

LEARNING DISABILITIES IN PRISONS: IMPLICATIONS FOR RE-EDUCATION AND REHABILITATION OF THE INMATES

I DISTURBI DELL'APPRENDIMENTO NELLE CARCERI: IMPLICAZIONI PER LA RIEDUCAZIONE E LA RISOCIALIZZAZIONE DEI DETENUTI

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ABSTRACT

The association between learning disabilities (LD) and incarceration has garnered increasing attention in recent years. Individuals with LD face unique challenges within the criminal justice system, ranging from disproportionate representation in prison populations to difficulties accessing appropriate support and rehabilitation services. This paper provides a comprehensive review of existing literature on the intersection of learning disabilities and incarceration, examining factors contributing to the overrepresentation of individuals with LD in the criminal justice system, as well as the implications for rehabilitation and policy. By synthesizing current research findings, this paper aims to inform future interventions and policies aimed at addressing the needs of this vulnerable population.

L'associazione tra disturbi dell'apprendimento (DSA) e incarcerazione ha attirato un'attenzione crescente negli ultimi anni. Le persone con LD affrontano sfide uniche all'interno del sistema di giustizia penale, che vanno dalla rappresentanza sproporzionata nella popolazione carceraria alle difficoltà di accesso a servizi di supporto e riabilitazione adeguati. Questo articolo si propone di fornire uno sguardo sulla letteratura esistente riguardante la correlazione tra difficoltà di apprendimento e incarcerazione, esaminando i fattori che contribuiscono alla sovrarappresentazione di individui con DSA nel sistema di giustizia penale, nonché le implicazioni per la riabilitazione e le politiche. Sintetizzando gli attuali risultati della ricerca, questo documento mira a informare gli interventi e le politiche future volti a soddisfare le esigenze di questa popolazione vulnerabile.

KEYWORDS

Learning disabilities, incarceration, penal execution, re-education, policy

Disturbi dell'apprendimento, carcerazione, esecuzione penale, rieducazione, policy

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Introduction

Learning disabilities (LD) represent a diverse group of neurodevelopmental disorders characterized by difficulties in acquiring and processing information. These disabilities can manifest in various domains, including reading, writing, mathematics, and language comprehension. While estimates of the prevalence of LD among the general population vary, research consistently indicates that individuals with LD are disproportionately represented within the criminal justice system (Bell, 2016). If in Western societies LD have been recognized only in recent years, this issue is far from be addressed in incarcerations systems, overwhelmed by other health and working matters. If even school manifests difficulties in detecting and managing LD, it is easily imaginable how they could be understood in a prison context. Moreover, it must be considered how learning impairment can be related to other intellectual disabilities, that too, suffer an overrepresentation in prison population (Sarrett & Ucar, 2021).

Numerous studies have documented a higher prevalence of learning disabilities among incarcerated individuals compared to the general population. These disabilities often co-occur with other psychosocial challenges, such as substance abuse disorders, mental health issues, and socioeconomic disadvantage. Furthermore, individuals with LD in prison settings frequently experience a lack of early identification and intervention, exacerbating their difficulties and increasing their likelihood of involvement in criminal activities (McCarthy & Chaplin, 2016). For example, difficulties in school and employment opportunities due to LD may lead some individuals to engage in delinquent behaviors as a means of coping or survival, ultimately contributing to their involvement in the criminal justice system. Understanding the prevalence and characteristics of learning disabilities (LD) within prison populations is essential for developing targeted interventions and support systems. Research consistently indicates a higher prevalence of LD among incarcerated individuals compared to the general population. Estimates vary, but studies suggest that anywhere from 30% to 70% of individuals in prison have some form of learning disability, which is significantly higher than the prevalence rate in the general population, estimated to be around 5-15% (Hellenbach et al., 2016). These learning disabilities often encompass a range of difficulties, including but not limited to dyslexia, dyscalculia, and language processing disorders. Dyslexia, for example, is one of the most common learning disabilities found among inmates, affecting their ability to read, write, and comprehend written information (Cassidy, 2022). Dyscalculia, on the other hand, impacts mathematical abilities, making it challenging for individuals to perform basic arithmetic operations and understand mathematical concepts. Language processing disorders can impair communication

skills, hindering individuals' ability to express themselves verbally or understand complex language structures.

Another characteristic of LD in prison populations is the lack of early identification and intervention (Crowe, 2021). Many individuals with LD did not receive appropriate diagnosis, support or accommodations during their formative years, leading to academic underachievement, frustration, and disengagement from educational pursuits. Without early intervention, these individuals are more likely to experience academic failure, dropout from school, and become involved in delinquent behavior, setting them on a trajectory towards incarceration (Nkoana et al., 2020). International literature has already investigated the impact of school dropout in early age and its correlation with the development of subcultural values and behaviours (Dragone et al., 2021).

