

Considerations for Responding to Survivors With Disabilities

Adapted from the Georgia SART Guide by Pam Malin, Disability Rights Wisconsin

The victim specific or cultural consideration section is designed to help SART members understand victims from diverse cultures to ensure all victims are served with respect regardless of their background. This section is intended to be a tool to help professionals; however, it is the responsibility of each SART member to integrate culturally relevant and responsive care into their services for victims. It is hoped that SARTs will utilize these considerations to increase their understanding of diversity and learn ways to serve victims with respect to their cultural background and identities. ¹

Individuals with disabilities are particularly vulnerable to crime for a wide variety of reasons, including but not limited to: reliance on caregivers, limited transportation options, and isolation from the community. In addition, while people with disabilities often experience the same types of intimate partner violence as people without disabilities, they also experience unique forms of abuse, such as denial of care or assistance, destructions of medical equipment, and manipulation of medications. These vulnerabilities not only increase opportunities for abuse and neglect, but they also make reporting victimization more difficult.

According to the Bureau of Justice Statistics², from 2010 – 2017 serious violent victimization for persons with disabilities was more than triple the rate among persons without disabilities and **people with Intellectual disabilities are sexually assaulted at seven times** the rate of people without disabilities.

Factors contributing to increased vulnerability:

- Dependence on others for basic needs – many people have access to their living space and their bodies.
- Socialized to comply – taught to follow direction and not question authority.
- Lack of experience with sexual assault prevention or healthy relationship education – only sexual experience may be experiences of abuse or manipulation.
- Lack of control over life choices – being told what to do and when to do it.

Only 3% of the cases of sexual abuse involving a person with a developmental disability are ever reported.

Barriers to reporting:

- Lack of knowledge about abuse
- Not knowing how/where/what to report
- Fear of –
 - Abuser
 - Losing a caregiver

¹ Georgia Sexual Assault Response Team Guide. 2021. [2021sartguidev2-final.pdf \(svrga.org\)](https://www.svrga.org/2021sartguidev2-final.pdf)

² <https://www.bjs.gov/>

- Losing freedom
 - Retaliation
 - **NOT being believed**
- Individuals with disabilities need additional support and will typically have difficulty accessing appropriate services. Guiding individuals throughout the referral process is essential.

Need for Enhanced Safety Planning

- The perpetrator of the abuse will most likely be someone well known to the family (family member, guardian, coworker, or care provider).
- Safety should always be assessed before transporting the victim back home.
- Involve social workers to assess the home environment.

Responding to Victims with Disabilities

- Identify, accommodate, and communicate their needs to other SART members (physical, emotional, cognitive, and cultural).
- **Connect to disability advocacy services** to ensure expertise and accommodations are considered throughout the investigation.
- Document the victim's disability in incident reports, as well as their individual communication, transportation, medication, and other accommodation needs.

Considerations for Communication

- Speak directly to the person, rather than through or at a companion, staff, or sign language interpreter who may be present.
- Ask victims directly how the two of you can most effectively communicate with each other, how they wish their disability to be characterized, and how you can best assist them. Most victims would prefer to answer these few questions upfront rather than endure your uneasiness or be uncomfortable themselves throughout an interview or interaction.
- Don't assume that just because a survivor has a physical disability or trouble communicating, that they also have an intellectual disability.
- Listen attentively when talking with people who have difficulty speaking and wait for them to finish. If necessary, ask short questions, one at a time, so the individual isn't overwhelmed and can track what you're saying. Never pretend to understand; instead, repeat what you understand and allow the person to respond.
- It can also be helpful to ask the same or similar question another way, so you are confident that they understand the question asked.
- Treat adults as adults. Address people with disabilities by their first names only when extending that same familiarity to all others.

Working with Individuals with Intellectual and/or Developmental Disabilities (I/DD)

- Although it may be difficult to assess, attempt to document the individual's level of functioning. The following questions are appropriate to ask the victim that will help in understanding their specific needs:
 - **Do you receive SSI (Supplemental Security Income)? Do you know what you receive SSI for?** Use their words in your documentation. For example, "I get it because I think slower than other people."
 - **Do you get help from workers?** This may indicate that they need assistance and have supports at home, at work, and/or in school.
 - **Did you graduate high school?** How old were you when you graduated? People with certain disabilities attend high school until their 22nd birthday.

You may also want to talk with their guardian, staff, or case worker to assess their functioning level and their ability to report timing of events:

- Are the cognitive/developmental challenges obvious; if so, in what way?
- Is the person living independently?
- Does the person have a job? If yes, does the person work with a job coach or by oneself?
- Ask about any formal assessments, that may have been used to determine disability and level of need, by physicians or providers.

Cultural Considerations

People with disabilities are present in all racial and ethnic groups. It is important to recognize the individual nature of each person's disability but also understand certain similarities. Please be mindful of these considerations when working with victims with disabilities.

- Never patronize people in wheelchairs by patting them on the head or shoulder.
- Do not lean against or hang on someone's wheelchair or pet a service animal. Bear in mind that people with disabilities treat their chairs as extensions of their bodies. And so, do people with guide dogs and help dogs. Never distract a service animal from its job without the owner's permission.
- Place yourself at eye level when speaking with someone in a wheelchair.
- Avoid labeling or defining victims by their disability. Instead, use "people-first" language that emphasizes the person, not the disability. For example, instead of "she is autistic," you should say, "Kate has autism."
- Use the word "disability" rather than "handicap." Victims who use a wheelchair, for instance, have a disability but are not handicapped by stairs when a ramp is available.
- Recognize that the presence of someone familiar to victims or a person knowledgeable about their disability may be important for victims and helpful

during your interview or interaction. **Remember that family members, personal care attendants, and service providers could themselves be the offenders or protecting the offenders. Therefore, the presence of that person may inhibit victims, out of fear of retaliation, from fully describing the crime.**

- Avoid expressions of pity such as “suffering from” Alzheimer’s disease or “a victim of” mental illness.
- Do not express admiration for the abilities or accomplishments of victims considering their disability. Be mindful of the underlying painful message communicated to victims by comments such as “I can’t believe they did this to someone like you” or “You’re disabled, and he raped you anyway.” Such phrases send the message that people with disabilities are “less than.”
- Most importantly, if you do not know what to do or what something means, **ASK THE PERSON.** They are the experts on their needs and how to best meet them.

Resources for Professionals

- Additional guidance for law enforcement on working with victims who have an intellectual disability can be found at <https://copcards.widj.gov/>
- Victim Advocacy Program of Disability Rights Wisconsin (DRW)
<https://www.disabilityrightswi.org/learn/victim-advocacy-program/>
- Disability Glossary of Terms
https://www.rit.edu/emcs/oce/employer/emp_pdfs/Disability%20Glossary%200.pdf
- Disability Categories
<http://www.projectidealonline.org/v/disability-categories/>

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