Intellectual, Developmental, and Physical Disabilities in U.S. Legal Settings
A Proposed Agenda for Future Research

The legal system can be difficult to navigate, even for individuals who have the benefit of resources, support, and knowledge about how the system works. For individuals with disabilities, it can be even more challenging. To better understand the experiences of people with disabilities who encounter the legal system, we conducted two studies. First, we carried out an environmental scan of academic and gray literature published in the past 15 years, focused

RECOMMENDATIONS
Using our review of published literature, interviews conducted with professionals and people with disabilities and legal system experience, and input from an advisory board of people with professional and/or lived experience, we identified ten priorities for researchers in their work related to people with disabilities in the legal system.

- Four recommendations relate to the topics covered by the research, as follows:
  - clarify the nomenclature for disability
  - align the topics of future research with the understudied issues
  - use an adapted version of the Sequential Intercept Model as a framework to guide research on the criminal legal system
  - increase the focus on issues related to the civil legal system.

- Six recommendations focus on the research methodology, as follows:
  - increase the use of qualitative and mixed methods research
  - increase the focus on evaluating policies, programs, services, activities, and accommodations
  - center the input of individuals with disabilities and their families in the research
  - apply an intersectional lens to conducting research
  - enhance the quality of data collected
  - make the research available and accessible.
on adults in the United States (Brooks Holliday et al., 2023). Second, we interviewed 32 stakeholders, including professionals and people with disabilities and legal system experience, to (1) understand what it is like to experience the U.S. legal system while having a disability and (2) identify key knowledge gaps and research needs (Palimaru, Gittens, and Brooks Holliday, 2023). Our goals were to understand the current landscape of the literature; explore the ways in which policies address the needs and rights of people with disabilities; and understand key challenges, gaps in our knowledge, and promising practices. Table 1 summarizes the key findings from each report.

We then sought to triangulate the findings of these two studies to propose a research agenda to guide researchers in their exploration of concerns related to individuals with disabilities and their interactions with the legal system.

### Methods

We followed a multistage process for developing the recommendations in this report that involved triangulating the data between the descriptive statistics and substantive findings of the literature review and the themes that emerged from the interviews (Jick, 1979), with interpretation guided by our advisory board, as described in more detail below.

#### Developing complementary protocols for the scoping review and interviews.

We purposefully organized the interview protocols by intercept and the disability categories included in the literature review (see Brooks Holliday et al., 2023) to ensure that the results of the two efforts could, in combination, offer a more complete picture of the issues. Moreover, the interview protocols incorporated preliminary findings from the literature review. For example, the finding about insufficient evidence of the effectiveness of professional training programs led to questions about adequate resources to support professionals in their work with people with disabilities. The literature’s predominant focus on the criminal legal system informed our sampling to ensure perspectives would cover both the criminal and civil systems substantially. The protocols were structured such that questions could be deployed to maximize our understanding of a participant’s experience.

