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# OPEN LETTER TO

# PRESIDENTIAL CANDIDATES

## Table of Contents

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## Introduction

Nearly 29% of the population in the United States (U.S.) comprises disabled individuals (Centers for Disease Control and Prevention [CDC], 2024), making them a significant and influential voting bloc whose needs must be prioritized in any presidential platform. Despite extensive advocacy from disability rights activists and organizations, critical issues continue to be overlooked. In this open letter, we call on presidential candidates to address these gaps by integrating key disability rights issues into their campaign agendas. This letter outlines urgent concerns in education justice, data justice, criminal justice, and climate justice, along with actionable steps to tackle these challenges. We implore candidates to incorporate these critical issues into their platforms and take decisive action to confront the most pressing threats to disability rights and justice that disabled voters face.

## Education Justice

Disabled students from Black, Indigenous, and people of color (BIPOC) communities face complex and intersecting issues of overrepresentation, underrepresentation, and misrepresentation. While these issues may seem contradictory, they are contextually interconnected. For example, students of color are overrepresented in special education (National Council on Disability [NCD], 2015). Disabled students of color are more frequently labeled as having emotional disturbances or intellectual disabilities and are disproportionately placed in segregated settings. Yet simultaneously "many students with disabilities, including students of color, go through general education with unidentified and unaddressed academic, behavioral, or mental health needs" (NCD, 2015, p. 5). Black disabled youth, in particular, experience discipline and punishment at disproportionately high rates compared to their White peers (Richards et al., 2019; NCD, 2015). Systemic issues contribute to these disparities, evident across three main areas: disparities in discipline, segregation and behavioral management, and the school-to-prison pipeline. In examining these areas, we can better understand the intersections of race, disability, and punitive measures in schools in order to identify and develop more equitable practices in education systems.

### *Disciplinary Disparities*
The disparities in disciplinary actions between Black disabled students and their White peers is stark. While disabled students are twice as likely to receive out-of-school suspensions compared to their non-disabled peers, Black disabled male students face suspensions 4.5 times more frequently than their White counterparts, and Black disabled female students are suspended three times as often as their White peers (NCD, 2015). Although disabled students who receive services under the Individuals with Disabilities Education Act (IDEA) represent only 12% of the overall student population, they account for a quarter of school-related arrests

(NCD, 2015). This overrepresentation highlights systemic inequities where increased surveillance and punitive measures target these students. Data shows that students of color, in general, are disproportionately suspended, expelled, and arrested, reflecting a broader trend of systemic bias in disciplinary practices (Annamma et al., 2020). Such negative outcomes are often the result of noncompliance with the IDEA and other disability rights laws (NCD, 2015).

A historic case, *C.B. v. Moreno Valley Unified School District* (2024), further underscores these disparities. Federal Court Judge Jesus Bernal issued a permanent injunction to end race-based policing in schools, finding that Black disabled students were 3.63 times more likely to be referred to law enforcement compared to their peers (Disability Rights California, 2024). The ruling acknowledged that campus security programs are discriminatory and disproportionately remove, restrain, and refer Black disabled students to law enforcement, violating federal laws such as the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act.

Additionally, girls of color face unique disciplinary challenges. While boys generally experience higher rates of school disciplinary actions, girls of color are disproportionately subjected to these measures for minor infractions compared to their White peers (Annamma et al., 2020; Losen & Skiba, 2010; Office for Civil Rights, 2016). This issue, often overlooked in research, underscores the need for more nuanced understanding and intervention strategies.

### *Segregation and Behavioral Management*
Disabled students of color are not only disproportionately disciplined, but also face significant challenges relating to segregation and behavioral management. Despite the potential benefits of special education services, disabled students of color are more likely to be placed in segregated settings which can negatively impact the quality of educational services they receive (Annamma, 2017). The placement of disabled students of color in segregated educational settings can exacerbate existing disparities. For example, Black disabled children receiving IDEA services are notably overrepresented in the use of physical restraints and seclusion (Office for Civil Rights, 2020).

Behavior management strategies, such as Positive Behavioral Interventions and Supports (PBIS), are frequently used to mitigate disability-related behaviors. However, they have also been linked to carceral logics, ableism, and racism (Venet, 2021). Research indicates that these strategies, supported by the Department of Education (Office of Elementary & Secondary Education, 2020), contribute to further marginalization and punitive measures against disabled students of color (Phillips, 2020; Knestrict, 2018). The increased surveillance and punitive actions reflect broader issues of systemic ableism, sexism, and racism in educational settings.

*School-To-Prison Pipeline*

The overrepresentation of marginalized youth extends from and beyond educational settings into the juvenile justice system. This phenomenon, known as the *school-to-prison pipeline*, describes the "policies and practices that push our nation's schoolchildren, especially those most at risk, out of classrooms and into the juvenile and criminal justice systems" (NCD, 2015, p. 5). This pipeline prioritizes incarceration instead of education, leading to the frequent deprivation of a Free and Appropriate Public Education (FAPE) for disabled youth, which further entrenches their involvement in the criminal justice system (NCD, 2015).

