

STAFF

December 14, 2020

Jennifer R. Clarke  
Executive Director

Michael Churchill  
Of Counsel

Claudia De Palma  
Staff Attorney

George Donnelly  
Independence Fellow

Benjamin D. Geffen  
Staff Attorney

Ebony Griffin  
Staff Attorney

Darlene Hemerka  
Staff Attorney

Mary McKenzie  
Legal Director

Mary Beth Schluckebier  
Staff Attorney

Daniel Urevick-Ackelsberg  
Staff Attorney

**Via Email**

Senator Bob Casey  
393 Russell Senate Office Building  
Washington, DC 20510

**Re: Safe Interactions Act of 2020 and the Human-Services  
Emergency Logistics Program (HELP) Act of 2020**

Dear Senator Casey:

The Public Interest Law Center offers our support for the *Safe Interactions Act of 2020* and the *Human-Services Emergency Logistics Program (HELP) Act of 2020*. These bills will provide grants to enhance both training for law enforcement officers and state 2-1-1 systems. These grants serve two important purposes: better prepare law enforcement officers to interact safely and effectively with individuals with disabilities and create a database of human service resources that communities can utilize in non-criminal situations to direct people with disabilities to emergency and long-term health and human services as opposed to law enforcement.

The Law Center is one of the original affiliates of the Lawyers' Committee for Civil Rights Under Law, and has a long history of advocating and litigating for police reform. The Law Center participated in the Coalition Against Police Abuse, serving as a legal clearinghouse for police brutality cases. With our help, lawyers filed over 230 charges against police officers in 1976 alone, and in collaboration with the NAACP, held highly visible public hearings. We also filed multiple lawsuits against law enforcement agencies for violence against people with disabilities. Because of the lawsuits, the law enforcement agencies mandated training about disability for officers.

Throughout our history, the Law Center has worked to ensure that people with disabilities can live safely in their communities. We served as counsel in the landmark decision of *Halderman v. Pennhurst* 446 F. Supp. 1295 (E.D. Pa 1979), a case that closed an institution for individuals with intellectual disabilities in Pennsylvania and required that the state provide support so people with disabilities could live in their communities. The case served as a model for similar cases nationwide.

In July of 2020, the Law Center selected a group of disability rights advocates to help guide the organization in prioritizing the many issues within disability rights on which the Law Center should work. Through our strategic work, we have learned that individuals with disabilities are disproportionately victims of police brutality.<sup>1</sup>

The Law Center supports the *Safe Interactions Act of 2020*, because it requires law enforcement officers to receive training on interacting with people with disabilities and that people with disabilities help develop and deliver the training.<sup>2</sup> Having people with disabilities in these roles is critical because law enforcement officers will learn how disabilities may manifest and practice responding to situations with guidance from people with disabilities.

The HELP Act also fills a critical need by ensuring that states can build robust databases of the human services resources available so that calls unrelated to law enforcement, fire, or medical emergencies are diverted from law enforcement officers. One of the most effective ways to protect people with disabilities from police brutality is to make sure people with disabilities do not interact with law enforcement officers in non-criminal situations.<sup>3</sup>

While these bills are an important first step towards improving interactions between law enforcement officers and people with disabilities, Congress needs to do more. Currently, it is difficult to determine how pervasive violence against people with disabilities is because there is no national data on this issue.<sup>4</sup> In future legislation, Congress should require the Department of Justice to collect and analyze national statistics on an annual basis to determine problem areas of excessive force being used against individuals with disabilities, by type of disability, race, type of force, and location. This data is critical to ensuring that the police departments most in need of training on how to interact with people with disabilities receive it. In addition, Congress needs to fund human service organizations so that the organizations can appropriately support individuals who are directed to them through the 2-1-1 system.

Again, the Law Center applauds this legislation. We look forward to working with you to reduce violence against people with disabilities, improve interactions with law enforcement officers and build states' capacities to support people with disabilities without involving law enforcement officers.

Sincerely,

Darlene Hemerka  
Staff Attorney

---

<sup>1</sup> David M. Perry & Lawrence Carter-Long, *The Ruderman White Paper on Media Coverage of Law Enforcement Use of Force and Disability*, (2016). David M. Perry & Lawrence Carter-Long, *How Misunderstanding Disability Leads to Police Violence*, (2014).

<sup>2</sup> Talila A. Lewis, *Police Brutality and Deaf People*, (March 21, 2014 1:13 PM), <https://www.aclu.org/blog/national-security/police-brutality-and-deaf-people>; Hannah Furfaro, *Why Police Need Training to Interact With People on the Spectrum* (June 6, 2018), <https://www.spectrumnews.org/features/deep-dive/police-need-training-interact-people-spectrum/>

<sup>3</sup> Doris A. Fuller & H. Richard Lamb, *Overlooked in the Undercounted*, (2015).

<sup>4</sup> Perry & Carter-Long *Supra* note 1. Fuller & Lamb *Supra* note 3 at 6-7.