



**pennsylvania**  
DEPARTMENT OF HUMAN SERVICES

# Forensic Initiatives - Updates

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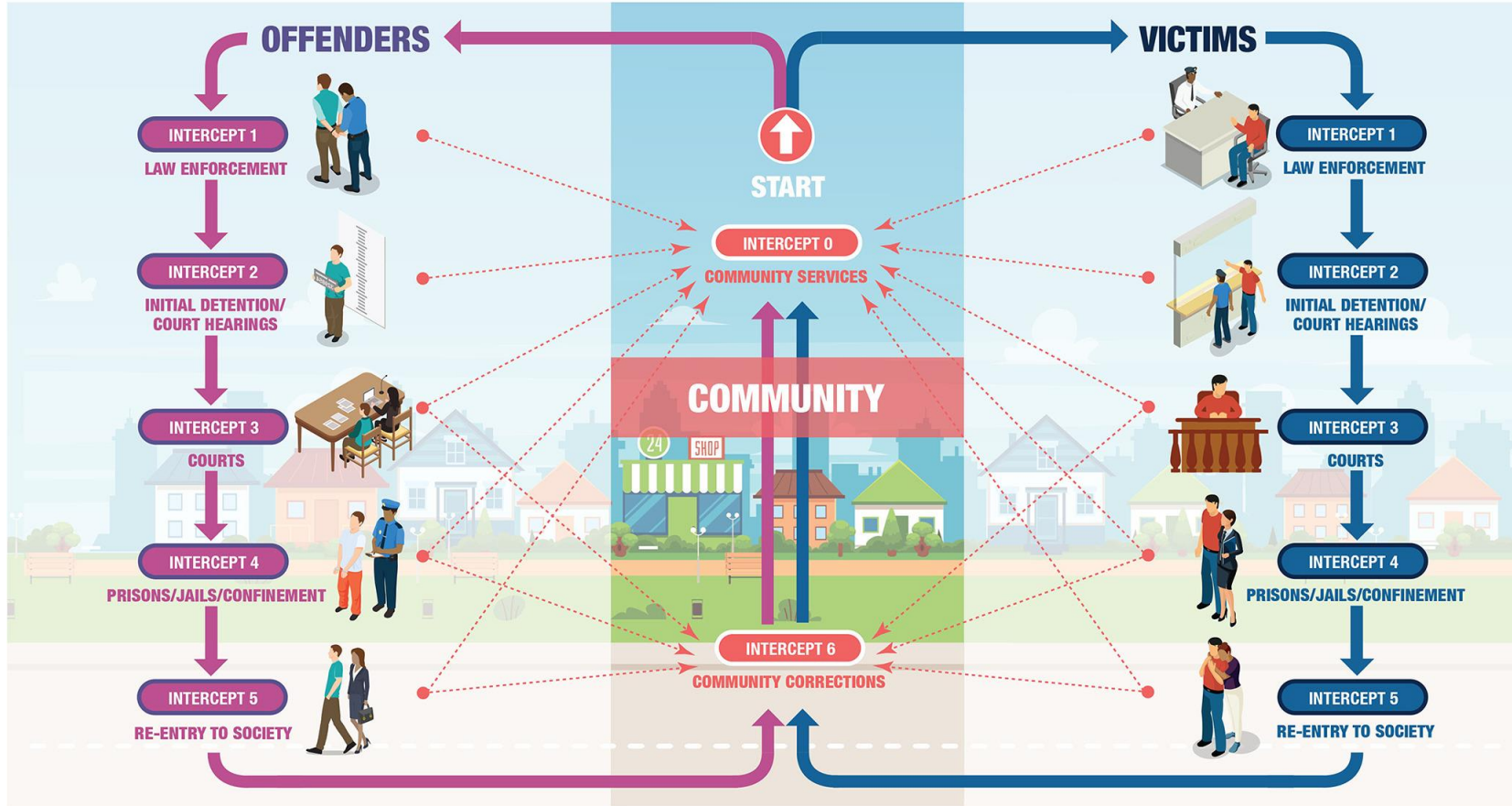
## ID/A and the Justice System

