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Senator James Timilty & Representative Harold Naughton, Chairs  
Senator Michael Moore & Representative Michael Brady, Vice-Chairs  
Senators Sonia Chang-Diaz, James Welch, Katherine Clark and Richard Ross  
Representatives Sean Curran, Linda Campbell, James Dwyer, Alan Silvia, David Vieira, Cleon  
Turner, Brian Ashe, Brian Mannal and Nicholas Boldyga  
Joint Committee on Public Safety and Homeland Security  
State House  
Boston, MA 02133

Honorable Members of the Committee,

I am writing to respectfully urge the Joint Committee on Public Safety and Homeland Security to favorably report **Senate No. 1118 and House No. 2125, “An Act relative to criminal justice training regarding autistic persons,”** from committee. These bills will be heard before your Committee on October 3, 2013.

At present, I work on a variety of areas of disability policy as a Project Assistant for the Autistic Self Advocacy Network. I have previously served on the Adult Services Subcommittee to the Massachusetts Autism Commission, where I emphasized the importance of the type of training required in these bills. For several years now, reforming criminal justice policy impacting people with intellectual and developmental disabilities has been at the core of my advocacy work. Research and experiences have shown that developmentally disabled people are disproportionately likely to interact with law enforcement officers in routine encounters, give false confessions or unintentionally misleading statements, and experience police brutality due to disability-related characteristics. It is incredibly important that meaningful education on autism, developed and implemented in part by actually autistic people, becomes mandatory for all law enforcement officers in this state. The importance of this training cannot be underscored enough.

Autism is one of several types of developmental disabilities and is characterized by atypical modes of communication, social interaction, expressive and receptive communication, and sensory processing. Autistic people frequently have difficulties with recognizing sarcasm, responding to open-ended questions, or producing timely verbal responses in high-stress situations. Autistic people also tend to move in atypical ways, which may cause an atypical posture or gait being misread as evidence of drunkenness, substance abuse, or concealment of weapons. Stimming (normal repetitive behavior, such as spinning, flapping arms or hands, rocking, or humming) may be misinterpreted as substance abuse, while echolalia (repeating phrases, words, or questions spoken by someone else) may be misinterpreted as defiance, disrespect, or lack of understanding. Many autistic people have been arrested on the false suspicion of inebriation or drug use, or have been Tased, arrested, or shot based on a faulty judgment of noncompliance or danger.

In an interview or an interrogation setting, autistic people may not be attuned to legally permissible deceptive techniques used in police interrogations, and may have significant difficulty identifying and responding to an officer’s linguistic subtleties. These situations, which

are already stressful for most non-autistic people, can severely exacerbate pre-existing anxiety for autistic people. Police interrogation has been known to induce false confessions when autistic people tell an officer what they believe the officer wants to hear in order to leave the situation or when they believe the officer is acting as their friend. Autistic people are also at extreme risk of victimization of crime, and interviews of autistic complaining witnesses where the police interviewer has little to no understanding of the best strategies for communicating with autistic people could impede the efficacy of a criminal investigation.

Autistic people process all information differently—including linguistic and social information—but are especially affected by differences in sensory processing. Autistic people may be hyposensitive or hypersensitive to stimuli affecting all five senses. We may experience physical pain when exposed to light or unexpected physical touch, sounds inaudible or merely annoying to non-autistics, or certain types of lighting (too bright or too dim). Barrages of sensory information (such as police dogs, multiple voices over police radios, sirens, flashing lights, multiple people in a space, and forceful commands) can be extremely overwhelming and lead to meltdown (which can be misinterpreted as violent) or shutdown (which can be misinterpreted as noncompliant).

Some autistic people may find themselves in potentially dangerous situations, often termed “wandering” by families and caregivers. When police are called by frantic parents or caretakers, they will often deploy the same standard tactics described above, which will usually elicit the opposite response of the one desired—frightening and overwhelming the autistic person and driving them away instead of locating them and bringing them safely home.