### TABLE 1

**Summary of Key Findings**

<table>
<thead>
<tr>
<th>Environmental Scan</th>
<th>Qualitative Interviews</th>
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<tr>
<td>• The most common disabilities reported in the literature were intellectual disabilities (56 percent of articles), developmental disabilities (28 percent), and other cognitive disabilities (24 percent). Sensory and mobility-related disabilities were less common.</td>
<td>• Disability is a complex experience. Many disabilities occur on a spectrum, with fluctuations in the short and long term. Disabilities co-occur with other disabilities or with other chronic health issues. Interviewees saw the conflation of mental illness with intellectual and developmental disabilities was a problem.</td>
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<td>• There was variability in how disability was defined and even in whether a definition was provided.</td>
<td>• Participants spoke mostly about experiences in the criminal legal system, identifying challenges and opportunities for improvement across settings.</td>
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<td>• Articles varied with respect to the level of detail or analysis they provided for certain disabilities. Some presented an in-depth analysis of a single group in a single context; others reported on multiple groups at a lower level of detail.</td>
<td>• Across disabilities, interviewees said ableism (or prejudice) underpinned many of the disadvantages that they described.</td>
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<td>• Most of the literature (90 percent) focused just on the criminal legal system, especially issues related to capital sentencing and incarceration.</td>
<td>• Challenges related to hearing impairments and intellectual and developmental disabilities were predominantly about communication support. This was true in both civil and criminal legal settings.</td>
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<td>• Only about one-quarter of articles included primary or secondary data analysis, mostly of quantitative data. Descriptive or correlational studies were common, and only a small number evaluated a program for people with disabilities. Qualitative studies were uncommon.</td>
<td>• Although many participants agreed that physical disabilities were better accommodated than other types of disabilities, our interviews revealed many ways in which accessibility was incomplete.</td>
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<td>• A subset of the literature included analysis related to race, ethnicity, gender, and age, with some articles highlighting the importance of applying an intersectional lens to this topic.</td>
<td>• An important finding was the perceived uneven implementation of the Americans with Disabilities Act (ADA) across and within states, as well as across and within legal system settings.</td>
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<td></td>
<td>• Future research should use community-based participatory research from design to dissemination.</td>
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**SOURCES:** Brooks Holliday et al., 2023; Palimaru, Gittens, and Brooks Holliday, 2023.
For instance, judges, advocates, and ADA coordinators with experience in both the criminal and civil systems were asked follow-up questions to compare a topic or an issue (e.g., accommodations, access to representation) across the two settings. When participants had a narrower experience, such as with American Sign Language (ASL) interpretation in criminal cases, the questions were tailored accordingly. This approach enabled us to capitalize on the strengths of each study (i.e., the breadth of the literature review with the depth of the qualitative data) to identify convergent and divergent points to inform a future research agenda.

**Identifying points of convergence and divergence between the scoping review and interviews.** To identify these points of convergence and divergence, we began by developing two summary tables. Each table listed the key themes that arose from the interviews and environmental scan (e.g., challenges faced by people with disabilities, equity considerations) and then indicated whether each theme was an issue that emerged from the scoping review, the interviews, or both. The first table indexed findings by disability, and the second indexed findings by legal system context. These tables formed the basis of the triangulation discussions among the research team with respect to how these converging or diverging results should be translated into recommendations for a research agenda. During this process, we were particularly attuned to (1) any overlap between gaps in the research that emerged from our analysis of the scoping review and knowledge gaps identified through analysis of our qualitative interviews, (2) common issues faced by people with disabilities that were raised during the qualitative interviews and were underrepresented in the literature, and (3) the identification of programs, services, activities, and accommodations that were raised as potentially effective in the literature and by interviewees but for which there was little evidence in the literature. These findings were supplemented by the research agenda recommendations suggested by the interview participants and are described in more detail in Palmaru, Gittens, and Brooks Holliday, 2023. Those suggestions also informed the recommendations in this report if they amplified themes or offered a solution to a gap raised in the scoping review or other parts of the qualitative interviews.

**Garnering input from our advisory board.** In addition, we worked with an advisory board throughout the course of this research, including while interpreting findings from the environmental scan and qualitative interviews. Our advisory board comprised five individuals: four professionals and one individual with lived experience.2 Advisory board members were identified from the research team’s network of contacts, from a review of key researchers and staff from organizations focused on issues of disability and the legal system, and from Pew Charitable Trusts. Advisers were selected to reflect a variety of disability groups and legal contexts. They were a mix of scholars, practitioners (e.g., an occupational therapist), and people with lived experience. In the early stages of the research, they provided feedback on our environmental scan and interview methods, including data collection protocols. After data collection was complete, we summarized findings from both reports into a presentation and hosted an interactive meeting to elicit advisory board feedback on the results and potential implications of the findings.3 During this meeting, we shared initial thoughts related to the key gaps and potential recommendations for future research, and input from the advisory

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**A Note About Language**

There are various perspectives within the disability and advocacy communities about the use of person-first language versus identity-first language. There tend to be norms within certain disability communities, and we attempted to follow those as best we could, based on consultation with experts and our review of explanations written by advocacy organizations and individuals with disabilities. Therefore, we use identity-first language for some populations (e.g., D/deaf and hard of hearing individuals, autistic individuals) and person-first language for others (e.g., people with intellectual disabilities). When we refer broadly to people with disabilities, we also default to person-first language. That said, we acknowledge that there are varying preferences even within disability communities, and there is no one-size-fits-all approach.

