

DOC 310.300 Skill Building Unit

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Assignment to the Skill Building Unit offers DOC the opportunity to support people with cognitive disabilities in developing appropriate, individualized ways to confront the unique challenges this population faces. This in turn results in enhanced independence and increased likelihood of future success for SBU participants. OCO encourages DOC to explore additional ways to involve the ADA Compliance Manager and/or facility ADA Coordinator in this work. OCO also encourages DOC to consider replicating the program at other facilities in order to provide these supports to more people.

OCO encourages DOC to consider revising policy language to provide an even greater level clarity surrounding processes. Ohio's policy on a parallel program may serve as a helpful example:
[https://drc.ohio.gov/Portals/0/Policies/DRC%20Policies/67-MNH-22%20\(July%202021\).pdf?ver=4NSJH2o9-eA_yfOar489bA%3d%3d](https://drc.ohio.gov/Portals/0/Policies/DRC%20Policies/67-MNH-22%20(July%202021).pdf?ver=4NSJH2o9-eA_yfOar489bA%3d%3d)

POLICY:

- I. As traumatic brain injury is not a type of intellectual or developmental disability, OCO suggests removing "(e.g., traumatic brain injury)" and instead referring to traumatic brain injury as a distinct disability. "Cognitive disability" may be an appropriate alternative umbrella term to use in this policy.

DIRECTIVE:

- II. OCO suggests adding a section that directs mental health staff to refer a person for consideration by the HQ SBU Committee or further testing if the mental health staff member believes the person may be appropriate for SBU. This would be a second means of including individuals who may not have been identified at reception as well as individuals who may have developed or acquired a cognitive disability while in custody (due to TBI or degenerative condition impacting cognition, for example).
- II.A.1. "Cognitive disability" may be more inclusive than "intellectual and/or developmental disability."

II.C.3. OCO suggests clarifying whether all or any number of these criteria must be met. If all criteria must be met, OCO suggests creating a general exception, as exists in the current policy but was not included in the new draft, that would allow the Headquarters SBU Committee to make exceptions.

II.C.3.b. OCO is concerned that this criterion may be overly broad: What would qualify as a “violent infraction?” If the infraction happened 18 months ago and was the result of behaviors associated with the person’s cognitive disability, would it still make the person ineligible for SBU?

II.D. “Cognitively disabled” may be more inclusive than “developmentally disabled/intellectually delayed.”

OCO is concerned that the department would allow any individual with a significant cognitive disability to be placed in IMU. However, if an individual with a cognitive disability is assigned to maximum custody, OCO supports extending SBU programming to them. OCO suggests that this also apply to individuals in close custody.

IV.C.1. OCO suggests requiring attendance or other means of participation by the facility’s ADA Coordinator in the twice-yearly SBU Individualized Plan meetings.

V.B. OCO suggests consulting with the authors of the Transition and Release policy to ensure that any new language they may decide to incorporate into their revision can also be reflected here. (Primarily referring to the term “Earned Release Date” here.)

V.C. OCO suggests removing the apostrophe in “Individual’s” to ensure clarity.

VI.A. “Cognitive disabilities” may be more inclusive than “intellectual/developmental disabilities.”

OCO strongly supports requiring specialized training for SBU staff on supporting people with cognitive disabilities and disability etiquette. OCO also encourages DOC to cover basic ADA modifications/accommodations in this training so that staff are aware of ways in which individuals with cognitive disabilities may be better able to access programs, services, and activities.