

Rate and characteristics of men with an intellectual disability in pre-trial detention

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Abstract

Background Various lines of research point to the overrepresentation of individuals with intellectual disability¹ (ID) in the criminal justice system. Studies have also shown that individuals with ID are vulnerable to mental health problems. To date there have been no Canadian studies of individuals with an ID in the criminal justice system.

Method The present study reports on the sociodemographic, mental health and criminological characteristics of 281 individuals with an ID from a Canadian study of men in a pre-trial holding centre.

Results Almost 19% of the men had a probable ID, and nearly one-third (29.9%) were in the borderline IQ range. As was the case for their non-ID counterparts, the mean age of the probable ID group was in the early 30s, few were employed, and most had low incomes. Individuals in the probable and borderline ID groups had lower rates of high school completion than those in the average intellectual ability range. Over 60% of individuals with an ID had a substance use disorder, and 1 in 5 was intoxicated at the time of assessment. These rates were similar across groups, and to those found in the literature. A large majority of individuals with ID had a previous conviction, and most had previously committed a violent offence.

Conclusions Among other limitations, the sample may not have been entirely representative of the total population of men in the pre-trial detention centre, given the relatively high refusal rate (39.5%). Results are discussed in terms of orienting criminological and mental health services as a function of the level of intellectual and adaptive functioning of individuals with ID.

Keywords: *Intellectual disability, prevalence, pre-trial detention, Canada, mental disorder, criminality, male*

Introduction

Various lines of research point to the overrepresentation of individuals with intellectual disability (ID) in the criminal justice system (see Holland, 2004, for a review). Several of the earlier prospective longitudinal studies showed that children with lower IQs are at higher risk for delinquent behaviour or criminal conviction (Farrington, 2003; Gibson & West, 1970; Høgh & Wolf, 1981, 1983; Moffitt, Gabrielli, Mednick, & Schulsinger, 1981; Reichel, 1989; West & Farrington, 1973; White, Moffitt, & Silva, 1989) and that this difference between groups was stronger for violent than for non-violent offences (Høgh & Wolf, 1981, 1983), regardless of socio-economic status, race or police detection (Hirschi & Hindelang, 1977; Lynam, Moffitt, & Stouthamer-Loeber, 1993; Moffitt et al., 1981; Moffitt & Silva, 1988; West & Farrington, 1973). In two longitudinal birth cohort studies, men and women with ID were

found to be more likely than individuals from the general population to have been convicted of a criminal offence, with the relative risk being higher for violent offences (Crocker & Hodgins, 1997, $N=15,000$; Hodgins, Mednick, Brennan, Shulsinger, & Engberg, 1996, $N=300,000$). No differences were observed in the average number of offences between individuals with ID and their offender counterparts without ID or mental illness (Crocker & Hodgins, 1997).

Prevalence of ID in offender populations

Many reviews have been carried out on the prevalence of ID in offender populations (Baroff, 1996; Day, 1993; Holland, Clare, & Mukhopadhyay, 2002; Lindsay, 2002; Murphy & Mason, 1999; Noble & Conley, 1992; Simpson & Hogg, 2001). Estimated rates in US prisons vary between 0.2% and 14% (e.g., Brown & Courtless, 1968;

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