

Assisting Crime Victims with Disabilities:

Identifying Barriers & Improving Law Enforcement Response



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 - You can **raise your hand** and we'll pause to let you speak if we have time.
- Today's webinar will be **recorded and archived** on the NCCJD website. Please keep this in mind when sharing information and experiences during the webinar.



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NCCJD is pleased to introduce:

Rosemary B. Hughes, Ph.D.

The Rural Institute: A University Center for Excellence in
Developmental Disabilities (UCEDD)

The University of Montana

Michael J. Sullivan, Sgt. of Police (Ret)

Michael Sullivan ADA Consulting:

Specializing in Law Enforcement Issues Relating to the Americans with
Disabilities Act



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The Parent Project: The Identification and Reporting of Violence by Persons with Disabilities

- A 5-year research project funded by the National Institute on Disability and Rehabilitation Research
- Award #H133A031724 to Oregon Health & Science University



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The Parent Project: The Identification and Reporting of Violence by Persons with Disabilities

- The National Crime Report Survey
- The Violence Screening, Safety, and Reporting Study
- The Crime Reporting Facilitators and Barriers Study



Learning Objectives

- To review background information on crime reporting by people with disabilities
- To discuss findings from two focus group studies on crime reporting by people with disabilities
- To discuss recommendations for increasing the reporting of crime by people with disabilities



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Background



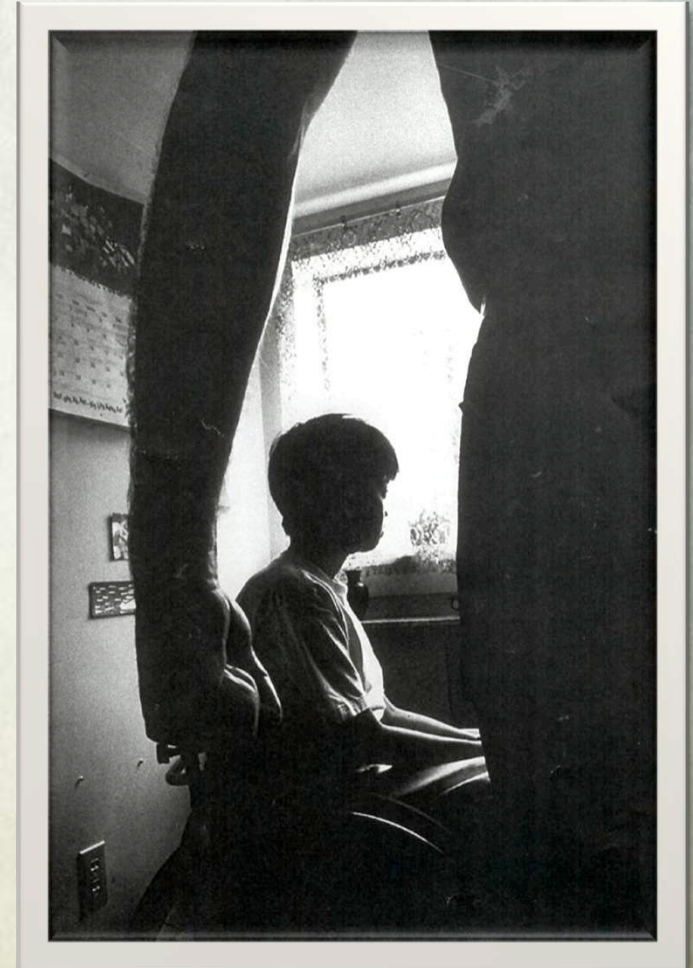
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Increased Vulnerability to Crime

“...perpetrators specifically target this population under the assumption that victims will be unable to escape or report the crime.”

