

# Violence, Abuse, and Bullying Affecting People with I/DD: *A Call to Action for Criminal Justice Professionals*



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**The Arc's National Center on Criminal  
Justice and Disability™ (NCCJD)**

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# Welcome!

- First time using webex?
  - You can communicate with other attendees or the host in the **Chat Box** and seek technical assistance if needed.
  - You can type questions about the material presented in the **Q&A** section.
  - 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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# What we Know: An Overview of the Issue

Leigh Ann Davis, Program Manager,  
Justice Initiatives, The Arc



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# Introducing NCCJD's Webinar and White Paper Series

- Violence, Abuse, and Bullying—first in a 3-part series
- The rate of violent victimization is **3 times** higher for people with disabilities than for those without



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# Topics Covered Today

- Bullying
- CNN
- Trauma-Informed care
- Victims with Autism Spectrum Disorder (ASD)
- Victims with Fetal Alcohol Spectrum Disorders (FASD)
- The critical role people with disabilities play in reducing victimization



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**THANK YOU** to all our  
contributors!



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# Bullying and Students with I/DD

Jody Manning, Director of  
PACER's Parent Training and  
Information Center



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# The Importance of Recognizing Bullying of Student with I/DD

Research has consistently found that children with disabilities are two to three times more likely to be bullied than their peers without disabilities.



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# Federal and State Laws, School Policy

## Addressing bullying and students with I/DD



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# Dear Colleague Letters

Guidance issued by Office for Civil  
Rights and the Office of Special Education  
and Rehabilitative Services (OSERS)



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# Individualized Education Program (IEP) and Section 504

Equipping students with I/DD with the skills and opportunities to develop friendships and interact with peers, and respond to inappropriate behavior.



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# Resources Designed by PACER's National Bullying Prevention Center

- Template Letters to Report Bullying Behavior
- Student Action Plan
- Peer Advocacy



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# Addressing the Complex Communication Needs (CCN) of Victims with Disabilities

Beverly Frantz, Sexuality and Criminal Justice Project Director,  
Institute on Disabilities, Temple University



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# COMMUNICATION

- Is key in disclosing, reporting and testifying in court;
- Is key in requesting and receiving appropriate support and services



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People with significant speech disabilities do not communicate in a manner that can be readily understood.

However, it is critical that criminal justice and victim service professionals understand they **can and do** communicate effectively.



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# For Example:

- A young women discloses she has been raped.
- The responding police officers have a difficult time understanding her and record the alleged assailant is “Jerry.”
- The prosecutor states that if the DNA test confirms the victims’ identification the case could proceed to court.
- The DNA results reveal the assailant was not the person the victim identified.



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# Questions:

- Did the victim incorrectly identify her assailant?
- Did the police officers misunderstand the victim, and incorrectly record a similar sounding name?
- In subsequent interviews, did the detectives and prosecutor rely on the initial police report, assuming the name of the assailant was correct?



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# Trauma Informed Care

Dawn Davis-Brodeur, M.A., LCPC-AS  
Director of Training  
The Arc Baltimore



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# What is Trauma Informed Care?

A trauma informed approach relies on 3 elements:

1. *Realizing* the prevalence of trauma
2. *Recognizing* how trauma impacts what a person does in the here and now and
3. *Responding* by putting that knowledge into practice.



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SAMSHA (2012), TIP 57, pg. 11

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# The Trauma Informed Approach

## 1. **REALIZE** THE PREVALENCE OF TRAUMA



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# What is Trauma?

- Trauma refers to experiences that cause intense physical and psychological stress reactions.
  - Can be “a single event, multiple events, or a set of circumstances
  - that is experienced by an individual as physically and emotionally harmful or threatening and
  - that has lasting adverse effects on the individual’s physical, social, emotional, or spiritual wellbeing” (SAMHSA, 2012, p. 2)
- So trauma is not just the traumatic event, but also the psychological scars that are left behind.