- Individuals with ID/A are seven times more likely to intersect with the CJ system than those without ID/A (Berryessa, 2014)
- Individuals may be targets for abuse and victimization
- Individuals may have challenges that expose them to criminal charges and victimization (inability to interpret social cues; communication differences, complex /misunderstood behavioral responses, impulsivity)
- Ongoing need for training of justice system professionals as well as individuals and families/caregivers

REVISED

# Sequential Intercept Model

This revised version of the Sequential Intercept Model is a tool for victims, offenders, families, and providers as it follows both the offender and victim perspective as they navigate the criminal justice system. The Revised Sequential Intercept Model was generated with funding from the International Society for Autism Research (INSAR).



----- Exit Ramps



# SEQUENTIAL INTERCEPT MODEL (SIM)

# JUSTICE MAP

## Navigating the Justice System

### Justice Process & Intervention Opportunities Map

Visit the accompanying PREZI for the online walk through of this document.

Developed by the Office of Developmental Programs (ODP) in collaboration with William F. Ward, Retired Judge, Allegheny County, PA

**Opportunities for Intervention**

COMMUNITY SERVICES/ PRE-SYSTEM ENTRY	ENTRY INTO THE SYSTEM	PRE-TRIAL SERVICES & PROSECUTION
<p><b>POINTS OF INTERVENTION:</b></p> <ul style="list-style-type: none"> <li>Offer evidence-based trainings to prepare law enforcement to interact and engage with individuals with Autism, IDD or MH diagnoses</li> <li>Introduce individual to police and local crisis staff</li> <li>Get individual added to their county's Special Needs Registry</li> <li>Assess individual for potential risk and develop strategies to mitigate</li> <li>Prepare card with emergency contacts and numbers to keep in wallet</li> <li>Ensure they understand the meanings of, "you have the right to remain silent" and "you have the right to an attorney"</li> <li>Reduce rates of recidivism with supports for housing and employment</li> <li>Teach the importance of sharing diagnoses and self disclosure</li> <li>Utilize social stories as a strategy to assist in preparing for justice scenarios</li> <li>Have individual join the PennDOT Yellow Dot program</li> </ul>	<p><b>POINTS OF INTERVENTION:</b></p> <ul style="list-style-type: none"> <li>Respond to crisis and/or police department</li> <li>Contact emergency diversion unit, mobile crisis, or peer specialist</li> <li>Encourage police to take individual to stabilization unit, walk-in service or respite instead of jail</li> <li>Prep individual for processing phase</li> <li>Contact the jail and ask them for their process for how you can stay up to date on the current status of the individual (website, phone number, etc.)</li> </ul>	<p><b>POINTS OF INTERVENTION:</b></p> <ul style="list-style-type: none"> <li>If State supports are not involved, they need to be at this level. Contact defense counsel so they have the appropriate contact information and request that you (and anyone else identified) be added to the individual's visitor list</li> <li>Review updates to case, including information about the defense counsel by locating the docket sheet: <a href="https://usportal.pacourts.us/CaseSearch">https://usportal.pacourts.us/CaseSearch</a> OR you can download the "PheDocket" app *De-identify: name, MUI, and MDUI for consults</li> <li>Engage the defense counsel in (1) identifying necessary medication the individual may need (2) offering helpful information for the interview with the Behavioral Unit (3) explain <b>social stories</b> as a strategy to assist in preparing for justice scenarios (4) inquire to opportunities for individual to meet judge ahead of time (5) and if they can request needed accommodations in court room (dim lights, close curtain, dress comfortable, etc.), (6) request parent or other adult be listed on the subpoena so they can attend hearing with individual (7) inform of services being put into place and discuss what progress is able to be made to improve outcome and (8) if an individual is transferring from a county to state prison, ensure there is proper documentation to confirm disability and needs prior to starting the intake process.</li> <li>Ask defense counsel if a competency evaluation is needed or already occurring. *Be sure to discuss completion of a Petition of Competency Evaluation and ARD with before the Adjudication phase.</li> </ul>
<p><b>REPORTED/OBSERVED CRIME INVESTIGATION</b></p> <p><b>DIVERSION</b></p> <p><b>HEALTHCARE OR BEHAVIORAL SETTING</b></p> <p><b>DIVERSION SUCCESSFUL</b> Individual stays out of the system.</p>	<p><b>ARREST/ CUSTODY</b></p> <p><b>SALLY PORT</b></p> <p><b>PROCESSING</b> [Can take up to 10 hours]</p> <p><b>LOCAL POLICE DEPARTMENT</b></p> <p><b>COUNTY JAIL</b></p>	<p><b>INTERVIEW WITH PRE-TRIAL SERVICES AND/OR BEHAVIORAL UNIT</b></p> <p><b>CHARGES FILED</b> Felonies or Misdemeanors</p> <p><b>PRELIMINARY ARRANGEMENT</b></p> <p><b>BAIL OR DETENTION HEARING</b></p> <p><b>CRITICAL TIME OF INTERVENTION!</b></p> <p><b>PRELIMINARY HEARING</b> (occurs within 10 days of the arrest, unless postponed)</p>