Despite a 70% decline in youth incarceration rates between 1995 and 2019, youth of color remain significantly more likely to be incarcerated compared to White youth (Annie E. Casey Foundation, 2021). Disabled youth represent approximately 14% of public schools but make up over 33% of those incarcerated (Annamma et al., 2024). Research indicates that 85% of youth in juvenile detention facilities have disabilities that should qualify them for special education services, yet only 37% receive these services while in school. Many of these detained youth are also students of color (NCD, 2015). LGBTQIA+ youth are similarly overrepresented in the justice system, making up 20% of the incarcerated youth population despite comprising only about 8% of the overall youth demographic (Center for American Progress et al., 2017). Other marginalized groups, such as foster children, those in the welfare system, survivors of abuse, and medically vulnerable youth, are overrepresented in youth prisons (Annamma & Morgan, 2022).

Regarding youth incarceration, although boys are more likely to be incarcerated than girls, girls are more likely to be incarcerated for low-level offenses. For instance, nearly 60% of youth incarcerated for running away are girls, with Black disabled girls and Native American girls being especially impacted. On any given day, out of the 24,894 youth in residential placement, 14% are girls. When examined through an intersectional lens, we find that Black girls are 2.5 times more likely to be incarcerated than their White peers, and Native American girls are four times more likely (Budd, 2024). Black girls are also twice as likely to receive IDEA services compared to their White counterparts, constituting 49% of all incarcerated girls who receive such services (Annamma et al., 2024; Patrick & Chaudhry, 2017). Despite this overrepresentation, disabled girls of color remain underrepresented in education research, which often fails to address their unique experiences (Annamma et al., 2024).

Prison-schools, which serve youth within the criminal justice system, frequently fail to provide high-quality general or special education and can be both dehumanizing and desocializing (Annamma et al., 2024). While girls of color are disproportionately affected by youth incarceration and prison-schooling, their experiences are underexamined, highlighting a

significant gap in the literature (Cabral et al., 2023). Addressing these disparities requires more targeted research and intervention to improve outcomes for marginalized youth and ensure more equitable educational practices.

In conclusion, the disproportionate discipline and punishment of disabled youth reflect significant systemic inequities within the educational and justice systems. Addressing these issues requires a comprehensive approach that considers the *intersections* of race, disability, gender, and other social factors. By focusing on disparities in discipline, segregation and behavioral management, and the overrepresentation in prisons and incarceration, we can better understand and work towards rectifying the inequities faced by marginalized students. More nuanced research and targeted interventions are essential to creating a more equitable and supportive environment for all students.

## ACTIONS

1. **Address Disciplinary Disparities in Schools**
   a. **End Discriminatory Discipline Practices**: Implement policies to eliminate racial and disability-based disparities in school discipline. This includes enforcing the prohibition of discriminatory practices and enhancing oversight of school discipline procedures.
   b. **Promote Restorative Justice Practices**: Support the adoption of restorative justice and alternative approaches that focus on rehabilitation and meeting people's needs rather than punitive measures.
   c. **Strengthen Compliance with IDEA, ADA, and Section 504 of the Rehabilitation Act**: Ensure that schools are compliant with the IDEA, ADA, and Section 504 of the Rehabilitation Act. This includes regular audits and accountability measures to prevent violations of these laws. Additionally, it is key to acknowledge that these laws are the floor not the ceiling.
   d. **End Race-Based Policing in Schools**: Prevent race-based policing and discriminatory practices in schools. Increased surveillance and policing in schools only serves to reinforce raced-based policing. Instead, promote inclusive and supportive school environments.

2. **Combat Segregation and Phase Out Ineffective Behavioral Management Strategies**
   a. **Promote Inclusive Education**: Encourage policies and practices that reduce the segregation of disabled students of color. Support the development of inclusive education practices and resources that are rooted in anti-ableist and anti-racist principles to ensure that disabled students receive appropriate services in the least-restrictive environment (LRE).

    b. **Phase out Harmful Behavioral Management Strategies**: Phase out behavioral management strategies such as PBIS that are rooted in and perpetuate ableism and racism.

3. **Address the School-to-Prison Pipeline**
   a. **Reform the Juvenile Justice System**: Advocate for comprehensive reforms in the juvenile justice system to address the significant overrepresentation of disabled and marginalized youth. Promote true alternatives to incarceration, devest funding from the juvenile justice system and directly re-invest these resources into quality education, mental health care, and community-based supports for youth.
   b. **Ensure Access to Special Education Services**: Ensure that disabled youth that are currently detained and incarcerated receive the special education services they are legally entitled to under the IDEA. Advocate for policies that mandate access to these services and support their reintegration into the educational system.
   c. **Support Research on Marginalized Youth in Schools and Prisons**: Fund and promote quality research on the experiences of disabled youth of color, particularly gender-inclusive research, within the education and juvenile justice systems. Use this research to inform policy and practice improvements.