**It is also imperative for police to learn to recognize the signs of potentially abusive situations, especially with family members, caretakers, and romantic/sexual partners, who may claim that an autistic relative, dependent, or partner is “wandering” in order to gain the aid of well-intentioned police in returning the autistic person to an abusive home or relationship.**

Even if an autistic child or teenager has been reported missing or wandering, it is possible that the autistic person disappeared in an attempt to escape an abusive situation. Police must be trained to both a) assist autistic people genuinely in danger, and b) communicate with autistic people to ascertain whether it is in fact safe for them to *be* returned home. We need to be able to trust that officers will believe us if we come forward about an abusive, unsafe home environment, and not simply take for granted the word of an abusive family member or caretaker that we are incompetent and wandering.

Regardless of their factual innocence or guilt, autistic people are also represented in the prison populations, both as pretrial detainees and offenders serving sentences. Whenever autistic people are incarcerated, they are at extreme risk of abuse both from prison staff and other inmates. It is imperative that corrections officers also understand common characteristics of autism so that they do not mistake autistic characteristics as noncompliance, defiance, or disrespect, thereby placing autistic inmates in great danger of unnecessary force.

Because we as autistic people are part of the communities where we live and work, it is imperative that our police officers, who are sworn to protect and serve all the members of a community, are given the appropriate knowledge and techniques to protect and serve us as well. The training required in this bill will also equip officers with many techniques useful in interacting with people with many different types of disabilities, including mental health or psychiatric disabilities, cognitive disabilities, and other intellectual and developmental disabilities, as we often exhibit similar characteristics and have co-occurring disabilities.

This legislation does not require officers to become experts on autism as that is not the role of law enforcement. Instead, this legislation provides a basic framework for education based on the needs of both autistic people to be safe and treated equally under the law, and of law enforcement to be adequately equipped to handle a wide variety of situations and different types of people. It provides a set of tools which an officer can use when interacting with an autistic person. It educates officers on some of the common characteristics of autistic individuals and the most effective techniques for a mutually positive outcome to a situation.

In Florida, Indiana, Maine, North Carolina, Pennsylvania, and Illinois, similar legislation has already been passed and similar training required in Maryland as well. Those states are required by statute to train their police officers about autism. The proposed legislation here goes further and also includes corrections officers and university police officers. This legislation is not limited to a one-time statewide training session. It requires that all new recruits for police or corrections officers be trained about autism, in addition to mandating regular in-service training for currently employed police and corrections officers who would not receive new recruit training. This bill has broad support from police officers (many with autistic children), autistic people, and parents of autistic children.

In Massachusetts, several individuals and local agencies have recognized the importance of autism-related training. U.S. Representative Bill Keating, in his previous capacity as Norfolk County District Attorney, partnered with Bill Cannata to found the Autism and Law Enforcement Educational Coalition (ALEC), which has provided training on autism to police officers, fire officials, and EMTs throughout Norfolk County and some surrounding areas. In addition, the Asperger's Association of New England has provided trainings specifically on Asperger's syndrome (one of the autism spectrum disorder diagnoses) to the Watertown Police Department and other local departments. More recently, internationally-recognized autism trainer Dennis Debbaudt, a former law enforcement professional with an Autistic son, was contracted to develop an online training course on autism for Massachusetts State Troopers.

Unfortunately, these initiatives are not standardized or required statewide for all police officers, and an online course is intended to be a supplement to traditional education, which at present does not exist in mandated statewide form. Without this legislation, it is unlikely that private donations and nonprofit organizations will be able to effectively and sustainably provide this necessary training to our police.

In North Carolina, it took the highly publicized death of an Autistic man during an encounter with a police officer who knew nothing about autism for legislation on police training to pass. This is not an isolated incident. Over the past several years, there have been many highly-

publicized cases involving wrongful arrests and deaths because of untrained police. There are autistic people in Massachusetts who have had unfortunate and avoidable encounters with police officers, many of which are described in this packet of testimony.

I urge you to ensure this legislation passes in Massachusetts before more of us die to drive home its importance.

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