Predicting Competency Restoration Outcomes for Defendants With Intellectual Disability
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Introduction
- A defendant who is competent to stand trial has "sufficient present ability to consult with his lawyer with a reasonable degree of rational understanding" and "a rational as well as factual understanding of the proceedings against him" (Dusky v. United States, 1960, p 362).
- Defendants with lower intellectual functioning/IQ score/intellectual disability are more likely to be found not restorable/permanently hospitalized longer. This may be, theoretically unrelated to competency to stand trial.
- Defendants with intellectual disability who were charged with a violent offense were more likely to be hospitalized for a shorter time period than defendants with a nonviolent charge.
- Hypotheses about criminogenic variables were only partially supported. Hypotheses about antisocial variables were not supported.

Main Findings
- Most defendants were able to be restored, suggesting that the finding of a low base rate of permanent incompetence for incompetent defendants in general also exists for defendants with an intellectual disability.
- Demographic factors were not related to restoration outcomes. This is consistent with prior research, as demographics are theoretically unrelated to competency to stand trial.
- Defendants with a violent charge may be hospitalized for a shorter time. This may be, at least in part, related to the complexity of the cases and concreteness of evidence in such cases.

Implications
- Further examination of relationship between demographic, criminal justice, and antisocial variables and competency restoration outcome with a larger, more diverse sample.
- Examine of specific infraction variables (e.g., physical assault infractions, minor infractions).
- Examine competency restoration services and their efficacy for defendants with an intellectual disability.

Method
- Participants
  - n = 74 defendants adjudicated incompetent to stand trial and with a current diagnosis related to an intellectual disability
  - Gender: Male (86.4%); Female (13.6%)
  - Age: M = 30 (SD = 11.60)
  - Race: White/Non-Hispanic (66.2%); African American/Black (29.7%); Hispanic/Latino (2.7%); Biracial (1.3%)
  - IQ Score: M = 65.38 (SD = 6.9)
  - Length of Hospitalization: M = 281.64 days (SD = 322.67 days)
- Restorative Outcome (83.7% Restored, 16.3% Not Restorable)

Materials
- Archival data from a maximum security forensic state hospital
- Demographic Variables:
  1. Age
  2. Sex
  3. Ethnicity
- Criminogenic Variables:
  1. Current Charge
- Antisocial Behaviors:
  1. Presence of Infractions
  2. Diagnosis of Antisocial Personality Disorder

Procedures
- Electronic search identified defendants committed as incompetent with a diagnosis related to intellectual disability
- Defendants reviewed to fit study criteria
- Extracted information from forensic reports, psychological reports, and social service reports.

Participants
- To test for the relationship between independent variables and competency restoration outcomes, multiple logistic regression analyses were conducted. Effect sizes (χ², OR) were also examined for demographic variables.
- To test for the relationship between independent variables and length of hospitalization, multiple regression analyses were conducted. A Bayes Factor was also calculated for demographic variables.

Results

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<th>Table 1</th>
<th>Multiple Logistic Regression Analyses</th>
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<td>Variables in Model</td>
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For Demographic Variables: χ²(5) = 1.561, p = .906

Conclusions
- Research has begun to examine this population with regard to competency restoration outcomes. Defendants with lower intellectual functioning/IQ score/intellectual disability are more likely to be adjudicated not restorable/permanently incompetent to stand trial and hospitalized for longer periods of time (e.g., Anderson & Hewitt, Colwell & Gianesini, 2011).
- Demographic factors were not related to competency restoration outcomes. This is consistent with prior research, as demographics are theoretically unrelated to competency to stand trial.
- Most defendants were able to be restored, suggesting that the finding of a low base rate of permanent incompetence for incompetent defendants in general also exists for defendants with an intellectual disability.
- Hypotheses about criminogenic variables were only partially supported. Hypotheses about antisocial variables were not supported.

Future Research
- Examination of specifics infractions (e.g., physical assault, minor infractions).
- Examine competency restoration services and their efficacy for defendants with an intellectual disability.