4. **Foster Intersectional Approaches in Education**
   a. **Address the Unique Challenges Faced by Disabled Girls of Color**: Implement targeted initiatives to support disabled girls of color, who face unique disciplinary and educational challenges. Ensure that their experiences are included in educational research and policy development.
   b. **Promote Equity in School Funding**: Advocate for equitable funding for schools serving high populations of disabled students of color. Support initiatives that address resource disparities and ensure that all schools have the necessary tools to provide quality education.
   c. **Strengthen Collaboration with Racial and Disability Justice Organizations**: Work closely with organizations focused on civil rights, racial justice, disability justice, and education justice to develop and implement policies that address systemic inequities and promote true inclusion.

## Disability Data Justice

The current state of disability data in the U.S. is unconscionable. It does not accurately reflect the lived experiences of disabled individuals. We cannot achieve equity in research agendas,

policy priorities, and programs or services if we do not know what the disparities are that affect disabled people (Breslin & Yee, 2024; Mont & Madans, 2023; Gorman, 2024). Disabled people are typically absent from statistical data collection efforts due to three reasons: (1) underrepresentation in the numerator that stems from problems identifying and counting a historically hard-to-count population; (2) underrepresentation in the denominator that stems from population-based statistical reliance on definitions that exclude groups to which disabled people are more likely to belong and wherein often they are over-represented; and (3) lack of disaggregation in datasets according to disability status (UNICEF, 2020).

Accurate disability data collection is essential for informing policy decisions, driving funding for services and supports, and ensuring that disabled people have equitable access to critical areas such as housing, healthcare, education, employment, transportation, and emergency and disaster response. Without the collection of accurate disability data, government statistics are skewed, impeding informed decision making and appropriate funding allocation, which has had and will continue to have an outsized impact on all disability research that relies upon the accurate reporting of disability data in the U.S. (Caldwell et al., 2024).

In November of 2023, CRDJ wrote a public comment letter (Caldwell et al., 2023) regarding the Census Bureau's proposed changes to the disability question set. This change would have increased the undercount of disability from 20% using the ACS-6 question set to 43% by using the Washington Group (WG-SS) question set. In response to public outcry, the Census Bureau issued a press release that they would not make this change at this time. However, the problem of disability data remains as current data collection efforts continue to significantly undercount and misrepresent this critical population (Koo & Hudson, 2021). Moreover, it is a population that has grown in the wake of the COVID-19 pandemic, which has been widely acknowledged as a mass-disabling event and one that has disproportionately impacted low-income and minority communities.

One in four adults have a disability, making it the largest minority group in the U.S, one that anyone can join at any point in their life (CDC, 2024). In July of 2024, our Center wrote a public comment letter (Caldwell et al., 2024) in response to a Request for Information (RFI) on disability data equity from the White House Office of Science and Technology Policy (OSTP) and members of the Disability Data Interagency Working Group (DDIWG). Given that President Biden's Executive Order on racial equity served as the mechanism behind this initiative, we were concerned that this RFI appeared to overlook considerations of race/ethnicity and other intersecting identities crucial for achieving data equity to address the pervasive disparities extant.

*Defining Disability Data Justice*

Disability data justice acknowledges the historically racist, classist, and ableist systems within which data is collected, analyzed, and disseminated (Breslin & Yee, 2024; Genova, 2023); particularly given the extent to which disabled people and communities of color have been exploited and mistreated in research (Gill & Erevelles, 2017; Gorman, 2024). Disability data justice critiques all forms of data ableism and prioritizes the democratization of data and digital literacy from the perspective of diverse disability communities (Gorman, 2024; Swenor, 2022).

*Artificial Intelligence*

The proliferation of artificial intelligence (AI) poses a unique dilemma for the disability community. On one hand, it holds potential for improved accessibility and accommodations. On the other, technology acts as a normalizing agent (Moura, 2023) and serves as a mode of surveillance that disproportionately intrudes upon the rights of disabled people and people of color (Caldwell et al., 2024; Crooks, 2022; Hilton, 2017; Pucciarelli & May, 2023; Saltes, 2013). Bias is present in the data used to train AI models, in the algorithms that analyze this data, and in the way data is labeled and models are trained (Akselrod, 2021; Gorman, 2024). For instance, pretrial risk assessment algorithms not only perpetuate existing biases against racially and economically marginalized communities within the criminal justice system, but also reinforce biases against the perspectives of historically underrepresented groups (Okidegbe, 2022). These layers of AI bias, embedded in systems already prone to discrimination, threaten civil rights and exacerbate economic and health disparities. For example, generative AI is expected to widen the racial economic gap by $43 billion annually (Brown et al., 2023), and its very operation poses a significant threat to climate justice (Keller et al., 2024). It is crucial to view disability through a justice-oriented lens, moving beyond narrow interpretations of AI "fairness" (Bennett & Keyes, 2020).