National Sheriffs' Association, 2008



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Polling Question

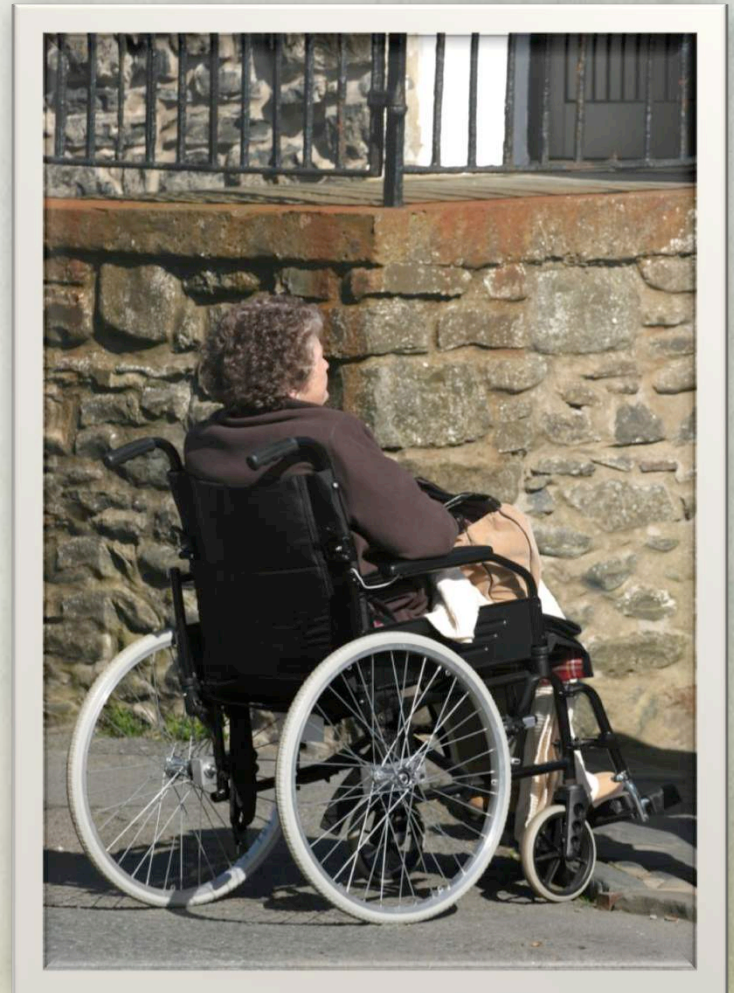
Crime victims with disabilities may not report to law enforcement for which of the following reasons?



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Barriers to Reporting: Fears and Concerns

- Retaliation
- Loss of services
- Loss of independence
- Loss of support
- Inclusion of disability in public record

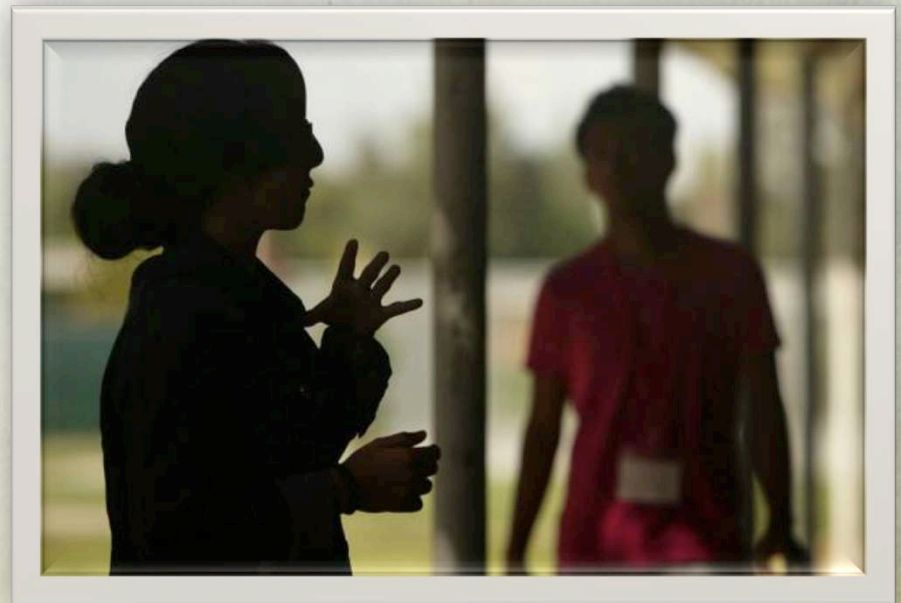


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Barriers to Reporting: Beliefs and Perceptions

- Futility
- Police lack training in interpersonal violence
- Police lack training in disability



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Other Barriers to Reporting

- Mobility or communication limitations
- Social or physical isolation
- Lack of knowledge about the criminal justice system