Transfer out of the MAGISTERIAL DISTRICT COURT to the COURT OF COMMON PLEAS

### Justice Process & Intervention Opportunities Map

Transfer out of the MAGISTERIAL DISTRICT COURT to the COURT OF COMMON PLEAS

PRELIMINARY PROCEDURES & ADJUDICATION	SENTENCING/ SANCTIONS	CORRECTIONS	RE-INTEGRATION/ RE-ENTRY
<p><b>POINTS OF INTERVENTION:</b></p> <ul style="list-style-type: none"> <li>Offer to assist defense counsel in presentence investigation stage</li> <li>Create a detailed Transition Plan and provide to the defense counsel for presentence investigation</li> </ul>	<p><b>POINTS OF INTERVENTION:</b></p> <ul style="list-style-type: none"> <li>Engage with defense counsel to see if any external support is needed</li> <li>Initiate an introduction with the social worker</li> <li>Request to be apart of DOC treatment team</li> </ul>	<p><b>POINTS OF INTERVENTION:</b></p> <ul style="list-style-type: none"> <li>Within ODP system, start communication with DHS, DOC (MOH) and County Probation Department</li> <li>Communicate with defense counsel to ensure plans of terms of release are planned and or established</li> <li>Begin prepping necessary paperwork for release (ex. program intake, MA, etc.)</li> <li>Secure housing and employment opportunities</li> </ul>	<p><b>POINTS OF INTERVENTION:</b></p> <ul style="list-style-type: none"> <li>Contact County Assistance Office and ensure Medical Assistance is getting started again</li> <li>Apply for applicable ODP programs, if this were not started in previous stages</li> <li>Assist in the preparation of home, medical and/or job plans for release</li> <li>Be mindful of individuals who experience residual trauma as a result of the experience and ensure strategies are in place to address it</li> </ul>
<p><b>FORMAL ASSIGNMENT</b></p> <p><b>PRETRIAL MOTIONS</b></p> <p><b>ARJ HEARING</b></p> <p><b>PROBATION</b></p> <p><b>CHANGE OF PLEA HEARING "COLLOQUY"</b></p> <p><b>PLEA BARGAIN</b></p> <p><b>OPEN PLEA</b></p> <p><b>NO CONTEST</b></p> <p><b>EXPUNGEMENT</b></p> <p><b>DISMISSAL</b></p> <p><b>INDIVIDUAL GETS OUT OF THE SYSTEM</b></p>	<p><b>PRESENTENCE INVESTIGATION</b></p> <p><b>SENTENCING/ APPEAL</b></p> <p><b>APPEAL PROCESS</b></p> <p><b>RESTITUTION</b></p> <p><b>JAIL OR PRISON</b></p> <p><b>FINES</b></p> <p><b>PROBATION</b></p> <p><b>IF SUCCESSFUL the individual may get out of the system</b></p>	<p><b>MAX OUTS</b></p> <p><b>PAROLE</b></p> <p><b>APPLY FOR APPLICABLE STATE PROGRAMS</b></p> <p><b>Memorandum of Understanding (MOU)</b></p> <p>Department of Human Services (DHS)</p> <p>Department of Corrections (DOC)</p> <p>specific to ODP system</p> <p><b>OUT OF THE CRIMINAL JUSTICE SYSTEM</b></p>	<p><b>COUNTY ASSISTANCE OFFICE (CAO)</b></p> <p><b>APPLY FOR MEDICAL ASSISTANCE (MA)</b></p> <p><b>APPLY TO APPLICABLE STATE PROGRAMS</b></p>