**ACTIONS**

1. **Enhance Disability Data Collection and Representation**
   a. **Improve Disability Data Collection Measures and Methods**: Support and fund initiatives to develop and implement more accurate and comprehensive disability data collection measures and methods. This includes ensuring that Census and other survey instruments are designed to accurately capture the disability experiences of all populations, including marginalized and historically undercounted groups.
   b. **Ensure Disaggregation of Disability Data**: Require all federal and state data sets to disaggregate information by disability status and intersecting identities (e.g., race, ethnicity, gender). This will help to better understand disparities and allocate resources more effectively.

c. **Update Definitions and Categories**: Modernize the definitions and categories used in disability data collection efforts to reflect current understanding and experiences rather than relying on outdated and prejudicial misconceptions of disability. Ensure that updated definitions are inclusive and accurately capture the diversity within the disability population.

d. **Support Research on Data Gaps**: Fund research to identify and address gaps in disability data, including how historical and systemic biases affect data collection and reporting. Use this research to inform policy changes and improve data accuracy.

2. **Promote Disability Data Justice**
   a. **Implement Disability Data Equity Policies**: Develop and enforce policies that prioritize disability data justice, addressing historical and systemic biases in data collection, analysis, and dissemination. Ensure these policies are designed with direct input from the disability community. Establish a national task force to guide disability data equity efforts that is majority disability-led (e.g., including at least 51% disabled people). This will necessitate the task force leading the development of *National Disability Data Standards & Principles*, as detailed in our public comment letter (Caldwell, 2024).

   b. **Increase Transparency and Accountability**: Require transparency in data collection practices and hold agencies accountable for underrepresentation or misrepresentation of disabled individuals. This includes regular audits and public reporting on disability data accuracy and representation.

   c. **Support Community-Led Data Initiatives**: Provide funding and support for community-led initiatives that aim to collect and analyze disability data from the ground up. These initiatives should focus on including voices from marginalized and intersectional disability communities.

   d. **Invest in Disabled Researchers:** Despite efforts to promote inclusion, disabled researchers face systemic barriers, discrimination, and a lack of support in academia. This is especially true for disabled researchers at the intersection of multiply marginalized identity categories. This has never been more vital than now, at a time when legislatures and educational institutions are plagued with anti-diversity-equity-and-inclusion bills and lawsuits that erode diversity equity and inclusion (DEI) programming and target scholars that are disabled, women and gender non-conforming, people of color, and/or LGBTQIA+. By prioritizing investment in disabled researchers to address bias, discrimination, and structural barriers, we can ensure that data is interpreted and applied in ways that authentically reflect the needs and insights of those it represents.

3. **Address the Implications of Artificial Intelligence**
   a. **Regulate AI for Accessibility**: Advocate for regulations that ensure AI technologies are developed and deployed in ways that enhance accessibility and accommodations for disabled individuals. Promote the integration of W3C Accessibility Standards in AI development.
   b. **Combat AI Bias**: Support research and policies to identify, mitigate, and prevent biases in AI systems, particularly those that disproportionately affect disabled people and people of color. This includes enforcing standards for bias detection and fairness in AI algorithms.
   c. **Promote Ethical AI Development**: Advocate for ethical guidelines and standards in AI development that prioritize human rights, equity, and justice. Ensure that these guidelines address the potential for AI to reinforce existing disparities and discrimination.
   d. **Prevent Economic and Environmental Impacts**: Recognize and address the broader economic and environmental impacts of AI, including its potential to widen racial and economic disparities and its effects on climate justice. Support policies that mitigate these impacts and proactively promote equitable and sustainable technology development.

4. **Enhance Public Awareness and Engagement**
   a. **Educate on Disability Data Justice and AI**: Promote public education on the importance of disability data justice and the implications of AI for disabled communities. This includes developing resources and training programs for policymakers, researchers, and the general public.
   b. **Encourage Public Participation**: Facilitate and encourage public participation in discussions and decision-making processes related to disability data and AI development. Ensure that disabled people and advocacy groups have a meaningful role in shaping policies and practices.
   c. **Support Advocacy and Oversight Groups**: Provide support for organizations and groups that advocate for disability rights, disability justice, disability data justice, and ethical AI development. Ensure that these organizations have the resources and funding needed to effectively challenge discriminatory practices and promote equitable policies.

## Criminal Justice

Disabled people, people of color, and those residing at the intersection of the two are uniquely vulnerable to policing, criminalization, and punishment. To effectively address these issues,

disability policy must embrace criminal justice policy. By thinking intersectionally about the institutions that harm disabled people, advocates for disability rights and disability justice can better develop transformative and inclusive responses and remedies for some of the criminal legal system's most intractable problems.