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# Prevalence of Trauma: Abuse

- Over 70% of people with disabilities report being victims of abuse
  - 62% of people with I/DD
- 90% of them report multiple incidents of abuse
  - 39% of people with I/DD report it happening 10 or more times
- 63% did not report the abuse to the authorities
  - Reasons for not reporting:
    - Futility: 59%
    - Fear: 28%
    - Lack of information: 32%



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<http://www.disabilityandabuse.org/survey/findings.pdf>

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# Prevalence of Trauma: Bullying (Emotional Abuse)

- More than 73% reported being victims of Bullying.
  - Most reported on multiple occasions
  - 38% report it happened over years
- Bullying occurred in following settings
  - School - 72%
  - Neighborhood or home - 42%
  - Work - 37%
- 89% of people with autism report bullying happening more than once
  - 44% report it happening more than 10 times



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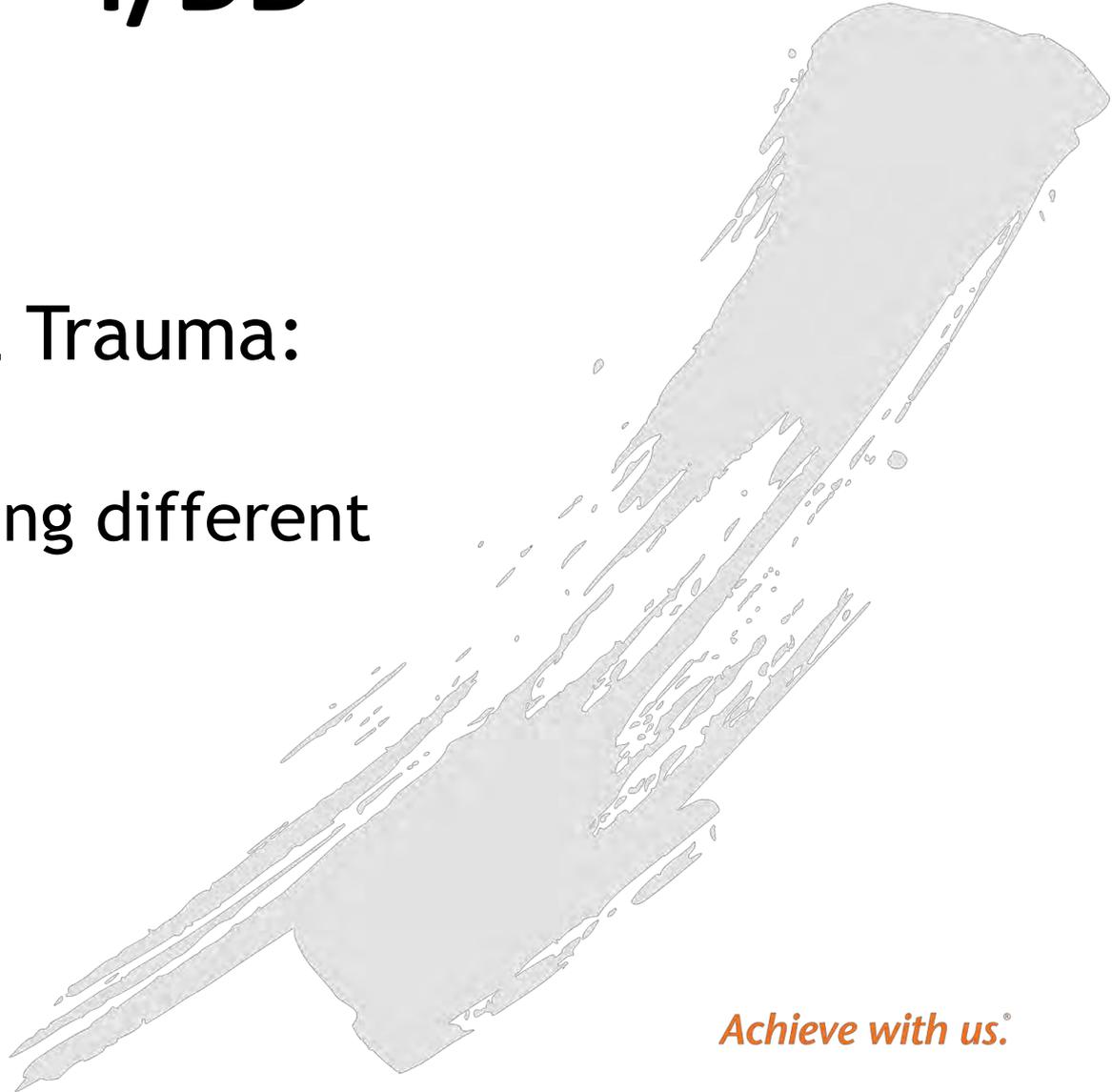
# Trauma Experiences of People with I/DD

- Abuse:
  - Physical
  - Sexual
- Social/Emotional Trauma:
  - Bullying
  - Identified as being different
  - Exclusion
  - Segregation



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# Trauma Experiences of People with I/DD

- Trauma of institutionalization:
  - Removal from family.
  - Foster care placement.
- Uncertainty of safety and basic needs being met (neglect).