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board during that meeting shaped our interpretation of the gaps identified in the previous stage. The members of the advisory board were not involved with writing this report.

**Distilling recommendations for future research.** The final stage of our analysis was synthesizing what we learned from the triangulation with input from our advisory board to identify our recommendations for future research. It is important to note that, as we conducted this process, our goal was not to develop granular recommendations for the specific topics that should be addressed (e.g., “there should be more research related to methods to reduce police-induced false confessions among individuals with developmental disabilities”). Rather, our goal was to identify broader methodological and substantive considerations that might apply to a wide variety of researchers. To ensure a simple and readable report of our recommendations, we do not cite our other two reports every time they are referenced below, since they underpin our recommendations. However, we provide supplemental references when we draw on literature beyond the sources included in our environmental scan and qualitative reports to emphasize a point, provide illustrative examples, or provide resources that are relevant to the recommendations.

**Recommendations**

We propose the following ten recommendations, based on our findings, to guide the research agenda related to people with disabilities in the legal system.

**Clarify the Nomenclature for Disability**

In part, our environmental scan was structured around the term *disability*, though we also included terms related to the ADA and accessibility. However, this meant that an article needed to include those terms in the title, abstract, or subject fields to be detected by our search. There may be some diagnoses that result in disability—such as fetal alcohol spectrum disorder (FASD) or traumatic brain injury—for which the relevant literature did not use the term *disability*, perhaps instead relying on terminology referencing cognitive impairment. We believe there is value in identifying when someone is disabled as a result of their diagnosis, for multiple reasons. First, it acknowledges that there are many conditions that can be disabling, which may help to highlight the importance of identifying people with disabilities and relevant accommodations. Second, more consistently identifying literature related to disability will make it easier to conduct reviews of the research (such as the review conducted for this project). Finally, a willingness to openly discuss disability is also a step toward destigmatizing disability. This is especially important in the context of our qualitative finding that ableism pervades the legal system. Efforts to destigmatize disability might create a culture in which legal stakeholders are more aware of disability and more willing to provide accommodations and in which legal system–involved individuals feel comfortable disclosing their disabilities.

It is also important that researchers provide a clear operational definition of *disability* within their studies. When we reviewed the literature, there was a fair amount of variation in the ways in which studies defined disability. Some used terminology focused on the nature of the impairment: for example, focusing on D/deaf/hard of hearing populations or people with mobility-related disabilities. Some literature discussed the specific diagnostic criteria used to define a population, such as the *Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition* (American Psychiatric Association, 2022) or American Association on Intellectual and Developmental Disabilities criteria for intellectual disability (American Association on Intellectual and Developmental Disabilities, undated); other sources focused on disability as defined legally by the ADA. But there were other sources that used fairly broad terms without further defining them. For example, in some studies, *psychiatric disability* appeared to focus just on mental...
health disorders; in other studies, it included mental health disorders and intellectual disability; and in still others, it was not defined. Other studies specifically focused on social definitions of disability or the presence of functional impairments. Providing a clear definition is important because it will facilitate researchers’ ability to synthesize findings across studies and make it easier to parse the distinct needs of individuals from different disabled populations.

Align the Topics of Future Research with Understudied Issues

Our findings suggest that there are many important topics that are understudied in the literature. For example, 90 percent of the literature focuses just on the criminal legal system. But even within that literature, the majority of the studies are focused on jails, courts, prisons, and forensic hospitals (75 percent of the overall literature included in the scoping review), and capital sentencing is one of the most common topics (approximately one-third of the overall literature included in the scoping review). This means that there are many disabilities and legal contexts that are the target of relatively little research. One obvious gap pertains to individuals on probation or parole, given that significantly more people are under community supervision than are incarcerated (Kluckow and Zeng, 2022). Potential topics could include the rates of violations among disabled populations, potential accommodations, and specialized caseloads for people with disabilities. Our interviews also highlighted significant gaps in research topics, including the social determinants of justice in the context of disability; system-level research; recidivism among people with disabilities; trends in reasonable accommodation requests in the civil and criminal legal systems; the development of institutional inventories of accommodation devices; FASD in the criminal legal system; ADA awareness among judges, attorneys, prosecutors, prison administrators, and correction officers; and many others (Palimaru, Gittens, and Brooks Holliday, 2023, Table 2).