*Disabled People and Police Violence*
The growing movement to transform policing and punishment systems has captured public attention, and the movement has increasingly recognized how police violence disproportionately impacts disabled people. Data confirms that disabled people are particularly vulnerable to policing and police violence:

> Data compiled since 2015 by the *Washington Post* indicate that anywhere from 20% to over half of the people killed each year by law enforcement have a disability (Washington Post, 2024). People with psychiatric disabilities, particularly those who lack treatment and support, are more than sixteen times more likely to be killed in encounters with law enforcement than nondisabled persons (Fuller et al., 2015). Given that approximately 4% of the total U.S. population has at least one "serious" psychiatric disability and about 18% experiences "less severe psychiatric conditions," (Lane-McKinley et al., 2018) it is no stretch to say that individuals with psychiatric disabilities are overrepresented in deadly shootings by police. A review of the data reveals disparities along racial and gender lines. According to researchers, "If showing 'signs of mental illness' is assumed to be equivalent with having a serious mental illness, the number of African American individuals . . . [with a] serious mental illness who were killed by police outpaced the proportion of that group in the general population by a factor of 10:1." (Lane-McKinley et al., 2018). Though the researchers acknowledged the need for more complete data and risks of discrepancy in the data, they also noted that '[w]hile relatively few women compared to men are killed by police, the *Washington Post* data reveal that a very large percentage of women killed by police from 2015 to 2017 showed signs of mental illness (37%)" (Lane-McKinley et al., 2018) (Morgan, 2022b, pp. 504-505)

The vulnerabilities of policing and police violence affect Black, Indigenous, and Latinx people with and without disabilities, as well as White disabled people. Racist and ableist stereotypes contribute to these vulnerabilities and the criminalization of disabled people of color, who are often constructed as suspicious, disorderly, dangerous, and violent (Morgan, 2022b).

*Spotlight on Mental Health Crisis Response*

When jurisdictions choose to incorporate law enforcement into mental health crisis response, the risk to individuals seeking access to emergency mental health services significantly increases. Mental health crisis response calls account for a substantial portion of 911 calls, ranging from anywhere from one out of ten to one out of three calls. To take one example, in Los Angeles, nearly a third of the more-than-thirty people shot by LAPD officers in 2021 were identified as having a psychiatric disability (Rector, 2021). The underfunding and understaffing of mental health systems leave many individuals without access to necessary urgent and routine care. When police get involved in crisis care implementation, the risk of violence is real. As noted above by Morgan (2022b), individuals experiencing a mental crisis are sixteen times more likely to die in encounters with police (Fuller et al., 2015). They risk ending up in jail for behaviors linked to their disabilities and might struggle to access mental health care and treatment through non-punitive, non-coercive avenues.

*Harms of Incarceration to Disabled People*

"Disabled people are disproportionately incarcerated and segregated by society through a variety of institutions" (Bixby et al., 2022, p. 1460). Although data on disability prevalence among incarcerated populations is limited, existing studies indicate that disability is more common among incarcerated people than in the general population (Bixby et al., 2022; Gonzalez et al., 2016; Bureau of Justice Statistics [BJS], 2007). For instance, a 2011-2012 national survey by the U.S. Department of Justice's (DOJ) BJS found that approximately 3 in 10 incarcerated people have a disability (Bronson et al., 2015). A recent analysis of the BJS's 2016 *Survey of Prison Inmates* (SPI) reported that approximately 66% of people in state or federal prisons in the U.S. in 2016 had a disability, with 40% having a psychiatric disability and over 55% having a non-psychiatric disability (Bixby et al., 2022; BJS, 2016). A study specific to intellectual disability shows that approximately 4% to 10% of incarcerated individuals report having an intellectual disability (Morgan, 2022a; Davis, 2009). Further, an earlier BJS report (2006) found that over half of all incarcerated individuals reported symptoms meeting the criteria for various mental illnesses, and 51% had some kind of chronic medical condition such as diabetes, cancer, heart disease, or high blood pressure (Morgan, 2022a; BJS, 2006).

By centering the experiences of disabled women we see even more startling statistics. Gender and disability intersect in prisons and jails to render disabled women uniquely vulnerable while incarcerated. The vast majority (80%) of women who are incarcerated meet the criteria for having at least one psychiatric disability (Bloom & Covington, 2008). Moreover, it is clear that there are higher rates of disability among incarcerated women than in the general population with 12% of women having symptoms of a mental disorder or psychiatric disability in the

general population, compared to 73% of women in state prison, 61% in federal prison, and 75% in local jails (Morgan, 2022a; BJS, 2006).

Disabled people face heightened risks of violence and harm while incarcerated. Prisons and jails are inherently violent environments that severely impact physical, mental, and emotional health. As noted in a World Health Organization (WHO, 2007) report on *Mental Health and Prisons*, prisons are detrimental to mental health due to factors such as overcrowding, violence, solitary confinement, lack of privacy, isolation from loved ones, absence of meaningful activities, and uncertainty about future housing, employment, and relationships (Morgan, 2022a). Disabled individuals in these settings are at an increased risk of violence, deprivation, and discrimination. "Discrimination experienced by disabled people takes many forms—ranging from denials of access to medical [and mental health] services, educational, and rehabilitative programs, to segregation in solitary confinement which includes isolation in cells in conditions amounting to extreme deprivations of social and environmental stimuli" (Morgan, 2022a, p. 1908). Additionally, carceral institutions often exacerbate stress, fear, social isolation, infectious disease, and violence exposure further increasing one's risk of obtaining a disability while incarcerated (Bixby et al., 2022).