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# The Trauma Informed Approach

## 2. **RECOGNIZING** HOW TRAUMA IMPACTS WHAT A PERSON DOES IN THE HERE AND NOW



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# What brings a person with IDD in contact Law Enforcement?

People with I/DD are 7 times more likely to come in contact with law enforcement than the rest of the population

- Alleged perpetrator of a crime
- Witness of a crime
- Victim of a crime



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# Specific reasons why may contact law enforcement:

- Medical Emergency
- Suspected abuse of vulnerable individual
- “Behavioral Emergency”
  - Physical Aggression
  - Property Destruction
  - Yelling/disruption
  - Theft
  - Running away/missing person



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# The Trauma Informed Approach

## 3. **RESPONDING** BY PUTTING THAT KNOWLEDGE INTO PRACTICE



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# What does it mean for Law Enforcement to respond in ways that are trauma informed?

- It involves recognizing that the things that a person is doing now may have its root in traumatic experiences of the past
- It requires an awareness of how the ways that an officer can influence the outcome of the interaction by reacting in ways that reduce the risk for further traumatization



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# Approaching a Person with I/DD in Trauma-Informed Ways

- May be very sensitive to tone of voice, body language, and words you are using.
  - Communicate directly with the person: don't assume that they cannot communicate.
  - Be very aware of what you and your non-verbal behavior is communicating and adjust your approach based on how the other person reacts.



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# Approaching a Person with I/DD in Trauma-Informed Ways

- May be very sensitive to touch.
  - If necessary to touch person, tell the person exactly what you are going to do and what you need them to do.
- Reassure the person.
  - Re-iterating that you are there to help and that you want to hear what they have to say.



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# Assisting Victims with Fetal Alcohol Spectrum Disorders (FASDs)

Kathleen T. Mitchell, MHS, Vice President and Spokesperson, National Organization on Fetal Alcohol Syndrome (FAS)



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# Victimization of Individuals Fetal Alcohol Spectrum Disorders (FASD): A Family Perspective



Kathleen Mitchell, MHS, LCADC

Vice President & International Spokesperson  
National Organization on Fetal Alcohol Syndrome

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# Fetal Alcohol Spectrum Disorders (FASD)

- Caused by drinking alcohol during pregnancy
- **Alcohol is a toxic substance** - if a pregnant mother drinks, it can affect the baby in many ways:
  - Birth defects
  - Intellectual abilities
    - Brain damage, behavioral problems, low IQ
  - Characteristic facial features
- These are life-long effects - the baby does not “outgrow” them

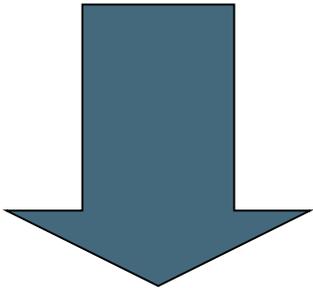


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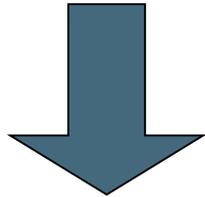
# Fetal Alcohol Spectrum Disorders

**FAS**



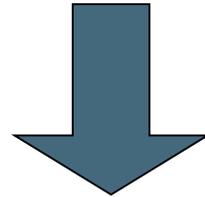
**Fetal Alcohol Syndrome**

**PFAS**



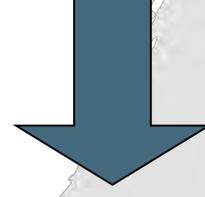
**Partial FAS**

**ARND**



**Alcohol-Related Neurodevelopmental Disorder**

**ND-PAE**



**Neurodevelopmental Disorder associated with Prenatal Alcohol Exposure**

**Fetal and Infant Death**



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# FASD FACTS

- FASD annual births are higher than Down Syndrome, Cerebral Palsy, Cystic Fibrosis, Spina Bifida and Sudden Infant Death Syndrome—**COMBINED**. Newest prevalence rates (NIAAA, May et. al) show 1 in 50 school age children with an FASD.
- Some believe that cocaine is the primary substance abused by pregnant women, although this is untrue. The % of pregnant women that use alcohol is more than double of those that use cocaine while pregnant.
- In 1996, the Institute of Medicine reported “Of all substances of abuse (including heroin, cocaine, marijuana), alcohol produces by far the most serious neurobehavioral effects in the fetus.”



