*Reimagining Community Safety & Policing Discussion Guide - DRAFT*

**Section One: Background information**

***Introduction to the Workstream***As the Access to Justice Hub started to broaden its focus from legal proceedings to the larger subject of criminal justice reform, members began to ask questions related to what led to people with disabilities being involved in the criminal justice system in the first place, and what can be done to address disability-based discrimination during the initial interactions with law enforcement. To address this important question, the *Reimagining Community Safety and Policing* workstream was formed in March 2020.

A year or so later, the world watched the murder of George Floyd by a police officer which sparked national and international debate about police violence and how to create safe communities. Police killing of people with disabilities was among the issues highlighted in these debates, but solutions proposed often relied on paternalistic and medicalizing forms of control as an alternative. Given the growing societal interest, there was an opportunity to expand the workstream’s original focus and think more broadly about what makes a community safe, and more pointedly, what people with disabilities and other marginalized groups perceive as being safe in their own communities. To address this, the workgroup has since:

1. Developed a plain language survey on individual and community safety, drawing on perspectives of people with disabilities and their organizations, and
2. Based on input from the survey, developed a discussion guide for people with disabilities together with other communities to use as they discuss and develop safety strategies accountable to avoiding discrimination of any kind.

**Purpose of Discussion Guide**The purpose of this guide is to provide a new framework for communities that want to have an honest, candid, and constructive dialogue on the topic of community safety and policing that centers the perspectives and experiences of people with disabilities. The goal of these discussions is not to feel pressured to produce final solutions, but rather to provide a starting point with a fresh point of view as diverse people with disabilities identify what pose security threats to them and what they believe can help them be safe in their own communities.

Using this “nothing about us without us” strategy lays the groundwork for potential ideas to surface that have never been considered before. This journey of discovery within individual communities can spark conversations that have the potential to redefine current assumptions about how criminal justice processes work, the role of service systems that play a role similar to police and prisons in the lives of people with disabilities, especially the mental health system, and new ideas on how to address disability-based discrimination in policing which often leads to violence and incarceration.

**Target Audience for Discussion Guide**

* The primary target audience for the Guide includes people who face a higher risk of police encounters and mistreatment by police due to unusual behaviors or ways of communication, which can include those identified as people with actual or perceived psychosocial disabilities,[[1]](#footnote-1)\* people with intellectual/developmental disabilities (or IDD), and people experiencing both or other types of disabilities.
* This Guide is intended for international use and is not limited to any particular geographic location. The Guide can be used in conjunction with the Reimagining Survey, which is meant to be used to gather responses to enrich conversations. Further survey responses will be utilized to improve the Guide or include more questions or topics. Currently, the survey is available in EZ read (or plain language), and in the following languages: English, Chinese and Spanish.
* We anticipate that the Guide will be used in different settings, including disabled people’s organizations, mutual support groups, self-advocacy groups, community organizations in which people with disabilities participate, and others. These settings may involve only disabled people or may also include allies or others who provide support to disabled people. It is key for people with disabilities to have control over the overall discussion. Supporters can also participate as members of the community in their own right, but not to speak for the people they support.

**Guidelines for Preparation**

* Provide space and opportunity for people with disabilities to take leadership in planning for and leading the convening for the discussion, as well as leading the conversation on the day of the meeting.
* Consider who should be in the room when the discussion takes place. Keep in mind the group’s particular interests and values and any support needs of people with disabilities who will be attending. Supporters’ roles should be clearly defined in keeping with the will and preferences of the individuals they will be supporting. Consider whether supporters should be present only to assist with understanding and communication or whether they should also participate in the discussion as members of the community.
* Facilitator(s) will need to fill out the Reimagining Survey and share responses with each other, as well as ask discussion participants to take the survey before meeting on the day the discussion takes place. The survey responses can be shared with the group or not, as each participant wishes.
* Consider how to create a true community discussion in which everyone, irrespective of identity, speaks to their own needs and concerns with respect to safety and autonomy, while centering the perspectives of those with direct lived experience of disability and other marginalized identities.
* People with disabilities and other marginalized identities contribute more than a particular identity standpoint. All participants bring to the conversation their political commitments, knowledge from theory and practice, and multiple or intersectional identities, as well as relevant personal experience.
* Consider what skills and background knowledge you bring as facilitator(s), such as experience in the criminal justice system. Consider talking to some people with identities and experiences that are different from your own about the discussion questions as part of your preparation. This will help facilitators get an idea of questions that may come up during the discussion.
* Meet in a place that is inviting to all participants, such as a local community center rather than a police station or medical or mental health agency. People need to feel safe in the place they are meeting.