It is imperative that candidates consider criminal justice policy as disability policy. Disabled people make up a significant percentage of victims of police violence, detainees in jail, and people incarcerated in prison. Candidates should push for policies that eliminate pathways to police violence, strengthen police accountability, and collect comprehensive data to outline the scope of the problems affecting incarcerated disabled people, particularly those with multiply marginalized identities. Importantly, candidates should support efforts aimed at decriminalization and diversion. We urge candidates to examine pathways into criminalization and, in particular, the risk of criminalization when law enforcement is involved in mental health crisis response.

### ACTIONS
1. **Transform Policing and Crisis Response**
   a. **Develop Alternative Crisis Response Models**: Advocate for the creation of crisis response models that are community-based and do not involve law enforcement, such as mobile crisis units staffed by peer support specialists and mental health professionals. These models should center autonomy, non-coercive measures, and should not involve force. They should focus on de-escalation and therapeutic support rather than punitive measures and police involvement.

    b. **Increase Funding for Mental Health Services**: Push for significant increase in funding for mental health services, including peer-run programs, to reduce reliance on police for crisis response. Ensure that mental health services are accessible and adequately staffed (e.g., staffed by those who represent the population served, including BIPOC).

    c. **Establish Accountability Mechanisms for Police Violence**: Create and enforce strict accountability measures for instances of police violence against disabled individuals, people of color, and other marginalized groups. This includes independent oversight bodies and transparent reporting mechanisms to ensure justice and prevent abuse.

2. **Address the Harms of Incarceration**

    a. **Promote Alternatives to Incarceration**: Advocate for the expansion of true alternatives to incarceration, such as diversion programs, restorative justice practices, and community-based supports. These alternatives should be designed with disabled individuals and people of color and should address their specific needs without resorting to punitive measures.

    b. **Improve Existing Conditions for Disabled Incarcerated Individuals**: Support initiatives to improve conditions for people currently incarcerated in prisons and jails, including ensuring adequate medical and mental health care. Ensure that incarcerated disabled individuals have access to necessary accommodations and support.

    c. **End Solitary Confinement:** Prohibit the use of solitary confinement and implement measures to prevent isolation and sensory deprivation. Advocate for more humane treatment and support for disabled people and people of color within the carceral system.

    d. **Support Rehabilitation and Reintegration Programs**: Develop and fund programs rooted in restorative justice practices that assist with the rehabilitation and reintegration of disabled individuals after incarceration. Programs should focus on providing education, job training, and mental health services to help individuals transition back into their communities.

3. **Promote Data Collection and Research**

    a. **Collect Comprehensive Disability Data**: Ensure the collection of accurate, up to date, and detailed data on disability within the criminal justice system. This includes disaggregating data by disability status, race, and other intersecting identities to better understand and address disparities.

b. **Support Research on the Criminalization of Disability**: Fund and promote research on the experiences of disabled people within the criminal justice system. Use this research to inform policy decisions and address systemic issues related to the criminalization of disability.

c. **Advocate for Data Transparency**: Push for greater transparency in the reporting and analysis of data related to police violence and the incarceration of disabled individuals. This transparency should include regular public reports and accountability measures.

4. **Advocate for Systemic Change**
   a. **Promote Decriminalization Efforts**: Support policies aimed at decriminalizing behaviors often linked to disability, such as non-violent offenses related to mental health crises. Focus on reducing the criminalization of disability and promoting non-punitive responses.

   b. **Support Disability Justice Initiatives**: Align criminal justice policies with broader disability justice principles, which include addressing the intersections of race, disability, and socioeconomic status. Ensure that policies are inclusive and address the unique challenges faced by multiply marginalized individuals.

   c. **Engage with Advocates and Advocacy Organizations**: Collaborate with disabled advocates and disability justice organizations to develop and implement policies. Ensure these organizations play a central role in shaping and evaluating criminal justice strategies related to disability.

## Climate Justice

The stakes of the global climate crisis are reaching unprecedented levels. As mounting scientific evidence emerges on the perilous state of the planet's climatic pillars, we reaffirm the urgent need for a systemic and justice-oriented approach to climate change this election cycle. Platforms rooted in climate justice acknowledge the disproportionate impacts that the climate crisis has on disabled folks, predominantly BIPOC, and lower-income areas. By doing so, climate justice frameworks offer solutions to climate change's impacts that can also lead to addressing several structural inequities that these communities face.

