



# No Way Out

## An Introduction to the Community Protection Program



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The Office of the Developmental Disabilities Ombuds (DD Ombuds) wrote a report on the Developmental Disabilities Administration's (DDA) Community Protection Program, also called CPP. The DD Ombuds put together the report because it got many complaints about the program from people with disabilities and others in and outside the program. The DD Ombuds found many problems with CPP. CPP is the most restrictive community program administered by DDA.

This document talks about the main issues that the DD Ombuds uncovered while investigating the program in a plain language format. To read the full report the DD Ombuds wrote, including citations, go to [ddombuds.org](http://ddombuds.org) and look under the tab "Reports" at the top and then click "Issues."

## Race of Participants

The DD Ombuds office got information about the race of the people in CPP from DDA and the Arc of Washington State.

DD Ombuds found that the number of Black women as well as American or Alaskan Native men in the program was high. It was higher than the number of people of other races in the program when compared to the rest of the DDA caseload.

This information comes from the small number of people, only 400, who were in CPP at the end of 2019. The DD Ombuds is still concerned about what the information about the race of people in the program says about CPP.

## Overview of Restrictive Programming

The law for CCP says the program has to be the least restrictive that it can be while people get the help they need to have less "offending behavior." The law also says that CPP is supposed to help people have a chance to live in the community.



*Many people in CPP are told they can't look at children or pictures of children, even a Christmas card with a picture of Joseph, Mary, and baby Jesus on it. Staff will scribble out or cut out pictures they are not allowed to see. Staff look at personal mail before the person in CPP can see it.*

These are some of the most common restrictions that people in CPP experience:

- Staff listen to all phone calls
- People in the program can't have relationships before staff have to say it's okay first
- Can't go anywhere outside of the house without being followed by staff
- Not allowed to use social media and internet
- No rated R movies or rated M video games
- They must agree to random room searches
- They have to live in homes with frosted windows so they cannot see outside

People in CPP are supposed to have meetings every three months to talk about things like how the program is going, what restrictions they have, and how to graduate.

## **Voices of CPP Participants about Restrictions**

The DD Ombuds heard from people with disabilities many times that the restrictions in the CPP are bad. Some of the comments below are the same as what was told to the DD Ombuds, and some of them have been changed a little bit so that you can't tell who said them.

These comments help show how the restrictions make people feel:

- If I don't tell a lie for a year, they said maybe I can play my favorite video game again.
- I just want to have my cell phone back. They took it last year and said until my behavior is appropriate, I won't ever get it back.
- When I complained, they handed me a paper and said if you don't like it, the program is voluntary and I can sign myself out.
- My case manager searched my room and took my movies and video games. They didn't ask my permission and said I have no choice if I'm in CPP.
- I am not allowed to answer the phone in my own house. Why not? Staff are right here supervising me all the time.
- They keep making me talk about the mistake I made when I was 18. I haven't made that mistake again, but I have to talk about it again next week. I'm now 37 years old.

- If my staff don't supervise me like they are supposed to, I get in trouble. Why?
- Staff tell me they get to play video games all the time. I'm not allowed to play any games or talk to my friends online.
- Sometimes staff tell me I'm not allowed to watch my favorite show because it amps me up, but sometimes they let me watch it anyway.
- In the treatment team meeting, everyone has a copy of the plan except for me.