**Section Two: Discussion Questions**

**Part One: experiences in the room**

1. Do you think the police are more helpful or more harmful? What have your experiences been with police?

* Encourage people to give examples of helpful and/or harmful conduct.
* Use the survey results to help engage people to respond and organize participants’ thoughts and examples.

1. Why do you think societies create police? What is their role in your community?

* People can talk about the history of police in their own country – how was the force set up in the first and how had it evolved.
* Encourage people to be specific when describing their community – how do they define what constitute that community and what is the relationship between the community and the police.

1. Consider the functions served by police and how you might define police or policing. Are there any other agencies in your community that play a similar role to police? In what ways are they similar?

What have your experiences been with these other agencies? Are they more helpful or more harmful?

* Use the features people define police to consider activities carried out by others that are akin to policing. Reflecting on activities that people feel intuitively are like policing may also allow the group to reconsider the definition.
* Encourage people to give examples of harmful or helpful acts.

**Part Two: reimagining**

1. Do you think communities can keep everyone safe from violence without police? What would this look like?

* Encourage people to give examples of existing practices they know about or use their imagination.
* Encourage people to describe in occasions they encounter the police in a negative way, what they would prefer to happen instead, whom they would rather be working with to resolve that situation.

1. How can people with disabilities, women, and other marginalized groups ensure that their perspectives on violence and safety are included in deciding what needs to be done to keep everyone safe?

* Encourage people to share if they know other opportunities to discuss police reform or community safety.
* Ask people if women and marginalized groups are part of these conversations. If not, why not? Why need to be done about it.

1. What should people with disabilities, women, and other marginalized groups do about harmful conduct by police or by other sectors of the community that play a similar role to police? For each of these –

* Should we campaign to raise their awareness and advocate for changes in policy and practice?
* Should we campaign to reduce or eliminate the police or other such sector? On what basis would we decide to advocate such a measure?

**Section Three: Emerging Issues & further discussion topics**

Below are questions that may come up during the discussion. Feel free to use these for further discussions with your group. This discussion guide is a living document and will be added to as new information is learned. Please send us questions you are grappling with and responses you hear from your community (send information to Leigh Ann Davis, convener of the workstream at: [LDavis@thearc.org](mailto:LDavis@thearc.org)).

1. How do we respond to stereotypes of people with disabilities as ‘good’ and therefore not expected to be held accountable for their actions?

* Is it worthwhile for us to address these stereotypes or should we ignore them since they can potentially help someone who is caught up in the system?
* Does it matter if we are discussing accountability within the criminal justice system that results in deprivation of liberty, or within a restorative justice process in which the wrongdoer participates in making amends? Why or why not?
* Does not being held accountable always lead to paternalistic forms of control as an alternative (give examples)?

1. What are we really saying about the state’s role in ensuring human rights?

* Are we looking for alternatives to the state, or alternatives to police that the state would be responsible for?
* If the state is responsible, what form should that take (e.g. funding, policy framework, ensuring availability everywhere, ensuring compliance with human rights, cooperating with community groups, etc.)?
* What tensions arise between the state, communities and individuals when states are involved in community-based processes?
  + What do we mean by community? NGOs? Service providers? Neighborhood grassroots groups?
* If we want alternatives to the state, how will we make sure they are reliable, that they can sustain themselves, that they comply with human rights?
* What tensions may arise between communities and the state when the state is excluded from any role in community groups’ work to maintain community safety and accountability?
* Is ensuring human rights only an obligation of states, or can it be applied between individuals without any state involvement?
  + Can human rights standards serve as a guide or set of parameters for individuals’ and communities’ conduct towards each other?
  + If accountability between individuals can be achieved by community practices independent from the state, can the same practices be used to hold community groups accountable for ensuring that these practices themselves respect human rights?

1. \* Readers may not be familiar with the term and concept of psychosocial disability. It was adopted by disabled people’s organizations as a replacement for ‘mental illness’ or ‘mental health conditions’ to refer to people who experience intense distress or unusual perceptions. Individuals may identify in other ways including Mad, neurodiverse, survivor of psychiatry, or user of mental health services. [↑](#footnote-ref-1)