Climate change is an intersectional issue that highlights geographies of vulnerability. On a global scale, the Office of the United Nations High Commissioner for Human Rights (OHCHR) concludes that disabled people face heightened risks "from the adverse impacts of climate change," (2020, p. 3) across multiple social and economic factors that the WHO (2011) categorized as attitudinal, physical, communication, and financial barriers in the landmark

*World Report on Disability*. The climate crisis will increase the stress on disabled households, their economic participation, and their access to healthcare, with research indicating that the mortality rate of disabled people impacted by natural disasters will climb to four times that of non-disabled people (Stein & Stein, 2021; Izutsu et al., 2019). This dually demonstrates how governments will need to absorb the costs of both the barriers to economic access and challenges of financial recovery before and after severe climatic events occur.

In the U.S. and abroad, this threat of under preparedness and disability-exclusive climate adaptation threatens the safety and resiliency of the disability community. Climate action and decision-making suffers from the same structural marginalization that reproduces the barriers for the full societal participation of disabled people. This produces what Stein et. al (2023) describe as maladaptation, where the continual overlooking of disabled people in climate policymaking leads to weaker climate literacy, increased climate litigation, and to substantial losses and damages. Poorly designed disaster preparedness plans, for example, exemplify these risks as those often "left behind" when catastrophe strikes are those with disabilities (International Disability Alliance, 2016). Improvements to the collection and synthesis of disability data, as previously mentioned, can have profound impacts on the dissemination of climate action services, programming, and research.

### Emergencies, Disaster Preparedness, and Adaptation

In times of environmental emergency, the existing disproportionate access to healthcare services, water, nourishment, accessible transportation, and safe environments is augmented, leading to new barriers, institutionalization, and mortality. Research from the National Women's Law Center on the affordability of food and housing notes that the recovery from the COVID-19 pandemic–itself a gradual climatic event–has "exacerbated [multiple]...inequities in the U.S. economy, hitting women, especially Black, non-Hispanic women and Latinas, LGBTQIA+ people, and disabled women the hardest" (Javaid & Domina, 2023, p. 1). Similar effects are measured in the aftermath of natural disasters, as research by Michael Stein synthesizes U.S. Census Bureau data, identifying how 59% of Deaf evacuees fail to return home following an event, instead navigating a complicated and arduous recovery that oftentimes leads to institutionalization (Harvard Law Today, 2023). The stresses become exponential for disabled folks.

Interviews with disabled women working in government at the outset of the COVID-19 pandemic revealed critical key issues in emergency preparedness and disaster response. While some individuals were prepared to respond, particularly those with previous experience either responding to or living through emergencies and/or natural disasters, the federal, state, and local governments were not prepared. Further, there is an emotional toll in responding when

one's community is the one being hit hardest, which raises the question of whose responsibility it is to ensure access and the rights of disabled people, especially BIPOC, are being centered in emergency preparedness and disaster response. It cannot be up to the disability community to shoulder this responsibility alone (Caldwell et al., 2020).

Moreover, the economic disadvantage correlated with disability makes disaster recovery harder, as is maintaining the critical reliance on medical devices or assistive technology (WHO, 2011; OHCHR, 2020). Pre-pandemic research from the National Disability Institute estimate that households with disabilities incur a variety of direct costs that require "an additional $17,690 a year to obtain the same standard of living as a similar household without a member with a disability" (Goodman et al., 2020, p. 7). Climate change will compound both the barriers that limit disability employment and wealth generation, as well as the expenditures households make. Even during slow-onset climate change impacts, households behind on mortgages or rental payments, those unable to work because of childcare constraints, and those facing extended food insecurity will find a challenging trajectory in adapting to climate change.

Likewise, BIPOC communities located in flood zones, heat islands, or zones with poor air quality are more susceptible, yet less resourced to adapt to environmental stressors. Climate change is exacerbating the health and safety of these communities that were designed through unjust practices like redlining and restrictive housing, thereby underscoring the need for inclusive, reparative measures for community resilience.

### *Towards Rematriation and an Equitable Climate Movement*
Building the capacity for climate justice means confronting issues at the structural crux of racial and disability justice and designing accessible and emancipatory climate adaptation and disaster preparedness, response, and recovery policies. However, this means pursuing active development of these systems of disability- and race-inclusive climate action at all scales of governance, including international cooperation.

Prioritizing community-led climate initiatives, operationalizing Indigenous local knowledges and sovereignty over Land and Water, and co-creating climate policy with disabled individuals can shape a paradigm that rebukes long perpetuated environmental harm and social exclusion. This means confronting the policies that accurately contextualize the "architecture of Settler-colonialism" (Hill et. al, 2024, p. 1) that dispossess, subjugate, and erase Indigenous communities who rely on the holistic interdependence of their local ecosystems. In essence, the climate crisis and Settler-colonialism are disabling events and processes for Indigenous people.