ASERT PAautism.org

Pennsylvania's leading source of autism-related resources and information. 877-231-4244

The ASERT Collaborative is funded by the Office of Developmental Programs, PA Department of Human Services.

<https://paautism.org/resource/navigating-justice-process/>



- \* Justice Resource Collection <https://paautism.org/resource/justice/>
- **Statewide Trainings**
  - ◆ 8,869
    - Including 1,075 and 54 online trainings in 2021!
- **New Resources:**
  - ◆ Co-Responder Programs and Teams: <https://paautism.org/resource/coresponder-programs-teams/>
  - ◆ Diversionary Programs: Justice System: <https://paautism.org/resource/diversionary-programs-justice/>
  - ◆ ASSIST: Autism Sensory Strategies, Information, and Toolkit (Developed in collaboration with Jefferson OT): <https://paautism.org/resource/assist-toolkit/>
  - ◆ Resources for Park Rangers/National Parks:
    - National Parks Social Story: <https://paautism.org/resource/national-parks-social-story/>
    - How to Support Autistic Guests Visiting National Parks: <https://paautism.org/resource/how-to-support-autistic-guests-visiting-national-parks/>



<https://paautism.org/resource/justice/>

## Justice Resource Collection





## Sample Resources

### WHAT TO DO IF YOU GET PULLED OVER

Getting pulled over by a police officer can be a pretty scary thing. Your first reaction may be to panic. Following a few steps and understanding some basic rules can help make the situation less stressful. Below are several steps you should follow when being pulled over by a police officer:

1. Do not panic and never try to flee from the police! Most traffic stops are for things like driving over the speed limit or driving through a red light. This may lead to a warning or a fine. Trying to outrun the police will lead to bigger trouble.
2. Slow down and put your right turn signal on. This can show the officer that you know that you need to pull over but may need to find a safe place to do so.
3. Pull over to a safe area as soon as possible on the right side of the road. Safe areas include those with a wide shoulder, well-lit side streets, and parking lots.
4. Turn off the engine and roll down your driver's side window. If it is dark outside, turn on an inside light.
5. Stay inside the car.
6. Stay calm and keep your hands on the steering wheel.
7. Let the officer talk first. It is okay to ask the officer why the officer pulled you over if you do not know.
8. Be polite and respectful. Do not argue even if you think you should not have been pulled over. This will only make the situation worse.
9. The officer will ask for your driver's license and vehicle registration paper. He may also ask for proof of your car

### THE JUVENILE JUSTICE PROCESS

A person who is 10-17 years old and breaks the law goes into the Pennsylvania Juvenile Justice System. This person is also called a "juvenile". There are many differences between the Juvenile Justice System and the Adult Criminal Justice System. This document shows the Juvenile Justice Process in PA.\*

**Arrest/Referral:** If a juvenile breaks the law in the community, they will be arrested. If a person who is a juvenile breaks the law in school, the school will send a "referral" or report to the juvenile justice system.

**Juvenile Intake:** After the arrest or referral from the school, the juvenile will have an intake meeting with a probation officer. At the intake interview, there are four things that can happen:

1. **Dismissal:** The court will dismiss the charge and no further action is taken.
2. **Informal Adjustment/Diversion:** This means that the juvenile is not sent to the formal juvenile court process. This is also called being "diverted". They might go to child welfare or a different community resource. Making an "informal adjustment" means that the juvenile will go on informal probation. There will be no permanent record of the informal probation.
3. **Delinquency Petition:** After the filing of a Delinquency Petition and before an adjudication order (a court order that determines a juvenile has committed a delinquent act), the court may let a juvenile stay at home with rules to follow. This is called a Consent Decree.
4. **Detention:** The juvenile may have to stay in a detention center because they might not show up for court or if they might hurt someone or themselves.