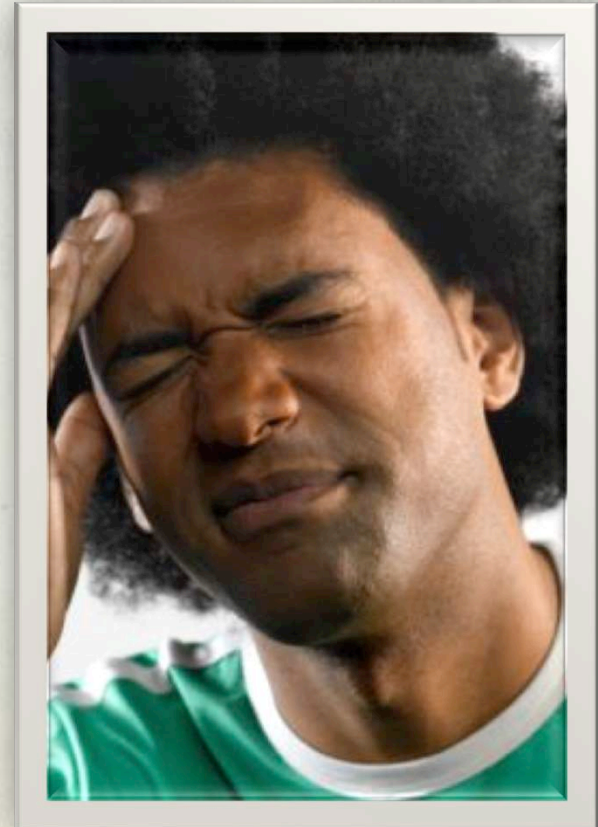


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Other Barriers to Reporting

- Shame and self blame
- Reluctance to report family members or caregivers
- Difficulty identifying behavior as abusive



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Polling Question

Myths, stereotypes and lack of knowledge can affect law enforcement contacts with people with disabilities. Which of the following is true?



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Barriers to Police Response

- Identification of disability
- Communication
- Reluctance to share information
- Lack of knowledge, training, experience



- Concern about witness credibility



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The Crime Reporting Study



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The Crime Reporting Study

Why

- To identify barriers and facilitators to crime reporting by people with disabilities

What

- Two qualitative studies asking similar questions of both crime victims and police



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The Crime Reporting Study

Who

- Focus Group Study #1: People with Disabilities (N=52)
- Focus Group Study #2: Law Enforcement Officers (N=25)

Where

- Two Northwestern states



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Findings from Focus Group Study #1



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Understanding the Experience of Crime Victims with Disabilities and Deaf Victims



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Key Findings

- Disability Identification and Disclosure
- Victim Understanding and Involvement
- Credibility and Victim Blaming
- Misunderstandings and Stereotypes
- Communication Challenges
- Accommodations and Support
- Intersectionality and History
- Overall Recommendations



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Disability Identification and Disclosure

Concerns of people with invisible disabilities:

- Not being understood
- Not receiving appropriate support
- Not being believed
- Not being treated equitably following disclosure



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Disability Identification and Disclosure

Other concerns

- Storing and retrieving disability information
- Collecting disability information from others

“They talked to my case worker, they talked to... people at the nursing agency. They talked to my son. And I thought that was kind of invasive for somebody who was a victim.”

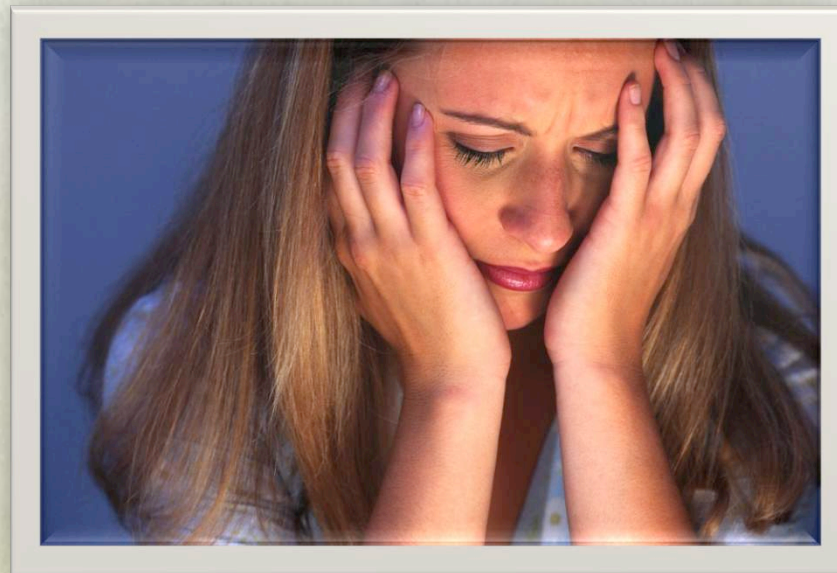


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Victim Understanding and Involvement

- Do not understand the reporting and investigation processes
- Experience confusion over plea bargaining



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Victim Understanding and Involvement

“In the end I said, ‘How could you reduce these to high misdemeanors? He could have killed me. I felt that death was ready to come at me right at that moment. I could hear the clang, clang, clang...as he banged me each time with a frying pan.’”