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Kathy Mitchell, NOFAS 2014

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# NOFAS: Prevention & Treatment

The vision of the **National Organization on Fetal Alcohol Syndrome (NOFAS)** is a global community free of alcohol-exposed pregnancies and a society supportive of individuals already living with Fetal Alcohol Spectrum Disorders (FASD).

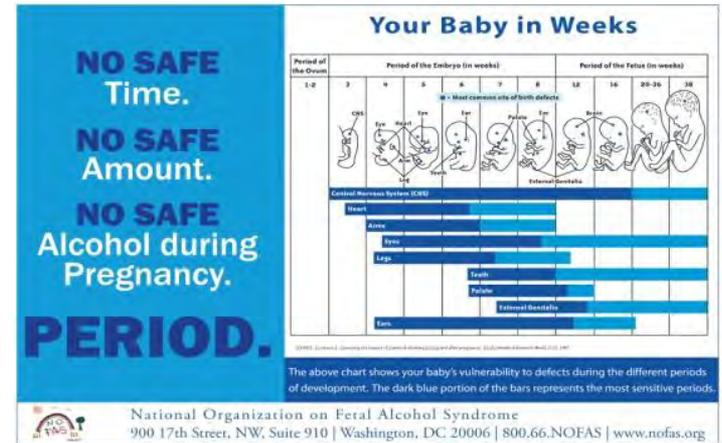


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# NOFAS [www.nofas.org](http://www.nofas.org)

- **Clearinghouse**
  - Resource Directory
  - Materials Dissemination
  - NOFAS Information Clearinghouse
- **Affiliate and Stakeholder Networks**
  - Capacity Building
  - Friends of NOFAS
- **Media Outreach**
  - Social Media
- **Training and Curriculum**
  - Students and professionals
- **Policy and Advocacy**
- **Prevention**
  - Circle of Hope Birth Mothers Network
  - Public Awareness campaigns



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# How is FASD an Invisible Disorder?

- Most cases of FASD are never diagnosed. Symptoms of FASD are identified and addressed. But rarely is alcohol identified as the causal factor.
- Few physicians, healthcare professionals, disability professionals, psychologists, therapists, etc. are trained in how to identify FASD.



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1977

# Karli, Danny and Erin A Happy Little Hippy Family



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# *Karli age 10 (diagnosed with cerebral palsy)*



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# Individuals with FASD make Powerful Advocates!