**Detention Hearing:** If a juvenile is put in a detention center, they will have a detention hearing within two days. This is to see if they still need to be in detention.

**Adjudication Hearing:** At the adjudication hearing, a judge will decide if a juvenile should be adjudicated delinquent or if the charge should be "dismissed" or go away. An adjudicated delinquent means the juvenile is found guilty of a delinquent act and needs of treatment, rehabilitation or supervision.

**Disposition Hearing:** If a juvenile is adjudicated delinquent, there will be a hearing with a judge. This will decide what happens next.



## The Law Social Story, Parts 1-4



### Overview

These social stories were created to describe the various aspects of the law and justice system to individuals with autism.

### Part 1: What is the law?

[View all at once](#)

[View as slides](#)



Laws are rules I have to follow.



Many of these laws are in place to keep me safe.

## The Law Social Story, Parts 1-4



### Overview

These social stories were created to describe the various aspects of the law and justice system to individuals with autism.

### Part 3: Getting arrested & transport

[View all at once](#)

[View as slides](#)



The laws say the police officer may put handcuffs on me. The handcuffs will feel cold and hard.



An officer may search my body to make sure I don't have anything on me that could be harmful.





## Before Court - Parts 1 & 2 Social Story



### Overview

These social stories were created to describe the various components of preparing for court to individuals with autism.

[View all at once](#)

[View as slides](#)



If I break the law, I may have to go to court.



The court will decide what happens to me since I broke the law.

## Appearing in Court Social Story, Parts 1-3



### Overview

These social stories were created to describe the various aspects of appearing in court to individuals with autism.



The judge is in charge of the courtroom.



The judge decides what happens to people who break the law.

- Training of Trial Court Judges (February 2020)
  - ◆ Presented overview of ASD for over 200 PA Judges
- Statewide Justice Forums (2021)
  - ◆ In collaboration with PA Supreme Court, co-hosted 5 regional forums to secure stakeholder input around statewide initiatives and system gaps.
  - ◆ Total attendance 1,241.
- Ongoing collaboration to develop trainings for new judges

## Collaboration with PA Counties

- ODP developed and disseminated a survey to focused on identifying gaps and promising practice with forensic efforts at the local and regional level.
- ASERT is in the process on analyzing and synthesizing the feedback
- Reboot of the ODP-County Administrators Forensic Workgroup.



- Department of Corrections (DOC) is implementing a new process for screening all inmates for ASD
- DOC is designing a pilot unit at SCI Albion for neurodiverse inmates
- ODP is consulting with DOC to design the unit. Grounding the focus in Positive Behavior Support (PBS) model
- ODP has trained DOC psychologists and SCI Albion implementors in environmental design, individualized and targeted assessment and supports

# Some Immediate Next Steps



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District Attorneys Association Training

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Identify and respond to training and resource gaps

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Continue to expand and bolster collaborations

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Look to identify, replicate and expand promising practice

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Specialty Courts/Teams, SCI Albion, Forensic Rapid Response



- [Navigating the Justice System — PAAutism.org, an ASERT Autism Resource Guide](#)
- [Criminal Justice System.pdf \(thearc.org\)](#)
- [Prosecuting and Defending Criminal Cases Involving Persons with Disabilities | Temple University Institute on Disabilities at Temple University, College of Education and Human Development](#)
- [Prosecuting and Defending Criminal Cases Involving Persons with Disabilities | Temple University Institute on Disabilities at Temple University, College of Education and Human Development](#)
- [Equal Justice for People with Developmental Disabilities | Temple University Institute on Disabilities at Temple University, College of Education and Human Development](#)
- [Autism and the Criminal Justice System | A.J. Drexel Autism Institute | Drexel University](#)
- [victim-booklets.indd \(autism-society.org\)](#)
- [FST-2.1-Special-Edition-Autism-Spectrum-Disorder-ASD-and-the-Criminal-Justice-System-An-Introduction-for-Professionals.pdf \(csp.edu\)](#)