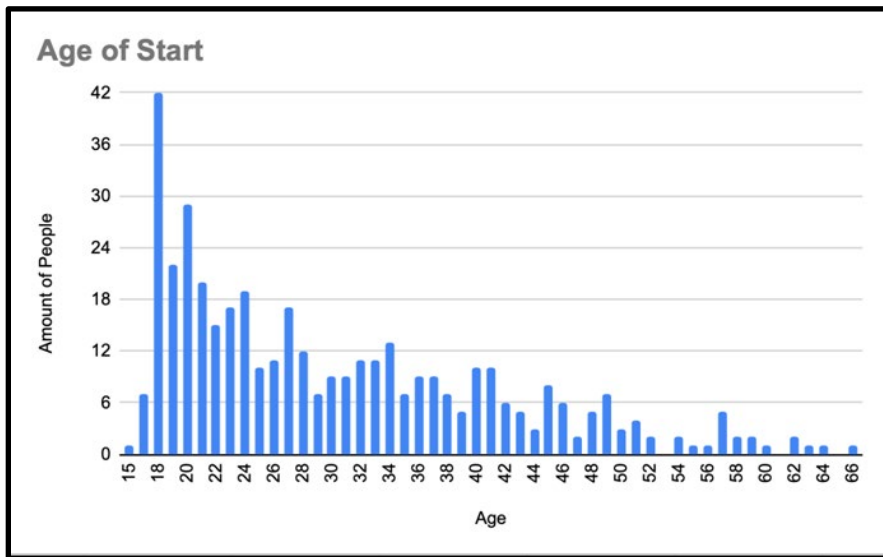
*Never being allowed to touch another person, except for a fist bump, is another common restriction in CPP.*

## **Problems and Recommendations**

DD Ombuds has heard about many problems with CPP from the people in the program and have also noticed many problems itself. Below are five of the things that DD Ombuds is worried about in CPP and the recommendations of DD Ombuds to fix each problem.

**Problem 1: People are going into the program at a young age before they can get supports and services that they need.**

Over half of the people who are in CPP right now entered into the program when they were 27 years old or even younger. 42 of the people in the program went into the program right when they turned 18. The DD Ombuds is worried about how many people are getting put into CPP, and how many are put there at such a young age.



*This graph shows the number of people who entered CPP at each age. Along the bottom are the ages, and how tall the blue line above them is how many people of that age entered the program. Age 18 has the tallest line. 42 people joined the CPP program when they were 18.*

**Recommendation 1: DDA should provide help to make sure that the needs of young people with developmental disabilities who are seen as having possible “community protection issues” are taken care of to keep them from entering CPP.**

Right now, DDA already has a policy to keep people from entering the CPP when they don't have to. This policy says that DDA case managers should look at what services are out there for each person to get them the help that they need. There are many programs that can help someone get the support they need instead of entering the CPP.

DDA has a policy called the Critical Case Protocol to use when a person is in danger of losing their services. When you do a Critical Case Protocol, it means that a person-centered plan is used to look for solutions to the problems that would cause the provider to stop providing services. Using the Critical Case Protocol and the person-centered plan before someone is looked at to be put in the CPP is important. It would make sure that all other options and services that could help them have been considered. Services like better sex education and information on healthy relationships can be offered to people using other programs besides CPP.

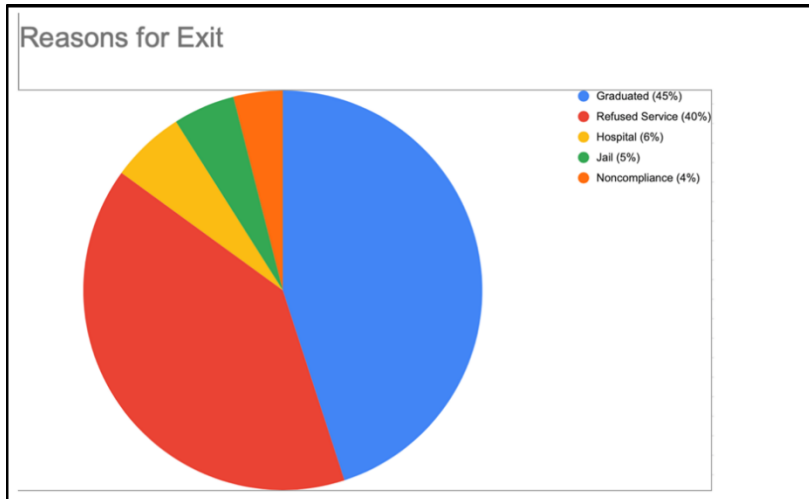
**Problem 2: People in CPP do not have choice and being in the program takes away a person's rights to access other services.**

If someone is labeled as maybe having “community protection issues,” that person has to agree to be looked at by a specialist. If the specialist decides they have “community protection issues,” they will not have access to any other DDA services. The person must agree to join CPP or they will not be allowed to use other DDA services.

