

WORKING SCRIPT, "ARC Law Enforcement Training,"
Video Program Script - ARC/Florida

FILM/TAPE

AUDIO

FADE UP:

1. TEXT OVER BLACK

"When persons with mental retardation come in contact with the criminal justice system, they are encountering a system which they do not understand, and which does not understand them."
--Dick Thronburg, Attorney General of the United States, Washington, D.C.,
July, 1991

2.

3.

4. POSTIVE INTERACTION BETWEEN PERSON WITH DISABILITIES – GRETCHEN EVERHART, OFFICER FRIENDLY TYPE PROGRAM

5. FADE TO BLACK

6. FADE UP TO SECTION TITLE

MUSIC UP AND UNDER

NARRATOR IN:

While performing their duties, Law Enforcement officers can expect to come in contact with a person who has a developmental disability

The individual may be the victim of a crime, or he or she might be an alleged perpetrator.

The program, developed by the Association for Retarded Citizens of Florida, Leo Plotkin Training Institute, was designed to provide law enforcement officers with information and tips that may prove useful when interacting with people with disabilities.

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FONT/TEXT IN:

What is a Developmental Disability?

DISSOLVE TO:

NARRATOR IN:

7. INDIVIDUALS WITH DISABILITIES AT
A DAY TRAINING PROGRAM

The term **developmental disability** actually refers to a group of conditions or diagnoses characterized by below average physical and or intellectual abilities. These conditions occur before the age of 18.

8.

Autism, Cerebral Palsy, Spina Bifida and Mental Retardation are all developmental disabilities. Mental Retardation is the most prevalent, occurring, occurring in three percent of the population or ___ in every 100,000 births. Individuals with this developmental disability – mental retardation – are the ones most likely to be encountered by law enforcement officers. There mental retardation is the primary focus of this training program.

9.

Two primary characteristics are associated with retardation. Individuals typically have sub-average intelligence, as determined by a standardized intelligence test .

10.

And, individuals with retardation typically have deficits in what is called adaptive behavior – “street smarts.” This means that the person functions less independently and with a lower degree of social responsibility than might be expected of his or her age, cultural group and community.

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11. At present, we are aware of more than 250 known or suspected factors that contribute to the occurrence of mental retardation. Many are related to genetics, with the condition being identified at birth or in early childhood. However, other factors include circumstances law enforcement officers encounter every day: drug use during pregnancy, traumatic brain injury from blows to the head, child abuse and neglect as well as others.
12. It is important to recognize two key points concerning retardation: First, Retardation and Mental Illness are totally different; and, Second, there are varying degrees of retardation.
13. Retardation is not the same as Mental Illness. The only thing they sometimes share is the term "mental."
14. Mental Illness may occur at any time and may be temporary. It may be cured or controlled with counseling, medication and or surgery
- Retardation occurs before the age of 18 and is a lifelong condition. There is no cure, though the effects might be lessened with training.
15. Mental Illnesses are predominantly emotional disturbances. Those affected may cycle between normal and irrational behavior – including active hallucinations, delusions and paranoia. Their behavior can be erratic and violent.

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16.

On the other hand, mental retardation is predominantly comprised of intellectual deficits. Individuals with the disability are sometimes characterized as "slow learners," requiring repetitive education and training to reach a level of independence and self-sufficiency. Generally, people with the condition exhibit rational behavior.

Most importantly, violence is NOT a part of mental retardation, except in the same situations that produce violent reactions in any person: fear, self-protection or mental illness.

17.

FONT/TEXT IN:

LEVELS OF MENTAL RETARDATION

Mild IQ -- 55-69

Moderate -- IQ 40-54

Severe -- IQ 25-39

Profound -- IQ 25 or less

The second important point to consider about mental retardation is that there are various degrees or levels of mental retardation – mild, moderate, severe and profound. These levels represent a continuum, generally related to the individuals' IQ and ability to learn, care for themselves, communicate and to understand the consequences of their actions. All of these can be significant from a law enforcement perspective.

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- DISSOLVE TO:**
18. INDIVIDUAL WITH MILD MENTAL RETARDATION FEMALE – WORKING
- For example, individuals with mildly mental retardation, that is, an IQ just below normal, may seem just like anyone else. However, faced with a situation, they may realize that they are in trouble but not really understand the consequences or implications of the situation.
- DISSOLVE TO:**
19. INDIVIDUAL WITH MODERATE MENTAL RETARDATION – ALLISON AT GROCERY STORE
- Individuals with moderate mental retardation can communicate and function fairly independently. They might be able to learn that something they did was wrong, but not be able to grasp how it can affect their lives. Law enforcement officers are most likely to encounter individuals with mild or moderate retardation.
- DISSOLVE TO:**
20. INDIVIDUAL WITH SEVERE MENTAL RETARDATION – CONSUMER DOING OT
- People with severe retardation may more intense supervisor to function semi-independently. Most of their encounters with law enforcement will be as victims.
- DISSOLVE TO:**
21. INDIVIDUAL WITH SEVERE MENTAL RETARDATION – ARCHIVE – SUNLAND
- Individuals with profound retardation typically require intense supervision and have minimal ability to communicate or care for themselves. Again, most of their encounters with the criminal justice system will be as victims
- FADE TO BLACK**
- FONT/TEXT IN:**
- How To Recognize Mental Retardation

