-year-old Michelle Cusseaux was shot point blank in the chest outside of her own apartment by the hands of local Phoenix police officers. Even though the sun was shining, the day quickly turned dark for Michelle's family members and loved ones.

Diagnosed with bipolar disorder and schizophrenia, Michelle struggled with mental health and suffered from frequent manic episodes throughout her life. On this day, Michelle had called a local behavioral and mental health center and began to yell and threaten the individual who picked up the phone. Upon hearing about this via Michelle's caseworker, Michelle's mother Francis Garret decided it would be best to have her daughter picked up and taken to an inpatient mental health facility since she was in California and physically unable to.

When the officers arrived on the scene, Michelle had explained she was "ok" and that they should "just go away" (as quoted by Francis Garret in Democracy Now!, n.d.). At this point, Michelle was at the front door of her apartment talking to the officers through her screen door, which was locked. Yet, one officer ignored Michelle's responses and decided to pry open her locked screen door, invading her home. Alarmed, Michelle grabbed a hammer in self-defense, resulting in the officers immediately identifying her as an imminent threat and shooting her in the chest.

Afterwards, one of Michelle's neighbors called Francis and explained the situation as best she could. Francis requested to speak with one of the officers but was instead met with the sounds of her daughter being loaded onto a gurney and driven to the hospital.

This is what Francis had to say regarding the actions of the Phoenix police officers: "This was the result. I didn't phone them and ask for my daughter to be killed. I did not ask for Michelle to be another statistic here, another homicide. I did not call them for that reason" (Green, 2014).

Acting out of nothing but love and concern for her daughter, Francis did not even consider her call could have led to her daughter's death. And how could she? Michelle's life didn't deserve to end like this, and neither should anyone else's.

Narratives written based on information found in Crip Justice; Stanford University, 2020; Diana Green, 2014; Police Killing of Michelle Cusseaux Raises Questions of Wrongful Death & Handling of Mentally Ill, 2015.

Acknowledgments

As I began to write this paper, I knew I wanted to include a narrative aspect to share the stories of those whose lives have been taken from us too soon because of police violence. Therefore, I want to emphasize the narratives that have been included in this paper are important, and as allies and advocates we need to ensure their memories live on. Another purpose of including these narratives is to serve as a reminder to those on the forefront of social justice and

social science research: research is more than just numbers and statistics. Each number calculated, graph created, and statistic sourced is a human being with a meaningful life. As we continue our work in these spaces and with these communities, I would encourage you to amplify the voices of those who have been minoritized and spread that message through your work.

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