In the environmental scan, we also found differences between the topics covered in the academic literature and those in the trade publications that might further point to understudied issues. For example, trade publications focused on practical challenges faced by practitioners in the legal system and by individuals with a broad variety of disabilities (e.g., D/deaf and hard of hearing individuals or the security implications of certain accommodations), whereas such topics were less covered in the peer-reviewed literature. Thus, to assist in aligning research topics with pervasive and practical challenges on the ground, researchers may look to trade publications to identify areas of priority that need an evidence base for practitioners, including law enforcement, attorneys, judges, psychologists, and other allied health professionals.

Use an Adapted Version of the Sequential Intercept Model as a Framework to Guide Research on the Criminal Legal System

When conducting the environmental scan and qualitative interviews, we found that there was great value in using the Sequential Intercept Model as a framework for understanding the criminal legal system (Munetz and Griffin, 2006). The model’s intercepts refer to law enforcement (Intercept 1); initial detention and initial court hearings (Intercept 2); jails, courts, prisons, and forensic hospitals (Intercept 3); reentry and community-based supports (Intercept 4); and community corrections (Intercept 5).

The Sequential Intercept Model has already been a valuable tool to advance research, practice, and policy related to mental health disorders and the legal system and could serve the same purpose for disability research. However, the Sequential Intercept Model was developed to identify points at which people with mental illness can be connected with community-placed treatment, not necessarily to conceptualize the care that takes place in longer-term custodial settings, such as prisons. Therefore, if this model is to be used to understand how to meet the needs of people with disabilities in the community and custodial settings, we would suggest an adaptation to the model that more clearly separates court settings from incarceration. This adaptation is supported by our qualitative interviews as well, which revealed that
people face distinct challenges in jails and prisons compared with challenges they face in court settings (though jails and courts are both captured by Intercept 3 in the existing formulation of the Sequential Intercept Model).

Increase the Focus on Issues Related to the Civil Legal System

We found that the civil legal system was underrepresented in the published literature when compared with the criminal legal system. However, our interviews revealed the importance of more research focused on this setting. One key issue pertains to self-represented litigants, given the sheer number of people who represent themselves in civil legal proceedings in the United States (Kinnally and Brown, 2017). Though we found a small number of articles focused on disabled self-represented litigants, there is a need for more-nuanced research exploring different types of civil legal proceedings, which may challenge people with disabilities in different ways. For example, there could be distinct considerations related to eviction or foreclosure or family law. As we improve our understanding of the needs of self-represented litigants, we should look to efforts in other countries, such as Canada’s National Self-Represented Litigants Project, to see what types of questions and resources have been raised (National Self-Represented Litigants Project, undated).

As described in our environmental scan report, we excluded articles related to ADA litigation unless they focused on the experience of the plaintiff as they navigated the legal system. According to our title and abstract screen, this focus was uncommon: Most publications seemed to focus on the success of those lawsuits. However, ADA litigation might be a key instigator of people with disabilities coming into contact with the civil legal system, so a better understanding of how they navigate this system is important. If someone is not receiving appropriate accommodations in an employment or educational context, it is likely they could need additional support to navigate the legal system as well.

Increase the Use of Qualitative and Mixed Methods Research

Our literature review found very few qualitative studies focused on disability and the legal system. However, the experience of disability can be very individualized, and quantitative studies may obscure depth and some of the individual nuances in these experiences. Qualitative research is well suited to eliciting a more in-depth understanding of an issue, and having more qualitative research would help provide additional context to the literature base (Busetto, Wick, and Gumbinger, 2020; Carter et al., 2014). For example, many of the quantitative studies have focused more on the prevalence of a disability; qualitative work could tell us more about the specific functional impairments that people experience, reasonable accommodations that could be provided, and how the absence or presence of accommodations is perceived to affect their experience with legal system stakeholders or facilities.