These problems result more challenging when involving members of low-income families and marginalized communities, such as ethnic and racial minorities, who result as disproportionately affected by LD (Bell, 2016). These families often do not recognize the importance of an early diagnosis and the necessity of a specialist who could deal with their child's difficulties neither. Hence, intercepting a LD or a behavioral problem becomes complex. As a result, these individuals may be at an increased risk of involvement in the criminal justice system due to systemic barriers to educational and socioeconomic opportunities. This aspect should not be undervalued, since in Italian and European prisons there are high percentages of immigrants of second and third generation. Disparities in access to educational resources and support services further compound the challenges faced by individuals with LD in prison.

1. Pathways to Incarceration for Individuals with Learning Disabilities

Several factors contribute to the overrepresentation of individuals with LD in the criminal justice system. These include challenges in educational attainment, limited access to specialized support services, and disparities in the administration of justice. The overrepresentation of individuals with LD in the criminal justice system is influenced by various pathways that intersect with the challenges posed by their cognitive and neurodevelopmental impairments (Muñoz García-Largo & Martí-Agustí, 2020). Understanding these pathways is crucial for identifying opportunities for intervention and prevention.

- Educational Challenges and Early Intervention: one of the primary pathways to incarceration for individuals with LD begins in childhood and

adolescence, where difficulties in academic performance and social adaptation may contribute to school dropout, truancy, and disengagement (Gerlinger & Hipp, 2023). Without adequate support and accommodations, individuals with LD may struggle to keep pace with their peers, leading to feelings of frustration, low self-esteem, and alienation from the school environment. As a result, some individuals may become involved in delinquent behavior as a coping mechanism or as a means of seeking acceptance and validation from their peers (Dragone et al., 2021). Without early intervention and support services to address their learning needs, these individuals are at an increased risk of becoming disengaged from education and eventually becoming involved in criminal activities.

- **Lack of Access to Support Services:** individuals with LD often face barriers in accessing appropriate support services and accommodations, both within educational settings and the broader community. Many individuals may go undiagnosed or receive inadequate support for their learning needs, leading to persistent academic difficulties and social challenges (Fichten et al., 2009; Schechter, 2018). Without access to specialized interventions, such as individualized education plans (IEPs), tutoring, and assistive technologies, individuals with LD may experience a cycle of academic failure and disengagement that increases their vulnerability to involvement in delinquent behavior and, ultimately, incarceration.
- **Disparities in the Justice System:** once individuals with LD become involved in the criminal justice system, they may encounter additional challenges and barriers that exacerbate their risk of incarceration (Sarrett & Ucar, 2021). Disparities in access to legal representation, communication barriers, and difficulties understanding complex legal procedures can impede individuals' ability to navigate the justice system effectively. Moreover, individuals with LD may be more susceptible to coercion, manipulation, and false confessions during police interrogations due to their difficulties in processing and understanding information. As a result, they may be at a heightened risk of wrongful convictions and unjust outcomes within the criminal justice system (Crowe & Drew, 2021).
- **Socioeconomic and Environmental Factors:** social and environmental factors, such as poverty, unemployment, housing instability, and exposure to violence and trauma, also contribute to the pathways to incarceration for individuals with LD (Vallas, 2016). Many individuals with LD come from disadvantaged backgrounds characterized by limited access to educational and economic opportunities, which can exacerbate their vulnerability to

involvement in criminal activities. Moreover, individuals with LD may be more likely to experience discrimination and stigma within their communities, further marginalizing them and increasing their risk of involvement in the criminal justice system (Gormley, 2021).

The impacts of early trauma should be emphasized, since evidences show that incarcerated people experienced them in a very high percentage. We could affirm that imprisoned people are traumatized people (Hocken et al., 2022).

2. Challenges and Barriers to Rehabilitation

Incarcerated individuals with learning disabilities encounter unique challenges during their reentry into society too. These may include difficulties in accessing educational and vocational programs, obtaining employment, and establishing stable housing. Moreover, the stigma surrounding learning disabilities, in addition to the one coming from a conviction, can contribute to social isolation and hinder the development of supportive networks (Sarrett & Ucar, 2021; Gormley, 2022). Without adequate support and resources, individuals with LD may be at heightened risk of recidivism and continued involvement in the criminal justice system. The stigma and discrimination within the prison environment, as well as in broader society, can impact their self-esteem, sense of belonging, and motivation to engage in rehabilitation programs. It may contribute to social isolation and marginalization, making it difficult for individuals to form supportive relationships and access the resources they need to succeed (Chiu et al., 2020). Moreover, correctional staff and administrators may lack awareness and understanding of LD, leading to misconceptions and negative attitudes that further impede individuals' access to support services and opportunities for rehabilitation.

Reentry into the community presents another set of challenges for individuals with LD, as they often face a lack of continuity of care and support services upon release from prison. Many individuals experience disruptions in their access to healthcare, mental health services, and other essential resources, which can exacerbate existing challenges and increase their risk of recidivism (Bahr et al., 2010). Moreover, individuals with LD may struggle to navigate the complexities of reentry, such as finding housing, employment, and social support, without adequate assistance and guidance.