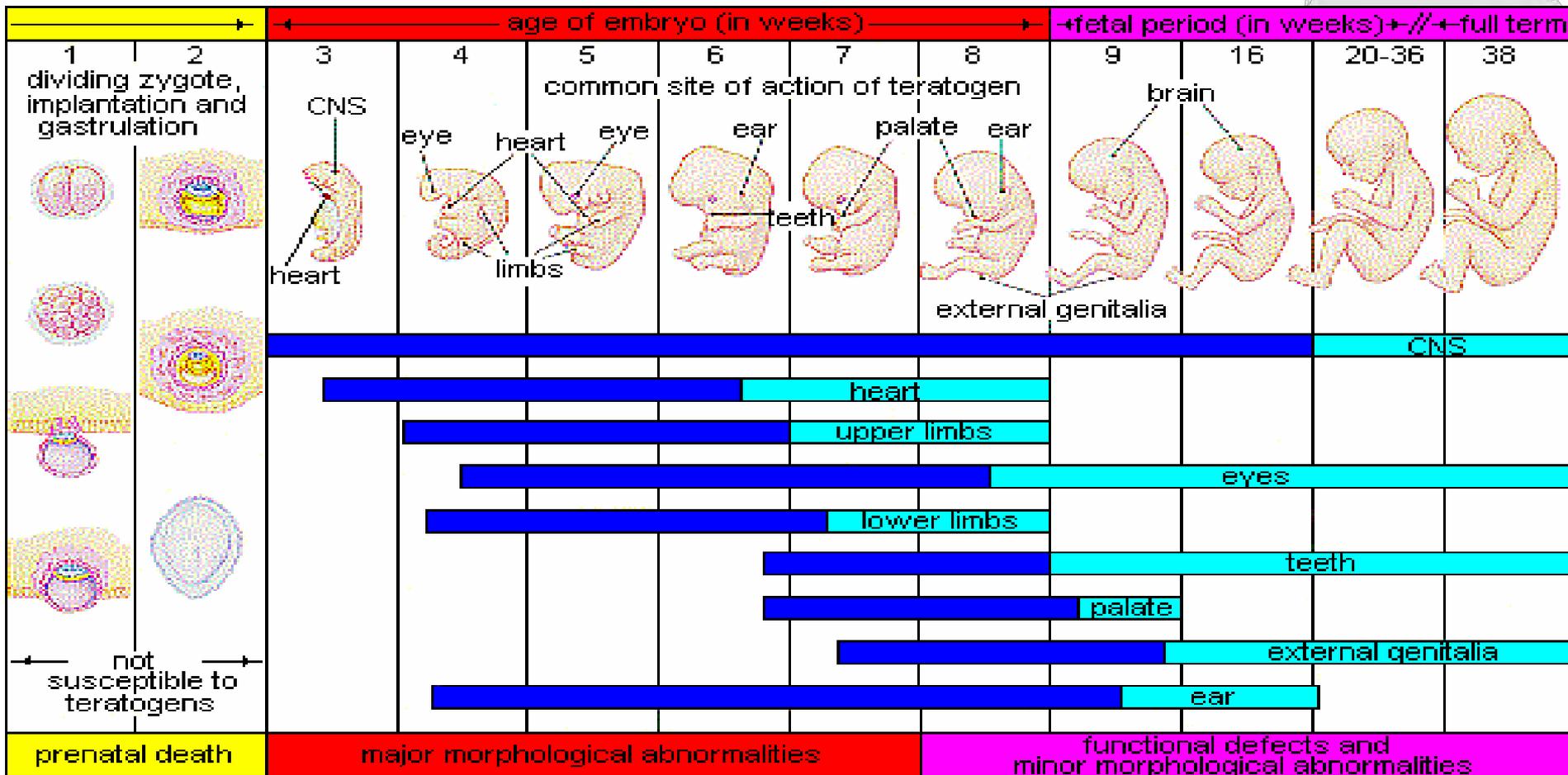


Alcohol is a teratogen (*def.* an agent that can cause malformations of an embryo or fetus). Alcohol can cross the placenta and enter fetal circulation, damaging cells and the DNA they contain.



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# Impact of Alcohol Use on the Developing Fetus



