

Overrepresented and Overlooked: People with disabilities and Deaf people in the criminal legal system

Part 2: The Impact of Structural Oppressions on People
of Color with Disabilities

January 31, 2023




Activating Change's Mission

**To end victimization,
criminalization,
incarceration and
institutionalization of
people with disabilities
and Deaf people**

Activating Change's Goal

**Safety and freedom – not
harm and punishment –
for people with
disabilities and Deaf
people**

An orange L-shaped arrow graphic. It starts as a horizontal arrow pointing to the right, then turns 90 degrees downward to become a vertical arrow pointing down.

Today's agenda

1. Recap of first webinar on January 10th.
2. Explore how ableism, audism and racism impact the lives of Black, Indigenous and other people of color (BIPOC) with disabilities and Deaf BIPOC.
3. Explore the work BIPOC with disabilities and D/deaf BIPOC are doing to address the factors that contribute to the overrepresentation of people with disabilities and Deaf people in our prisons and jails.

Words matter

- Using people first language

- **Emphasize abilities, not limitations.**
 - Ex: Person who uses a wheelchair vs. wheelchair-bound
- **Refer to the person first and the disability second.**
 - Ex: Person with paraplegia vs. paraplegic man
- **Evolving nature of language**
 - Cultural group rather than disability
 - Ex: Deaf people but there are some that use d for deaf
 - Ex: Disabled, Mad, Neurodivergent...



Overrepresentation of People with Disabilities and Deaf people

43% of people with disabilities are arrested by the age of 28

Compounded racial disparities

White people with disabilities: 40%

Hispanic* people with disabilities: 46%

64% of people in jails:

- Had 'serious psychological distress' in the past month; and/or
- Had been told by a clinician in the past that they have a 'serious mental health disorder'

Overrepresentation (continued)

Other Disabilities

- **40% of men** and **half of women** in jails have a disability
- Compared with baseline of **9%**

Cross - Disabilities Data (prisons)

80% of women and **65% of men** in prisons have a disability

Drivers: Criminalization

→ Overpolicing:

- Homelessness

- Addiction

- Poverty

- Having a disability in the US

 - Manifestations of disability

 - Medication used

 - Atypical reactions to social cues

Criminalization of Deaf people

- Unable to respond to commands given without ASL interpreters can result in arrest
- Movement involved in communication is misinterpreted as danger can result in state violence
- Unable to understand what is happening or be able to clarify misconceptions can result in being jailed for no reason