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22. There is no one way to determine, on sight, that a person has retardation. Some individuals with retardation have Down Syndrome, with characteristics many typically associated with retardation – round face, almond shaped eyes. But Downs Syndrome accounts for only about ____ of all mental retardation.
23. Some people with retardation have multiple disabilities or a secondary disability like cerebral palsy – which commonly affects speech and mobility. These physical conditions can alert others to the possibility of other intellectual deficits.
24. However, generalizations are dangerous: most people with physical disabilities **do not** have retardation and function without intellectual deficits.
25. On the other hand, other people who look “normal” or non-impaired can have severe, unseen disabilities. Excluding Down syndrome, there are few physical signs of retardation.
26. So how does a law enforcement officer determine if someone has mental retardation? Using a street test similar to one that might be used to assess any victim or suspect. For example:

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27. - Physical characteristics – Is there physical signs of a disability – the way the person walks, talks, the person's affect?
28. - The way the person is dressed. Are clothes appropriate, suitably arranged, buttoned
29. - Communication skills – Does the person understand questions, parrot questions or repeat them in his own words? Does he have a short attention span or a slow reaction time.
30. - Behaviors – does the person demonstrate an excessive desire to please, an over willingness to confess, is he acting appropriate for his age?

31.

FONT/TEXT IN:

Considerations With A Victim or Suspect
May Have Retardation

NARRATOR IN:

If an officer suspects someone may have a developmental disability, what special considerations might that warrant?

32.

Probably one of the most important considerations for a law enforcement officer is how someone with retardation might respond to routine questions or situations differently than others. Consider these examples:

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33. - Many individuals with retardation have an inordinate desire to please people and make friends, especially with authority figures. They might admit to doing something, like committing a crime, because they believe that's what the authority figure wants to hear.
34. - People with retardation are often unable to differentiate between abstract and concrete thought. For instance, if you asked someone if he understood his rights, he might respond yes, associating the question with direction and gladly acknowledging he knows his left from his right.
35. - Individuals with retardation can be highly suggestible, which makes them especially vulnerable to leading questions. They might smile a lot – incorrectly suggesting a lack of remorse. Or, they might have difficulty expressing themselves verbally – which could come across as being unresponsive.
36. Finally, officers should keep in mind that people with retardation may have muscular or coordination problems. Flailing arms, a stumbling gait, slurred speech might be mistaken for aggression or intoxication rather than a characteristic of the person's disability.
37. How can a law enforcement officer most effectively perform his or her job when the victim or suspect has retardation?

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38. One of the best ways is to tailor your communication so that it accommodates the person's particular needs:
39. - Speak slowly and directly to the person
- Keep sentences short, using simple language.
- Break complicated instructions or information into smaller parts.
 - When possible, use pictures, symbols and gestures to elicit responses.
 - Use open ended questions which make people explain rather than answer yes or no.
 - Avoid leading questions and repeat questions more than once or ask the question in a different way
 - Treat children as children and adults as adults regardless of the disability.
 - If someone becomes agitated, acts aggressively or does not comply, use calm and firm persistence. It is highly unlikely that you will need to use force.

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40. Officers need to be as patient as possible, especially when it comes to safeguarding the rights. Using simple words that still meet the requirements of a Miranda warning, ask questions to make sure the person understands. Asking them to explain in their own words what it means to have the right to remain silent or why they might need a lawyer, can help satisfy any concerns you have about the individual's rights being protected.

41. Let's take a look at several scenarios that illustrate the challenges that an officer might encounter and effective approaches

FADE TO BLACK

DISSOLVE TO: (INSIDE PATROL CAR)

42. MEDIUM SHOT FROM PASSANGER SEAT OF OFFICER DRIVING IN PATROL CAR

CUT TO:

43. CUT TO RADIO

RADIO DISPATCH:

"Unit 22 we have a report of ____ (code for simply battery) at the Four Points Rest Area."

CUT TO:

44. CUT TO OFFICER SPEAKING INTO MIC

OFFICER:

"Unit 22 responding.

