

Summary Problems of detainees with a Mild Intellectual Disability in prison

Dr. H.L. Kaal

Drs. A.M. Negenman

E. Roeleveld

Prof. dr. P.J.C.M. Embregts

Background of the Research and Research Questions

Signals from the field and international studies led to the supposition that people with a Mild Intellectual Disability (MID) experience more problems in prison, and are more strongly affected by these problems, than detainees without an MID. So far, little was known about the situation in the Netherlands. This study was conducted to answer the following questions:

What kind of problems do people with an MID experience in detention?

How do these problems differ from problems experienced by detainees without an MID?

In light of these problems, what are the specific needs of detainees with an MID?

Research Design

Data was gathered in three penitentiaries in the Netherlands by interviewing 50 detainees with an MID and 24 without an MID about their experiences in prison. At the time of the interviews, all of the respondents were held in a regular unit of a detention facility or prison. As a preliminary step, three focus group meetings were organized with prison staff. These meetings were intended to collect information about situations that could pose problems for prisoners with an MID. This information was then included in the interview guide for the interviewers. Subsequently, the researchers approached prisoners who were thought to have an MID and asked them to participate in the study. Next, they approached prisoners who were thought not to have an MID. Care was taken to create the best possible match between the two groups in terms of regime, age and ethnicity. Potential interviewees were asked to take an abbreviated IQ-test to determine whether they would end up in the MID or non-MID group. All interviews were transcribed, coded and analyzed.

Kinds of Problems for Prisoners with an MID

With regard to the first research question, the interviews revealed that people with an MID experience a wide range of problems in detention. First of all, these prisoners had problems with the way in which information is provided in prison, specifically: information provided upon entry, information provided later on during their detention, and a lack of explanation for the reasons behind certain rules. Insufficient knowledge of rules and procedures may lead to prisoners – possibly unwittingly – breaking the rules. In addition, prisoners with an MID felt that they were sometimes put on report for ‘next to nothing’.

Prisoners with an MID also expressed negative opinions about their daily schedule.

Particularly in detention facilities, prisoners spend long hours in their cells and get very little

time during recreation to arrange for activities such as cooking and making phone calls. Queues tend to form for these activities, sometimes leading to 'the survival of the fittest.' Work and education are seen as ways 'to pass the time.' Several prisoners with an MID said they preferred work over schooling. They see no added value, have negative experiences associated with being in school or drop out because too much independence is required.

Contact with the outside world, and with relatives in particular, was often perceived as difficult. Tensions arise, often in connection with making phone calls and the scarcity of time available to do so. Visitors fail to show up, either for practical reasons, or because prisoners with an MID ask them not to as this is too emotionally charged or there are hard feelings. In-prison contact with various parties can be problematic as well. Contact with fellow detainees was described regularly in terms of conflict, bullying and theft. Detainees with an MID said they distrusted their fellow prisoners for breaking their word, for gossiping and betrayal. Prison officers are another important in-prison group that detainees with an MID come into contact with. Prisoners with an MID distinguished two types of officers: those who take the time to listen, are prepared to make an exception and do not immediately report them; and those who are authoritarian, show little interest and rigidly maintain the rules. The fact that some prison officers make an effort is the most positive aspect the detainees mentioned. The negative aspect mentioned most often was that prison officers abuse their position of power. Again, prisoners with an MID indicated that they distrusted 'the other,' in this case the prison officer. The third group that prisoners regularly come into contact with are support staff. Prisoners with an MID mentioned not only procedural problems – such as writing notes and long waiting times – but also problems in the actual contact. Prisoners with an MID often feel they are not taken seriously. Positive examples included a doctor who took time to really listen and a volunteer who showed genuine interest.

In addition, detainees with an MID repeatedly remarked on their own personality and skills. Many detainees indicated that they were easy to get along with. Another thing they said was that they avoid contact with fellow prisoners or prison officers out of disappointment, or out of fear this might end in a conflict. The detainees said that both they and 'the other' might react wrongly or aggressively. The concluding question about the detainees' future evoked mixed reactions, ranging from optimism to bleakness, often characterized by a lack of concrete plans.

Differences between MID and non-MID Prisoners' Problems

A great many of the problems experienced by prisoners with a Mild Intellectual Disability are also identified by prisoners without one. Like those with an MID, prisoners without one have no notion of all the rules and procedures of prison life when they first enter a facility. For them too, contact with family, fellow prisoners and prison officers can be fraught with problems. But if we look more closely, we see distinctions. Sometimes, prisoners without an MID perceive a problem differently, take different matters into consideration, seem to have more options to deal with the problem and are more actively trying to solve it. For example, they seem more assertive in seeking information by asking more questions. To this group, the underlying reasons for certain rules and procedures seem less important, while they more emphatically try to avoid being reported. Indeed, they also appear to be reported less often.

