

Dear Vice President Biden:

On behalf of the National Disability Leadership Alliance (NDLA) and allied organizations, we write to communicate certain recommendations and concerns from the cross-disability community for consideration in your task force's efforts to curb gun violence. NDLA is a coalition of 14 leading national disability organizations led by people with disabilities themselves and supported by grassroots constituencies living with disabilities in all states and the District of Columbia.

In the aftermath of the horrific tragedy in Newtown, we appreciate the determination of President Obama and the work of your Task force effort to develop meaningful and practical proposals to reduce violence and address its causes. At the same time, as people with disabilities, we are have much at stake in this process and its ultimate outcome. In recognition of the importance of these issues for our community, we would like to request the opportunity for representatives from NDLA to meet with you and your staff prior to the Task Force completing its deliberations. We also would like to highlight some of our specific concerns in this letter.

Many in the disability community are concerned about the ways in which people with psychiatric and neurological disabilities are characterized in the aftermath of the Newtown tragedy and other acts of violence. Unfortunately, media reports in the aftermath of recent shootings have too often relied on incorrect assumptions that psychiatric or neurological disabilities can be valid predictors of violence. Today, significant parts of the public erroneously connect people with disabilities with violent behavior. This could not be more inaccurate. Research shows that after controlling for substance abuse, even the most serious psychiatric disabilities do not pose a heightened risk of violent behavior<sup>1, 2</sup>.

The belief that people who have psychiatric or neurological disabilities are prone to violence only perpetuates the stigma associated with these disabilities and hinders people from receiving proper mental health services. For example, one of the signature injuries of the wars in Iraq and Afghanistan is Post-Traumatic Stress Disorder (PTSD). The stigma associated with receiving mental health services leads some veterans who have PTSD to avoid the care they need to live fulfilling, productive lives. While efforts to decrease this stigma have produced some results, we must exercise extreme caution against addressing mental health issues in a manner that erodes gains and increases barriers to care.

Responses to gun violence that focus on Americans with disabilities are ineffective and threaten the civil and human rights of countless Americans. Twenty-three years after the Americans with Disabilities Act and fourteen years after the Supreme Court's landmark *Olmstead v. L.C.* decision, it is vital that policymakers hear the voices and respect the rights of people with disabilities.

In this spirit, we urge your Task Force to consider the following comments:

- We oppose the inclusion of any language requiring colleges and universities to outline procedures to refer for involuntary commitment or treatment students with psychiatric disabilities. Such language has been put forward within S. 436, the Fix Gun Checks Act of 2011, which would require all institutions of higher education receiving federal funds to lay out a Mental Health Assessment Plan including procedures for involuntary referrals to state and local mental health

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<sup>1</sup> Fazel S, Gulati G, Linsell L, Geddes JR, & Grann M (2009). Schizophrenia and violence: Systematic review and meta-analysis. *PLoS Medicine*, 6, e1000120.

<sup>2</sup> Fazel, S., Lichtenstein, P., Grann, M., Goodwin, G. M., & Langstrom, N. (2010). Bipolar disorder and violent crime: new evidence from population-based longitudinal studies and systematic review. *Archives of General Psychiatry*, 67, 931-938.

authorities. We believe that such a measure would add to the discrimination and prejudice already facing students with disabilities in higher education settings and go against the principles of the Americans with Disabilities Act.

- We oppose any proposal to link background checks for gun purchases to federal or state databases relating to disability service-provision, health care or income support. In particular, we advise against any effort to link Social Security Administration representative payee data with the National Instant Criminal Background Check System or any other similar state or national database. Similar policies pursued by the Department of Veterans Affairs have been rightly criticized as overly broad and setting a dangerous precedent going well beyond the issue of gun violence.
- We strongly oppose expanding involuntary commitment, institutionalization and forced treatment laws. Such measures would not have prevented the massacre in Newtown, Connecticut or similar incidents in previous years. In addition to restricting the rights of people with disabilities, such laws make it less likely that people experiencing mental health challenges – a category that encompasses as much as a quarter of the American public – will feel comfortable seeking support.
- We urge the Task Force to consider various public education measures that can be utilized to diminish stigma and attitudinal barriers associated with psychiatric and neurological disability.

In recognition of the importance of this issue, we would like to request the opportunity for representatives from NDLA to meet with you and your staff prior to the Task Force completing its deliberations. Thank you for your continued efforts on behalf of the American people and we look forward to being in touch.

**Signatories:**

ADAPT

American Association of People with Disabilities

Association of Programs for Rural Independent Living

Autistic Self Advocacy Network

National Association of the Deaf

National Council on Independent Living

National Federation of the Blind

Not Dead Yet

National Coalition for Mental Health Recovery

Little People of America

VetsFirst, a program of United Spinal Association