CUT TO:

45. VIEW OF PEOPLE GATHERING IN DISTANCE AT REST AREA

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DISSOLVE TO:	NARRATOR:
46. OFFICER APPROACHING MALE, FEMALE AND OTHERS AT REST AREA.	The office is unaware that the male battery suspect has moderate mental retardation that affects his ability to understand
CUT TO:	O - "Sir, what is your name?"
47. MEDIUM CU PROFILE OF OFFICER	
CUT TO:	M - "Michael."
48. MEDIUM OVER THE SHOULDER SHOT FACING INDIVIDUAL	O - "Michael what?"
CUT TO:	M - "Michael Storm."
49. MEDIUM CU OF INDIVIDUAL FROM OVER THE SHOULDER OF OFFICER	
CUT TO:	O - "Michael, these people over here tell me that you hit them when they exited the rest rooms. Is that true?"
50. MEDIUM WIDE SHOT OF GROUP	
CUT TO:	M - "Um. This is my job. I keeping the floors clean, and they, and they mess it up and call me names."
51. CU INDIVIDUAL, OBVIOUSLY UPSET.	
CUT TO:	F – " God, he just went nuts. Screaming about his wet floors. Shoving."
52. FEMALE – MEDIUM SHOT, SLIGHT ANGLE, SHE WALKS UP TO THE LEFT OF THE INDIVIDUAL.	

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CUT TO: **O** – *“Please mam,, wait over there. I’ll get your statement in just a minute*

53. OFFICER, OVER THE SHOULDER OF FEMALE, INDIVIDUAL IS TO HER RIGHT. OFFICER GESTURES BACK TOWARDS WHERE THE MALE IS STANDING

CUT TO: **O** – *“So Michael, did you hit them?”*

54. CUT BACK TO MEDIUM CU OF OFFICER

CUT TO: Silence from Michael

55. MEDIUM CU OF INDIVIDUAL LOOKING DOWN, NO RESPONSE **O** – *“Michael, can you tell me in your own words what happened?”*

56. SLOW ZOOM IN TO CU OF INDIVIDUAL

CUT TO: **M** - *“I, ah, I ah was over there. They pushed me. They called me names. Made fun and pushed..me.”*

57. CU OF MICHAEL, BARELY WHISPERING. HE POINTS TO RESTROOMS

CUT TO: **O** - *“They pushed you? Did they push you first or did you hit them first?”*

58. CU OF OFFICER LOOKING INTENTLY AT INDIVIDUAL

CUT TO: **M** - No answer.

59. REVERSE OF ABOVE: CU OF INDIVIDUAL LOOKING CONFUSED

CUT TO: **O** - *“Did you hit them first, Michael?”*

60. REVERSE OF ABOVE: CU OF OFFICER

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CUT TO: **M** - *"I 'hit him. Yeah, I hit him"*

61. TWO SHOT OF OFFICER AND
INDIVIDUAL FACE TO FACE

CUT TO: **O** - *"Michael, do you understand that you
can't hit people? It's against the law? Do
you understand what against the law
means?"*

62. CU OF OFFICER

CUT TO: **M** - *"I 'know what that means. I know. It
means taking something that isn't yours. I
didn't steal."*

63. CU OF INDIVIDUAL, SPEAKING
PROUD

CUT TO: **O** - *"Michael, I have to figure out what
happened here. But first I want you to
understand your rights. Do know what that
means? Do you know what a right is?"*

64. CU OF OFFICER

CUT TO: **M.** *"Ah huh."*

65. CU OF INDIVIDUAL

CUT TO: **O** - *"You have the right to not to talk to. If
you do talk I can use what you say and it
could get you in trouble. You have the right*

66. MEDIUM SHOT OF BOTH

FADE TO BLACK **....**

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CUT TO:

FONT/TEXT IN:

Did the officer treat the suspect with respect? If yes or if not, how so?

Was his approach to questioning effective?

Did he get enough information from the suspect to make an arrest? What did the officer do that was effective? Is there anything he could have done better?

Do you think the suspect understood what was going on? What did the officer do to make sure he understood what was going on? Would you do anything different?

NARRATOR IN:

The scenario illustrated some points worth discussing. Consider the following:

Did the officer treat the suspect with respect? If yes or if not, how so?

Was his approach to questioning effective?

Did he get enough information from the suspect to make an arrest? What did the officer do that was effective? Is there anything he could have done better?

Do you think the suspect understood what was going on? What did the officer do to make sure he understood what was going on? Would you do anything different?

(Note: Asking students if they would have done anything differently or better, does not reflect negatively on the officer. (He does a good – but not perfect job.) Rather, asking what they might do it trainees a chance challenge themselves to do even better.

CUT TO:

CUT TO:

CUT TO:

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