It would also be worthwhile to consider the range of qualitative designs that researchers can use, including the potential for mixed methods research. Mixed methods research combines elements of qualitative and quantitative research to answer research questions more completely, capitalizing on the strengths of each approach: i.e., the depth of qualitative inquiry with the breadth of quantitative analyses (Dawadi, Shrestha, and Giri, 2021; Fetters, 2016; Timans, Wouters, and Heilbron, 2019). Though interviews and focus groups may be common, our environmental scan highlighted other potential data sources that could be valuable, such as courtroom observations. In our interviews, we heard participants describe the strength of various types of data and the need to conduct research that capitalizes on the advantages of each approach for a more complete understanding of the issues: for instance, the breadth of quantitative surveys and the depth of qualitative data. Researchers planning to use qualitative methods may also consider ways to increase the rigor and transparency of their process, such as following reporting standards that have been developed for qualitative research (e.g., the consolidated criteria for reporting qualitative research; Tong, Sainsbury, and Craig, 2007).
Increase the Focus on Evaluating Policies, Programs, Services, Activities, and Accommodations

Many of the quantitative studies included in the environmental scan were descriptive or correlational in nature. There were few that evaluated programs, services, activities, or accommodations for people with disabilities. The need for rigorous evaluation of programs, such as targeted training or diversion, was also mentioned by several interviewees. This is an important next step. The ADA requires that people with disabilities be able to access programs, services, and activities and that reasonable accommodations be made. One potential avenue for research would be studying whether existing programs, services, or activities are accessible for people with disabilities—and for which specific disability groups. Another avenue would be to evaluate ways to modify programs, services, or activities or to provide accommodations in order to identify the most-effective strategies.

There are certain topics that might be especially good candidates for this type of research, according to our environmental scan and interviews. First, a common theme was the importance of training legal system professionals to better identify people with disabilities and then modify their approach. However, there is a need for research that evaluates whether this type of training leads to (1) actual behavior change among trainees and (2) improved outcomes for people with disabilities. Relatedly, interviewees brought up an important gap in understanding to what extent the experiences of disability are underreported because people may fear repercussions of being identified with a disability or because they may assume that institutions cannot or will not accommodate their specific needs. In addition, research on mental health and the legal system is increasingly focusing on alternatives to incarceration, including diversion programs, and the use of the ADA as a de-carcertative tool (Schlanger, 2016). Sometimes, people with disabilities are folded into those programs despite the distinction in their psychosocial needs. Therefore, there is a need for research that adapts and evaluates models designed specifically for people with disabilities.

When conducting evaluation research, it is important not only to focus on outcomes but also to assess implementation. Our policy review and interviews suggested that, even when programs or policies are in place for people with disabilities, they are not being implemented as they are supposed to. For instance, our interview findings suggest the need to understand the implementation process for the ADA: i.e., how policy translates into practice across states and institutional settings. Researchers should consider drawing on implementation science frameworks (Fogarty International Center, 2023; Nilsen, 2020), as these frameworks can ensure that researchers measure the spectrum of factors that can affect implementation and can make it easier to compare findings across studies and with research from other contexts (e.g., health services research). Implementation research is also an important part of bridging the research-to-practice gap (National Institutes of Health Office of Disease Prevention, undated): When an effective program or model is identified, an understanding of the implementation context can serve as a roadmap for other jurisdictions that want to translate the program into their local context.

Center the Input of Individuals with Disabilities and Their Families in the Research

Our qualitative interviews highlighted the importance of conducting research that is engaged and/or in partnership with people with disabilities. Researchers can look to various research approaches
Our interviews made it clear that intersectional identities can have a significant influence on someone’s experience in the legal system.

to understand how they might go about such collaboration, including the equitable evaluation principles (Equitable Evaluation Initiative, 2023), equity-centered research (Venkateswaran et al., 2023), community-based participatory research (Hacker, 2013), and participatory action research (Institute of Development Studies, undated). A key principle across these approaches is that people with lived experience should not just be participants in the research; rather, they should directly shape the way the research is conducted, from design to dissemination. The benefits of following these principles are multifaceted, including capitalizing on collective strengths, promoting mutual learning between researchers and stakeholders, and respecting community values and needs in order to build trust (Nicolaidis and Raymaker, 2015).

