



Violence Against Women with Disabilities

By Marc Dubin

Violence against women with disabilities is a subject that needs to be discussed within the disability movement and within groups addressing violence against women. Furthermore, there is a need for collaborative efforts between disability advocates and members of the criminal justice community.

This article will primarily address crime victims with labels of mental retardation and other developmental disabilities. It should be noted, however, that crime victims with other disabilities are also entitled to a better response by service providers and law enforcement, including the provision of sign language interpreters, removal of architectural barriers, and policy modifications such as allowing an individual with a service animal into areas with a designated "no pets" policy.

For far too long, crime victims with disabilities have been denied services and suffered the consequences of victimization. In a recent survey conducted by Oregon Health & Science University, 30% of women with disabilities said abuse was a barrier to employment, 64% said abuse kept them from taking care of their health and 61% reported that abuse prevented them from living independently. (See *Abuse of People With Disabilities*, Doc. No. 2868 at <http://www.cavnet2.org/details.cfm?DocID=2868>)

For far too long, disability advocates have remained silent. We need to educate survivors, service providers, the disability community, and the criminal

justice community. Communities Against Violence Network (CAVNET) provides a way to do this.

The Nature and Scope of the Problem

Women with labels of mental retardation and other developmental disabilities are vulnerable to abuse by caretakers, family members, and strangers.



Alarming, the few studies that have examined this group have found rates of criminal victimization that are far higher than those of other women.

One study found that 70% of women with

developmental disabilities had been sexually assaulted, and that nearly 50% of women with mental retardation had been sexually assaulted ten or more times. (Sobsey and Doe, 1991). This represents a 50% higher rate of victimization than the rest of the population. Children with disabilities are also at greater risk. A study of children with disabilities found that they were many times as likely to be victims of physical abuse as children without disabilities. (Crosse, *et al.* 1993).

Despite such high rates of victimization, few of these cases come to the attention of law enforcement

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or service providers. We need to ask why, and we need to do something about it. Fortunately, resources do exist, as do collaborative models.

The Report

Police officers are not always the first responders to crime victims with disabilities. When an individual is in an institution or group home setting, staff are often the first to observe the effects of abuse. It is important to train staff that suspicions of abuse must be reported — and the report should be in writing with as much specificity as possible. The date, time, and place of the incident must be noted, as well as the names of any witnesses. All staff and residents should be confident that such reports are taken seriously, and all reports should be forwarded to law enforcement for review. Photographs of injuries should be taken and enclosed with the abuse report. If the victim is nonverbal, or has a cognitive disability, the report should note this, and should indicate how staff communicates with the individual.



Efforts should be made to develop a relationship with local law enforcement in advance of any reports — the police should have a 24-hour contact number for the facility, and the facility should designate a contact person who regularly attends community meetings concerning crime victim issues. In this way, collaborative relationships can be fostered, and law enforcement can be confident that they will be able to appropriately address the needs of a crime victim with a disability.

The Investigation

Too often, law enforcement declines to make an arrest, citing an inability to interview the victim adequately, or citing a lack of confidence that the local prosecutor will go forward with the prosecution. This failure results in a reduction in reporting, as

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Web Resources

All Walks of Life has useful resources and links relating to violence and violence-prevention for people with disabilities <http://www.awol-texas.org>

Abuse and Women with Disabilities has research documents relating to the abuse of women with disabilities http://www.bcm.tmc.edu/crowd/abuse_women/abuse_women.html

“Beyond Abuse: Treatment Approaches for People with Disabilities” is an article reprinted from *Issues in Mental Health Nursing* that can be found at http://greg.quuxuum.org/journal/focht_new2.html

Minnesota Center Against Violence and Abuse provides research, education, and access to violence related resources at <http://www.mincava.umn.edu/>

The Disability Resource Guide to Disabilities on the Internet has a useful listing of resources specific to abuse of people with disabilities <http://www.disabilityresources.org/ABUSE.html>

QUALITY MATTERS

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victims eventually come to believe that their complaints will not be taken seriously. What can be done to overcome this?

First, disability advocates can develop cooperative working relationships with their local law enforcement community. Meet with the local police department; meet with the local prosecutor. Let them know what service you provide, and how willing you are to assist them. Identify the group homes and institutions in your community and share this information with police.

When an officer gets a call to respond to an address that houses individuals with developmental disabilities, the response needs to be different than a traditional call. Compound questions such as “Who were you with and what happened?” may tend to confuse an individual with a mild or moderate cognitive disability. It is also important that leading questions, which may be easily answered in the affirmative, should not be used. Questions need to be broken down into simple terms, and the officer needs to change the language of the question until she is understood.

Some persons with cognitive disabilities choose to intentionally hide their disability; officers need to be trained to recognize this. In addition, the perpetrator may be a staff member, and the responding officers need to be prepared for this. If the victim has a communication or cognitive disorder, the disability advocate should be prepared to assist the officer in understanding how the victim best communicates. These discussions are best done in advance, so that officers will know who to call for assistance.

The Prosecution

It is essential that disability advocates work with local prosecutors as well. Most prosecutors’ offices have a victim/witness unit, staffed by sensitive advocates assisting crime victims. Work with them to let them know what resources you have available, and try to integrate yourselves into community meetings so that this issue is raised as often as possible.

Resources

A number of helpful materials exist. For ex-



ample, ARC of the United States has developed a curriculum for law enforcement that is available by calling 800-433-5355. In addition, the National Sheriffs Association has developed an excellent handbook for law enforcement entitled *First Response to Victim of Crime Who Have a Disability*, (Doc. No. 2791) available on the CAVNET site at <http://www.cavnet2.org/details.cfm?DocID=2791>. The Justice Department also has published an excellent resource called *Working with Crime Victims with Disabilities* (Doc. No. 757) also available on the CAVNET site at <http://www.cavnet2.org/details.cfm?DocID=757>.

CAVNET has hundreds of documents available on this subject. In addition, CAVNET has recently developed an easy-to-use program that allows you to add any of these documents directly to your site — the CAVNET DataBase Builder. Visit http://www.cavnet2.org/partner_login.cfm for more information.

Look for additional resources on the Communities Against Violence Network Web site, <http://www.cavnet.org>.

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Futures and Estate Planning Guide

A valuable resource guide titled *Planning Now: A Futures and Estate Planning Guide for Parents of Children and Adults with Developmental Disabilities* is available to download from the Maryland Developmental Disabilities Council Web site at <http://www.md-council.org>. Click on the publications button to download it either by individual sections or as an entire document.

The guide discusses the importance of planning; provides essential information, suggestions, and a framework for planning; and then explains various tools and resources to assist you. Some of the topics covered are decision-making, wills and letters of intent, trusts, financial planning, planning checklist and planning questions.

Glendive Expansion Update

Construction of the two new group homes in Glendive is on track for a mid-December opening. Generally favorable weather meant fewer delays for the contractor, and other than landscaping and exterior painting, which will be completed in the spring, the homes are nearly ready. Eastern Montana Industries' woodshop crew is building much of the wooden furniture that will decorate the homes. Plans are to have all staff hired by the end of November, with orientation and training occurring the first two weeks of December. Once training is complete and the homes furnished, residents can begin the process of moving in. New residents have been chosen for both homes, and meetings between EMI and Eastmont staff promote as smooth a transition as possible. We greatly appreciate Eastmont for their assistance and support in planning and preparing for the move.

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