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Credibility and Victim Blaming



“The first thing I was asked was, ‘What did you do to cause this?’ And you know, what I did was I was blind... And immediately being told, ‘We don’t need to get any information from you because you can’t identify the person...’”



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Misunderstandings and Stereotypes

“I’m a vet. I can say that when I go and make a complaint, well, are you sure it’s not Gulf War Syndrome or some sort of Post-Traumatic Stress Syndrome?
No, somebody is crawling through my window!”



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Communication Challenges

- Talk too rapidly
- Use language that is hard to understand

“They don’t have a clue that they could lose you in just a couple of words...before you get the chance to say anything, they interrupt you.”



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Communication Challenges

A Quote from a Deaf Crime Victim

“I would suggest that when they would investigate my case, for example, they’re willing to use email for me, but the DA, he said he wouldn’t communicate with me that way, so I didn’t know that they closed my case until one year later.”



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Accommodations and Supports



- Medication
- Personal assistance
- Clear language
- Interpreters
- Accessible facilities
- Assistance with paperwork
- Attention to communication needs

Intersectionality and History

- Treatment across multiple identities
- Past experiences with law enforcement



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Recommendations by Crime Victims with Disabilities

- Establish a disability liaison
- Increase disability sensitivity training
- Arrange informal and formal interactions
- Assure accessible information



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Findings from Focus Group Study #2



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Responding to Interpersonal Crime Victims with Disabilities: The Perspective of Law Enforcement



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Hughes et al. (2011)

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Quote from a Law Enforcement Officer Recognition of Vulnerability to Crime

“Because there are so many people that take advantage of everyone [with]...a disability any way they can, whether it’s stealing from them, or living in their area, or even being, you know, abusive or violent with them.”



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What We Learned from Law Enforcement Officers

- Difficulty identifying people with disabilities
 - **Not everybody is the “Rain Man”**
- Particular challenges of people with mental health disabilities
- Legal and confidentiality issues
- Communication difficulties



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What We Learned from Law Enforcement Officers: Identified Barriers to Reporting

- Not knowing how much to include
- Not including adequate information
- No certainty about the outcome of reports



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What We Learned from Law Enforcement Officers: Identified Barriers to Reporting

- Uncertain if DA would take the case
- Attorneys and judges lack training in disability
- Moral cost and worth to victim



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What We Learned from Law Enforcement Officers: Facilitators for Effective Interviews

- Having adequate time
- Establishing rapport
- Having specially trained officers who can communicate with victims with disabilities
- Having patience



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What We Learned from Law Enforcement Officers

- Designated as “the bad people”
- Problem with policy of “officer safety first”
- General fear of police
- Unintentional intimidation



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Quote from a Law Enforcement Officer



“If we have somebody with a disability, there’s nothing here, period. It’s just not available. It’s never been given a thought. And it is needed.”



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Lack of Resources: A Universally Identified Barrier

- Fragmentation of services
- Lack of coordination
- Inaccurate information
- Continuously changing services



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Quote from a Law Enforcement Officer

“You’re like, this person’s drunk or dumb as a rock, and you blow them off and say, Why don’t you come on down, you know, stop drinking, come on down, and we’ll take your report, and maybe it was not alcohol at all. It’s... it’s not that they’re stupid or blowing me off or not paying attention to me, it’s that they have a disability.”



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Quote from a Law Enforcement Officer

“...what they’ve been through, some of these people have just been through the system a million times over with very little results. You know, you go through some of the mental health system, or the welfare, or SSI...and after awhile... you come away disappointed. You don’t have a lot of faith in systems or the system in general. So you think, well, why bother? Is it going to help? Is it the same old, same old?”

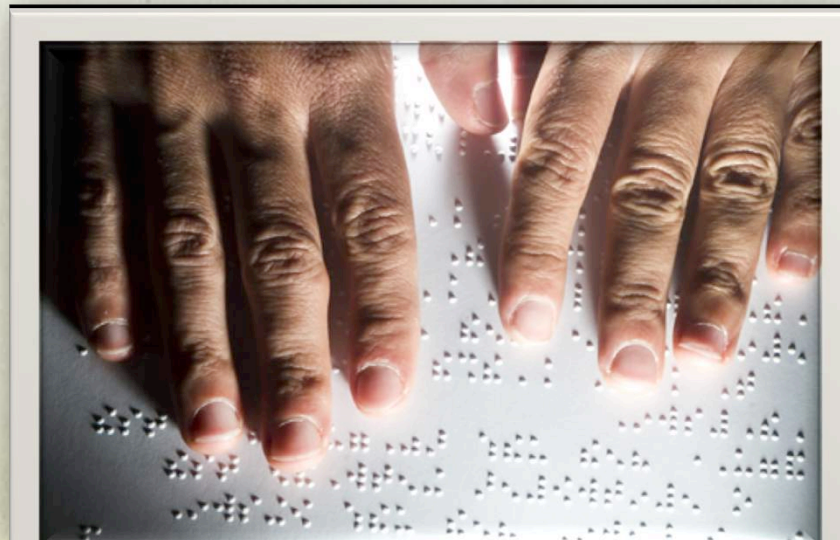


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Quote from a Law Enforcement Officer

“The person we’re talking to is a victim of a crime, and maybe they don’t feel comfortable communicating with us or we don’t have the skills to communicate with them.”