**Recommendation 2: Individuals should not be restricted from services or hours if they choose not to be in CPP.**

The DD Ombuds thinks that there should be a change to the rules so that if someone refuses to be looked at by a specialist or doesn't want to go into CPP, they should still be able to use other DDA services. People with developmental disabilities should have freedom and choice about how to access the supports and services they want in their lives.

**Problem 3: There are not many people that graduate from CPP.**



*This circle shows the reasons why people left CPP. Less than half of the people in CPP left the program because they graduated. That is the blue section of the circle. Almost as many people refused to participate in the program and lost all DDA services. That is the red part of the circle.*

The DD Ombuds heard lots of different kinds of problems that people in the program had with CPP. The DD Ombuds saw that the goals in treatment plans usually did not have anything to do with how the person could graduate.

Since the program began in 1996 to the end of 2019, only 86 individuals have graduated the CPP. Almost 200 people have left CPP during that time. Most of the people who did not graduate decided to leave the program and could not use other DDA services.

**Recommendation 3: Use person centered planning to show how someone in CCP can graduate.**

People in CPP have meetings four times a year to talk about how what they need to do so that they can have less restrictions. People in CPP call these “reductions.” During these meetings, person-centered plans need to be used to help people understand how they can graduate. The person in CPP has to be able to see how they can reach each goal and should always have access to the papers where this information is written.



*People in CPP have been excluded from part or all of their treatment team meetings in the past. Sometimes they are told they have to wait outside while other people talk about how they should be treated.*

**Problem 4: DDA took a long time to give the DD Ombuds the information they needed to make this report.**

DD Ombuds did not get the information about the CPP program that it asked DDA for until five months later. The DD Ombuds office made more requests during that time with emails and phone calls because DDA missed the days that they said they would give the information.

**Recommendation 4: DDA should have to give the DD Ombuds the information it asks for in a certain amount of time. The DD Ombuds should be able to use a computer to get the information that it needs and not have to wait for DDA to provide it.**

DDA should give the DD Ombuds the information it needs quickly so it can do its job faster. One way to get the information faster might be to change DDA’s rules or the law so that DDA has to give the information within a specific amount of time. For example, the Office of Corrections Ombuds (OCO) law says that the Department of Corrections has to give the OCO the information that it asked for in 20 days or less.

Another way that DD Ombuds could get information faster is if DDA lets DD Ombuds have online access to information on their computers. This is something that the Office of the Family and Children's Ombuds can already do.

Allowing the DD Ombuds to find the information they need to help with complaints on their own will make the people who complain much safer from retaliation.

**Problem 5: When the DD Ombuds got the information it asked for, it saw that DDA did not follow some of the rules that are there to protect the rights of people with disabilities.**

Most of the papers the DD Ombuds got from DDA for this report were missing important information that they should have had. These papers are supposed to have information about how each person ends up in the CPP, like what the "possible community protection issues" are that made someone recommend the person for the program.

**Recommendation 5: The people who run DDA should tell everyone inside DDA that CPP papers have to be filled out the right way. All policies need to be followed. They should make sure that people's rights are protected.**

When a person is looked at to see if they can go into CPP or are put in CPP, it is a big deal. People with disabilities lose a lot of their rights if that happens. It is really important for DDA to make sure that all of the rules that can prevent someone from being put in CPP are being followed. They also have to make sure that all of the papers have the right information on them.



## **Dedication**

This report is dedicated to Tony Hall. Tony was an active member of People First, a leader in the self-advocacy movement, and a member of the DD Ombuds Advisory Committee. Tony died of complications from COVID-19. Tony advocated for changes to CPP, especially for himself and others to have a path out of the program.

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### **Questions or feedback?**

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