There are many ways in which researchers can accomplish this engagement in practice. For example, people with lived experience can be members of the research team, where they might have the primary responsibility for developing data collection protocols, collecting data, and interpreting findings. They can also serve on advisory boards, where they may provide more high-level oversight over research activities, such as reviewing data collection protocols or summaries of findings. It is important to acknowledge that, even if these individuals do not have formal research expertise, there are ways to integrate them into research teams and create mechanisms for their input. This practice has the potential to improve the quality and ecological validity of the research.

Public and private funders play an important role in driving such changes in research approach. First, they need to recognize both the scientific value and the trust-building value of community-engaged research. Second, funders need to allocate resources commensurate with the level of time and effort that such research requires to establish and implement.

Apply an Intersectional Lens to Conducting Research

Our interviews made it clear that intersectional identities can have a significant influence on someone’s experience in the legal system, including disability combined with race, gender, and socioeconomic status. But our environmental scan suggests a need for the literature to focus more on intersectional identities. As discussed in our environmental scan report, there were some theoretical articles that described the importance of intersectional identities, but it was not a large number. Among the articles that reported on quantitative data, there would sometimes be a breakdown by race or gender (e.g., rates of disability among incarcerated individuals by race). However, this type of analysis only scratches the surface of understanding intersectional identities. Future research should more intentionally focus on the combination of multiple identities: For example, it could provide breakdowns by disability status and race and gender. For intervention studies, this focus also means conducting formal moderation analysis to understand whether programs are equally effective across racial or ethnic groups or across gender groups. These types of analyses require a larger sample size to achieve statistical power, so this factor should be a consideration during recruitment or when identifying data sources. Qualitative and mixed methods approaches are also suitable, and perhaps desirable at times, to conduct intersectional analyses.

An intersectional lens can also be used to understand the experience of people with multiple types of disabilities. As highlighted in the qualitative interviews and by our advisory board, people with multiple disabilities have more accommodation-related needs but also may have the most difficulty accessing needed accommodations. More research to under-
stand the challenges faced by those with multiple disabilities—and how to better meet their needs—is essential.

Enhance the Quality of Data Collected

Our environmental scan established that many of the quantitative studies reported on the prevalence of disability in certain legal contexts. At the same time, because the studies did not consistently provide definitions of disability or sometimes provided minimal detail regarding the data sources they used, it was often difficult to determine the quality of the data used. There were also times that the data source was described but had significant limitations, such as reliance on a third party to assess disability (e.g., asking a police officer to report whether they believed an individual they interacted with had a disability). Our interviewees highlighted concerns regarding the reliance on self-reported data to identify people with disabilities. One key practice for researchers should be to more clearly describe the sources of data being used to determine whether an individual has a disability and clearly document any limitations to the data source. For example, using self-reported data might work to establish the prevalence of people who are experiencing a functional impairment, such as an ambulatory difficulty or a mobility difficulty, but may be less well suited to establishing the prevalence of certain intellectual and developmental disabilities. Further, disabilities such as FASD can be undiagnosed or misdiagnosed (Carpita et al., 2022), so relying on self-reported presence of those diagnoses could result in an inaccurate estimate. This is not to say that self-reported data should be discounted, especially as self-diagnosis becomes more common in certain disability communities (e.g., autism spectrum disorder; Lewis, 2017); rather, it is important to know that self-reported data could underestimate the true prevalence of the diagnosis. Clearly presenting this information in an article can help other researchers evaluate the rigor of the methods used.

Another way to improve the quality of existing data would be to invest in efforts to collect longitudinal mixed-methods data. The existing quantitative studies tended to be cross-sectional in nature, providing a snapshot in time about the experience of an individual with a disability at a certain point in the legal system. However, as highlighted by our interviews, linked longitudinal data (e.g., individual-level demographics, written caseworker notes, police notes, self-reported outcomes, objective outcomes) would elucidate important details about the trajectory of individuals through the legal system, beyond a single point in time. A good example for such a national longitudinal data bank comes from Australia, where national databases from hospitals, social services, correctional services, and the National Disability Insurance Scheme were used to create a longitudinal mixed methods data bank for thousands of individuals (National Disability Data Asset, 2021).