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Quote from a Law Enforcement Officer

“Are the investigative techniques working with the [disability] community different from working with the rest of the community? And I say absolutely, absolutely. It’s hugely different.”



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Quote from a Law Enforcement Officer

“Instead of asking someone to describe the guy...you can ask questions like, well, who does he remind you of? Well, he looks like Chichi from The Rodriguez Family on TV, and you can get additional information by simply coming at it from a different approach.”



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The Criminal Justice System is Confusing

“One thing that clearly happens with our disabled community is the prosecutorial process is so slow. By the time it gets to court, many times those caregivers are gone, because they’re making \$3.75/hour and they don’t hang around for the 18 months it takes to get to trial, and they’re gone, and the witnesses are gone. And that’s a terrible problem we have, specifically with the prosecutorial end.”



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Quote from a Law Enforcement Officer: Barriers to Interviewing

“But the key on these investigations is time, and I know patrol officers feel like, I’ve got to get this call done and move on. And at some point the administration is going to have to realize that if you get one of these calls, you’re going to be tied up for a long time.”



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Solutions Suggested by Law Enforcement Officers

- Specialty unit with disability trained investigators
- General disability training in the academy
- Hiring people with common sense



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Solutions Suggested by Law Enforcement Officers

- Need adequate time but realistically unattainable
- Community partnerships
- Informal interaction with disability community
- Increasing familiarity with community resources



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Quote from a Law Enforcement Officer

“So it makes it difficult because we want to help. We are the underdog. We want to take care of people, and we only have a limited amount of time.”

Time was the key barrier to investigation

- Wasted time
- Time to conduct thorough investigation



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Quote from a Law Enforcement Officer: Time and Communication

“It comes back to the communication thing, whether it’s getting help communicating with a person, or getting people to slow down and take the time...speak to the victim and the family to get the information they need.”



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Polling Question

Law enforcement training regarding disability issues should not include which of the following?



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Quote from a Law Enforcement Officer: Training

“...it’s not realistic to think we can train up officers to reach the high levels of being able to deal with a whole bunch of disabilities. In reality, that would be like trying to train officers to speak a hundred different languages or something.”



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One Officer's Suggestion

“Let’s say you’ve got some officers that are specially trained in interviewing disabled people or some sort of skills like that, maybe by policy make it so that they come in and they deal with the disabled victim, but the primary officer is still responsible for processing the scene, gathering the evidence, interviewing potential witnesses, perhaps identify the officers coming to assist him.”



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Recommendations

Researchers, law enforcement officials, and disability advocates should work together to develop and test efficient, effective, and realistic ways of closing the gaps between these two groups.

They should offer relevant and useful information on interacting effectively with people with diverse disabilities.



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Recommendations

Likewise, disability groups should receive appropriate information on relating to law enforcement.

Common efforts should also be made to provide social and educational opportunities for people with disabilities and law enforcement officials outside of crime related situations.



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For additional information, please contact

Rosemary B. Hughes, Ph.D.

The University of Montana Rural Institute

406-243-2898

Rosemary.Hughes@mso.umt.edu

Michael J. Sullivan, Sgt. of Police (Ret)

Michael Sullivan ADA Consulting

707-849-9565

michaelsullivanadaconsulting@yahoo.com



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Research Team

Principal Investigators

Mary Ann Curry, DNSc
Laurie E. Powers, PhD

Co-Investigators

Rosemary B. Hughes, PhD
Margaret A. Nosek, PhD**
Mary M. Oschwald, PhD
Rollin Shelton, BA
Heather B. Taylor, PhD**

Consultants

Paula Renkor, PhD
Susan Robinson-Whelen, PhD
Michael J. Sullivan, Sgt. of Police (Ret)
Paul A. Swank, PhD

Research Assistants

Anne Arthur, MA
Beckie Child, MSW
Giselle Davidson, BS**
Jessica Hinman
Patricia LaPlant, MSW
Emily M. Lund, MEd
Erin M. Porcher



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Questions?

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