The same goes for the daily schedule: the same problems are at play, but non-MID prisoners appear better able to turn things to their advantage. They also seem more capable of entertaining themselves in their cells and organizing things so that exceptions are made for them. They also show more initiative at work and have their sights set more firmly on the future when it comes to education.

Like MID prisoners, non-MID prisoners also experience problems with phone calls and visits in their contact with family and friends. However, there appear to be fewer social and emotional problems in their relationships that might cause their friends and relatives to stay away. In-prison contacts again show more similarities than differences. Still, non-MID prisoners talk less about negative behaviours by their fellow prisoners, appear less likely to respond aggressively and more likely to attempt to resolve a conflict verbally. Their relationship with prison officers is slightly less difficult; they are less disturbed by the differences between prison officers, they trust prison officers more, show more understanding for their position and are less inclined to perceive them as rigid. And finally, they were less negative about their dealings with support staff and feel their requests for assistance are more readily met.

Non-MID prisoners talked about themselves in the same terms as MID prisoners. However, non-MID prisoners gave different reasons why they preferred to be alone. Rather than trying to avoid conflict, they stuck to themselves at times because they preferred being on their own. They appeared to be better able to plan and to assert themselves. There was no great distinction between how the two groups talked about the future. Yet non-MID prisoners did mention more frequently that more attention could be paid to their return to society.

MID Prisoners' Specific Needs, Related to Their Perception of Problems

The first conclusion to be drawn from the interviews is that prisoners with an MID need clear information about prison rules and procedures. As we know from the literature, people with an MID have difficulty processing information. Therefore, it is important to present the information more than once and in a variety of ways. In addition, people with an MID have difficulty applying information learned in one situation to another. It helps to explain clearly what the prisoner is expected to do in each situation. Support may be offered in the shape of guidance when looking at information, jointly discussing information, filling out forms together, and demonstrating and role-playing complicated situations such as talking to a representative of an institution or operating machinery.

Furthermore, prisoners with an MID indicated they felt a need to know the underlying reasons why something is done in a particular way. Explaining why something is taking longer than usual helps to prevent unnecessary stress. Research has shown that people with an MID are quicker to perceive situations as stressful and are less equipped to deal with stress. Prisoners say they are bored and unable to entertain themselves. Yet they also indicate that they run out of time during recreation. Possible solutions include discussing these problems with the prisoners, emphatically inviting them to participate both at work and at school, offering help in avoiding the obstacles that MID prisoners might run into, and making practical arrangements to facilitate planning of activities.

The problems that prisoners with an MID experience in contact with others may be partly due to their disability. Research has shown that people with an MID tend to perceive social situations as stressful. Aside from this, people with an MID process social information less efficiently, in the sense that they find it difficult to come up with alternative behaviours or make the right decision in a situation. Moreover, people with an MID tend to go for aggressive or passive responses rather than assertive solutions. One way of solving this problem is to prevent socially stressful situations. For example, it would help to create an unambiguous protocol for making phone calls and to enforce this. Another example of stress prevention would be to discuss possible alternative courses of action following a confrontation, so the prisoner with an MID can learn not to let matters get out of hand the next time such a situation occurs.

Prisoners with an MID said they often distrust prison officers. By explaining why prisoners are asked for certain information and what is done with this information, prison officers might be able to reduce this distrust. Prisoners with an MID also indicated that they value good contact with prison officers. The fact that these prisoners appreciate when prison officers put in an effort, take time to listen and make an exception if necessary matches results from other research in which people with an MID were asked to define important competencies of their counsellors. These results showed that clients most appreciate it when their counsellors know them, have a positive attitude towards them, and transparently communicate with and show real interest in them.

Prior to the question of how to meet the needs of prisoners with an MID, we can ask whether there is an added value in identifying this group immediately upon entering the detention facility. Diagnosing an MID is useful only if this information is put to use. However, the opposite makes more sense; tailoring the approach to the needs of prisoners with an MID can be done without advance diagnostics. Fostering awareness of situations that might present prisoners with problems and building sensitivity to individual needs and a willingness to meet them, would be beneficial to all prisoners including those with an MID.