The *U.N. Declaration for the Rights of Indigenous Peoples* reaffirms the importance of local knowledges as facilitators for human rights, and the international community is an equal partner in implementing substantive change (OHCHR, 2013). Climate justice recognizes the disproportionate contributions to and impacts from climate change that various countries face. Across the world, Indigenous peoples offer critical perspectives on the interconnectedness of the climate crisis, including the interdependent and essential worth of disabled folks, which can reframe accountability within climate adaptation. As Yellowhorse (2023) writes of the Diné context, the checks and oversight of our current structures are inconsistent with "accountability [...] as a kind of service–a critical understanding of how our relationships are prioritized through understandings of interdependence" (para. 10). Indigenous-led climate solutions, therefore, complement the global disability justice movement by emphasizing inclusive, sustainable, and just strategies that subvert the usual wielders of decision-making power.

It is only by rejecting the current economic, political, social, and environmental processes that have rendered certain communities disposable over others in the climate crisis that allows for a vision of a resilient, accessible, and justice-oriented future to take root.

### ACTIONS

1. **Integrate Disability Justice into Climate and Disaster Policies**
   a. **Develop Disability-Inclusive Climate and Disaster Planning**: Mandate that all federal climate action and disaster preparedness plans address the specific needs of disabled individuals, particularly in BIPOC and low-income communities. Ensure that emergency preparedness, disaster response, and climate adaptation strategies are designed to be accessible and equitable for all.
   b. **Invest in Research and Data Collection**: Increase federal funding for research on the impact of climate change on disabled populations. Ensure the collection and analysis of disaggregated data to better understand and address their unique challenges, informing evidence-based policy decisions.
   c. **Promote Community-Led and Indigenous-Informed Initiatives**: Fund and support community-led climate adaptation projects that actively involve disabled individuals. Incorporate Indigenous knowledge and leadership into federal climate policies to enhance both disability inclusion and climate justice.

2. **Strengthen Federal Disaster Preparedness and Response**
   a. **Mandate Accessible Emergency Services**: Require that all federal emergency response plans include specific provisions for disabled people. This includes ensuring that evacuation routes, emergency shelters, and communication systems are fully accessible and inclusive.

b. **Appoint Access Communications Coordinators**: Designate access communications coordinators at each level of government (e.g., federal, state, local) to ensure that all internal and external communications meet accessibility requirements under the law.

c. **Appoint Inclusive Emergency Managers**: Establish inclusive emergency managers at each level of government to ensure that disaster preparedness and response reflect a disability justice approach. These managers should coordinate with various agencies and stakeholders to address the needs of a diverse disability community from a position of intersectional justice.

d. **Implement Regular Evaluation and Accountability**: Establish mechanisms for regular audits and transparency in federal disaster preparedness and climate policies. Ensure ongoing feedback from disability advocates and hold agencies accountable for achieving inclusive and equitable outcomes.

3. **Enhance Federal Support for Climate Adaptation**
   a. **Provide Targeted Economic Support**: Implement federal programs offering targeted financial support to disabled individuals and households to help them adapt to climate impacts. This includes subsidies for home modifications, assistive technologies, and other adaptive measures.

   b. **Invest in Accessible Housing and Infrastructure**: Increase federal investments in resilient and accessible infrastructure, such as flood-proof housing and accessible public transportation, to mitigate the disproportionate impacts of climate change on disabled and marginalized communities.

   c. **Address Systemic Inequities**: Develop federal policies and focus on reparative measures to address historical and systemic inequities, such as those resulting from redlining and other discriminatory practices, which have exacerbated the vulnerabilities of BIPOC and disabled communities to climate change.

4. **Promote Global Leadership and Ensure Equitable Resource Allocation**
   a. **Advance Global Cooperation and Standards**: Lead efforts in international forums to integrate disability justice into global climate agreements. Advocate for the inclusion of disability rights in international frameworks and support adherence to existing reports such as the *U.N. Declaration on the Rights of Indigenous Peoples* and the *World Report on Disability.*

   b. **Reform FEMA Funding Allocation:** Reform Federal Emergency Management Agency (FEMA) funding allocation to prioritize community-based support rather than institutional settings. Ensure that federal resources are directed towards

options that support disabled individuals in their communities, preventing unnecessary displacement and institutionalization.

    c. **Enhance Transparency and Reporting:** Establish federal oversight mechanisms to evaluate the effectiveness of disability-inclusive climate policies. Maintain transparency in reporting progress and challenges, ensuring accountability in implementing these priorities.

## Conclusion

Disability policy spans numerous facets of society, impacting everything from voting rights and accessible housing to equitable education, criminal justice reform, advancements in artificial intelligence, and responses to climate change. These issues are deeply interconnected and affect the daily lives of disabled individuals in profound ways. We urge candidates for president of the United States to adopt a comprehensive and intersectional approach to disability policy, recognizing that addressing these challenges holistically is not only a matter of justice but also essential for the well-being and full participation of disabled people in society. The lives, livelihoods, and dignity of disabled individuals depend on leaders who are committed to understanding and integrating disability considerations into every aspect of policymaking.

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