Financial and legal barriers also pose significant challenges to rehabilitation for individuals with LD. Many individuals face economic instability and debt upon release from prison, which can hinder their ability to secure housing, transportation, and other basic necessities (Gideon, 2009). Moreover, individuals

with LD may encounter legal barriers, such as restrictions on employment opportunities and eligibility for government assistance, which can further limit their options for successful reintegration into society.

But as previously mentioned, LD pose challenges even in the prison context, since there is a limited access to educational and vocational programs that are tailored to their learning needs. Many correctional institutions lack the resources and expertise to provide specialized support and accommodations for individuals with LD, resulting in a one-size-fits-all approach to rehabilitation that may not adequately address their cognitive impairments. Without access to appropriate educational and vocational training, individuals with LD may struggle to acquire the skills and qualifications necessary for successful reentry into the workforce, increasing their risk of unemployment and recidivism (Townsend et al., 2020).

3. Implications for Rehabilitation and Policy

Addressing the needs of individuals with learning disabilities in prison requires a multifaceted approach that encompasses screening and assessment, intervention and support services, and policy reform. Correctional institutions must implement comprehensive screening protocols to identify individuals with LD upon entry and provide appropriate accommodations and interventions. Moreover, collaboration between criminal justice agencies, educational institutions, and community organizations is essential to ensure continuity of care and support throughout the reentry process. Additionally, policymakers must prioritize funding and resources for programs aimed at addressing the educational and vocational needs of incarcerated individuals with LD, as well as promoting alternatives to incarceration for nonviolent offenders (Muñoz García-Largo et al., 2020; Nkoana et al., 2020). It must not be hidden the already pressing difficulty to make even a general psychological assessment when an individual is incarcerated. The lack of professionals and of the resources needed to promote the personal well-being of an imprisoned person is already related to the alarming suicide rates hence, we cannot expect to have the LD issue prioritized¹. However, it could be important to start, at least, writing and making serious research on this topic, underestimated and underrated for a long time.

By implementing evidence-based interventions and advocating for systemic changes, policymakers and practitioners can work towards promoting positive outcomes for this vulnerable population and reducing their risk of recidivism.

¹ To read the number of suicides in Italian prisons:
<http://www.ristretti.it/areestudio/disagio/ricerca/>. Retrieved on March 11th.

International literature suggests to improve multiple aspects: a) Screening and assessment: one of the first steps in addressing the needs of individuals with LD in the criminal justice system is to implement comprehensive screening and assessment protocols to identify those who may require specialized support and accommodations (see the interesting study by Silva & Weeks, 2015). Screening should occur at various points of contact with the justice system, including intake, pretrial detention, and sentencing, to ensure early identification and intervention. Assessments should be conducted by qualified professionals using validated tools and measures to accurately diagnose LD and determine appropriate interventions.

b) Access to Educational and Vocational Programs: Correctional institutions should provide individuals with LD access to educational and vocational programs that are tailored to their learning needs and abilities (Koo, 2015). These programs should incorporate evidence-based practices for teaching individuals with LD, such as multisensory instruction, explicit instruction, and scaffolding techniques. Additionally, vocational programs should offer training in job skills that align with individuals' strengths and interests, as well as provide support services, such as job coaching and mentoring, to facilitate successful transitions to the workforce.

c) Support Services and Accommodations: Individuals with LD in prison settings should have access to a range of support services and accommodations to address their cognitive impairments and promote successful rehabilitation (Nielsen-Pheiffer et al., 2023). These services may include tutoring, counseling, assistive technologies, and specialized interventions targeting academic and social skills development. Correctional staff and administrators should receive training on LD awareness and best practices for supporting individuals with LD to ensure a supportive and inclusive environment (Sarrett & Ucar, 2021).

d) Continuity of Care and Reentry Support: Upon release from prison, individuals with LD should receive continuity of care and support services to facilitate their successful reintegration into the community (Chiu et al., 2019). This may include access to healthcare, mental health services, housing assistance, employment support, and community-based programs that provide ongoing support and supervision. Correctional agencies should collaborate with community organizations, healthcare providers, and other stakeholders to ensure a seamless transition and reduce the risk of recidivism;

e) Policy Reform: policymakers should enact reforms aimed at addressing systemic barriers and disparities that contribute to the overrepresentation of individuals with LD in the criminal justice system (Muñoz García-Largo, 2020; Nielsen-Pheiffer et al., 2023; Gormeley & Watson, 2021) This may include funding initiatives to improve access to early intervention and support services, implementing alternatives to incarceration for nonviolent offenders with

LD, and promoting diversion programs that provide treatment and rehabilitation rather than punishment. Additionally, policymakers should advocate for changes in laws and policies that restrict employment opportunities and access to housing, education, and social services for individuals with LD.

Conclusions

The overrepresentation of individuals with learning disabilities in the criminal justice system represents a significant social and public health concern. Addressing this issue requires a coordinated effort across multiple sectors, including education, healthcare, criminal justice, and social services. By recognizing the unique needs and challenges faced by individuals with LD in prison settings, policymakers and practitioners can work towards implementing evidence-based interventions and policies that promote rehabilitation, reduce recidivism, and enhance the overall well-being of this vulnerable population.

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