# Which of these children have dysmorphic facial features of FASD?



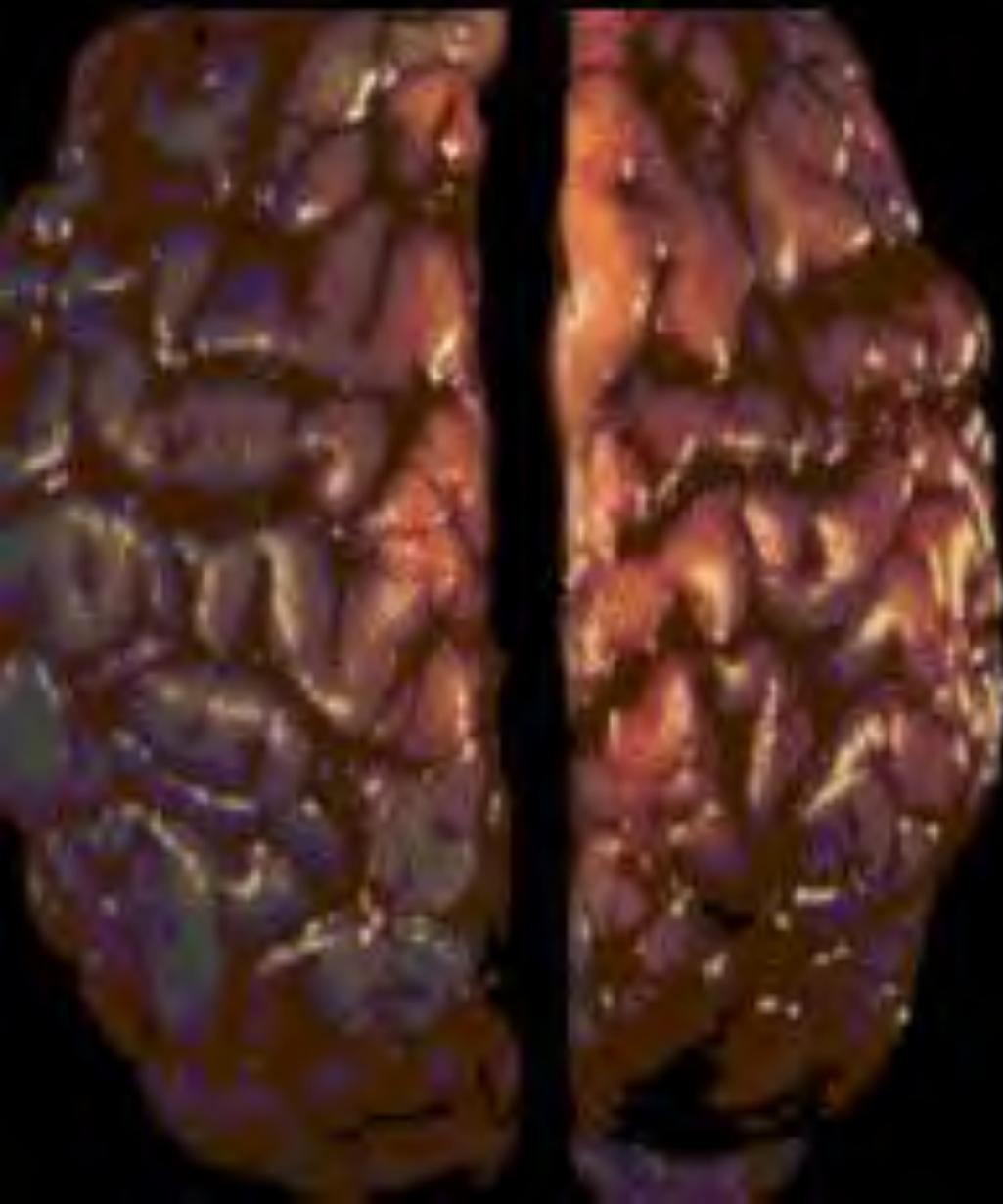
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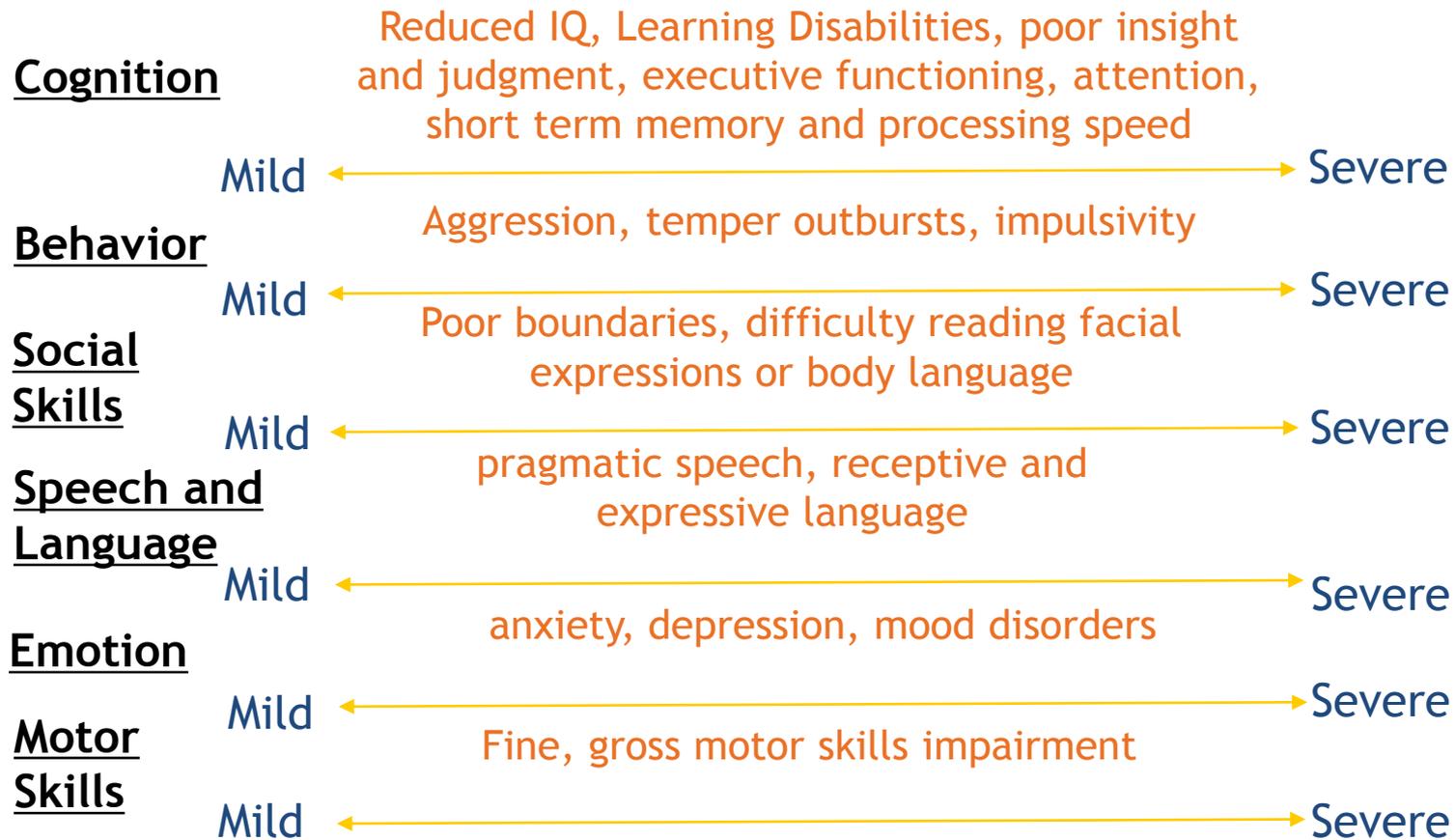
**Brain of normal baby**