Make the Research Available and Accessible

Our qualitative interviews and input from our advisory board also highlighted that researchers can increase the impact of their work if they focus on (1) disseminating it in a way that makes it available to a wider range of people and (2) ensuring that dissemination efforts are accessible. One consideration in regard to availability is making sure that the people who can use the research to guide policy and practice are able to access it. Academic journals have key advantages, including their commitment to peer review and the increasing focus on open-access articles. At the same time, there are still many policymakers and practitioners who may find it difficult to access these publications, whether because such publications are behind a paywall or because these policymakers and practitioners are less familiar with how to find academic researchers. We suggest that researchers consider alternate ways to disseminate findings. For example, findings can be documented in technical reports or gray literature reports that are on public-facing websites: Many organizations that do this, including the RAND Corporation, have a peer-review process so that methodological rigor is not sacrificed. Also, even if findings are published in academic journals, researchers can think about other ways to make the findings available, such as posting research summaries to websites or giving presenta-
tions to community groups that can implement the recommendations.

Accessibility refers to making sure that documents can be read by people with disabilities, as well as lay audiences in general. For example, researchers can promote accessibility by avoiding jargon and providing figures with alternate text that can be read by screen readers, a tool often used by people with visual impairments. There are also guidelines related to ensuring the appropriate use of colors, including considerations related to color blindness and color contrast (ADA Site Compliance, 2022; Indiana University, undated). Other organizations have produced guidelines on presenting information for people with learning disabilities or autism (National Health Service England, 2018). Authors, publishers, and producers of multimedia content would be best served by a standard checklist of accessibility features that can ensure content is easily available and accessible across disability needs. For instance, such features might include audio narrative descriptions for individuals who are blind/low vision or an ASL interpreter feed for video content. Accessibility features for print materials, such as having materials available in Braille, are also important. Taking these guidelines into consideration will ensure that people with disabilities can access research findings.

Conclusion

According to our work, there are many gaps in our understanding of the experiences of people with disabilities in the legal system. It is our hope that these recommendations serve as a roadmap for researchers who are looking to contribute to this important topic—and the organizations that fund the work of those researchers—thereby improving the ability to meet the needs of people with disabilities and prevent further marginalization as a result of their contact with the legal system.

Notes

1 The disabilities that were included in our scoping review and qualitative interviews are physical disabilities, communication disorders, intellectual disabilities, developmental disabilities, dementia, and disabilities associated with medical conditions if there was reference to functional impairments, accommodations, or accessibility needs.

2 We had one additional member with lived experience, but that individual opted not to participate for the full course of the study.

3 One member of the advisory board preferred to review findings asynchronously and provide written feedback. The same presentation slides were shared with this advisory board member, along with our talking points for the interactive meeting, to ensure they had access to the same information as the board members who participated in real time.
References


Hacker, Karen, Community-Based Participatory Research, SAGE, 2013.


National Self-Represented Litigants Project, homepage, undated. As of August 7, 2023: https://representingyourselcanada.com/


About This Report

People with disabilities can experience significant challenges when they are involved in the legal system. However, there are many gaps in our understanding of the ways to best meet the needs of these individuals. In an effort to identify and address these gaps, we conducted an environmental scan and interviews with key stakeholders, with the goal of developing a research agenda related to individuals with physical, intellectual, and developmental disabilities involved in the criminal and civil legal systems. This report presents our proposed research agenda. It can be read as a stand-alone report but can also be used in conjunction with two related publications: *Intellectual, Developmental, and Physical Disabilities in U.S. Legal Settings: A Scoping Review*, which documents findings from our environmental scan, and *Intellectual, Developmental, and Physical Disabilities in U.S. Legal Settings: Perspectives from People with Relevant Experience*, which documents findings from our qualitative interviews. Collectively, the findings in these reports should be of interest to researchers, policymakers, practitioners, and advocates working with people with disabilities who are involved in the legal system.

Justice Policy Program

RAND Social and Economic Well-Being is a division of the RAND Corporation that seeks to actively improve the health and social and economic well-being of populations and communities throughout the world. This research was conducted in the Justice Policy Program within RAND Social and Economic Well-Being. The program focuses on such topics as access to justice, policing, corrections, drug policy, and court system reform, as well as other policy concerns pertaining to public safety and criminal and civil justice. For more information, email justicepolicy@rand.org.

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