

Discharge Planning for NGRI Acquittees and IST-U-CJ Defendants with Developmental Disabilities

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Learning Objectives

- Learn about services offered through County Boards of Developmental Disabilities (DD) for NGRI acquittees being discharged into the community
- Better understand challenges in residential placement and service provision for NGRI acquittees and IST-U-CJ defendants with DD
- Better understand challenges with managing risk of harm in the community for individuals with DD

Services for Eligible Individuals

- Case Management
- Employment Services - Linkage to community employment
- Coordination with adult day programming
- Housing coordination
- Recreation opportunities

Misconceptions

- Locked facilities and group homes
- Preventing people from leaving their homes
- Physical restraints

The Reality

- No locked residential settings (groups homes or developmental centers)
- Staff may prevent a client from leaving the home ONLY if they present an immediate risk of harm to themselves or others (e.g., running into traffic)
- Clients not physically restrained unless they present an immediate risk of harm to themselves or others and if less restrictive alternatives are exhausted

Discharge Planning

- **To obtain County Board of DD Services:**
 - Must submit application for services
 - Determination will be made whether the client has a developmental disability
 - If qualifying diagnosis, then assessment conducted to determine functional limitations
 - Each county independently determines eligibility for services

Challenges in Residential Placement and Service Provision

- **Must have WILLING provider**
 - Residential and day program providers not required to provide services
 - Providers may discontinue services with notice
 - If no willing residential providers, then clients may be linked to local community resources
- **Reasons for provider rejection:**
 - History of violence, sex offenses, arson

Challenges in Residential Placement and Service Provision

- Affordable housing in safe locations
- Finding a good match of housemates

Challenges in Residential Placement and Service Provision

- **Individuals not required to accept County Board services**
(barring court order/conditional release)
- **Limited access to mental health care in the community**
 - Concerns from providers about not being able to serve clients with below average intellectual functioning

Challenges in Residential Placement and Service Provision

Systemic Issues

- In past, clients could be probated to Developmental Centers (DCs) - more staffing, programming
- Focus now on community placement; DCs downsizing/closing
- Low pay for direct care staff

Challenges in Residential Placement and Service Provision

Systemic Issues

- Staff turnover limits relationship building between client and provider
- Inadequate collaboration between County Boards of DD and mental health providers

Challenges in Residential Placement and Service Provision

Case-specific Issues

- Supervision considerations
- Addressing risky behaviors
- Addressing idleness
- Serving dangerous individuals with other clients who are vulnerable
- Respecting individual rights
- Providing dignity of risk