-

**Brain of baby with FAS**



# Lifetime Cognitive, Behavioral, Emotional and other Problems Appear Across a Continuum of Severity



# What behaviors puts people with FASD at risk for victimization?

- Functioning at a lower developmental age, BUT may have appearance of being higher functioning
- Understanding & remembering stranger-safety
- Difficulty with abstract thinking (predicting future behaviors)
- Retrieving information, ST memory
- Difficulty translating from brain to behaviors (thinking-speaking, hearing-writing)
- Difficulty comparing & contrasting
- Reading social cues
- Understanding cause-effect relationships



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# We need to revise the system that allows the repeated victimization of our most vulnerable citizens

- Trusted “helpers” (drivers, paid assistants, etc.)
  - Easy to get a job that serves persons with DD
- Programs hide the incidence ~ fear removal of child, funding and/or bad reputation in community
- Not believed...”no one would try that, nor want to”
- Relaxed criteria for employment
- Rape crisis/other MH bound to confidentiality
- “sealed envelope crimes” -hidden past allows perpetrators to continue
- Attention paid to convictions....not arrests
- “People with disabilities don’ t make good witnesses”
- “People with FASD are known to tell lies. She is making it up”



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# Behavior is not purposeful

## Paradigm Shift :

- Person with a developmental disability
- Can't not Won't
- Need support (External Brain)



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# ABA Resolution

- RESOLVED, That the American Bar Association urges attorneys and judges, state, local, and specialty bar associations, and law school clinical programs to help identify and respond effectively to Fetal Alcohol Spectrum Disorders (FASD) in children and adults, through training to enhance awareness of FASD and its impact on individuals in the child welfare, juvenile justice, and adult criminal justice systems and the value of collaboration with medical, mental health, and disability experts.
- FURTHER RESOLVED, That the American Bar Association urges the passage of laws, and adoption of policies at all levels of government, that acknowledge and treat the effects of prenatal alcohol exposure and better assist individuals with FASD.



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# Resources

AAP FASD Toolkit — [www.aap.org/fasd](http://www.aap.org/fasd)

- ❑ [CDC FASD APP: http://itunes.apple.com/us/app/fetal-alcohol-spectrum-disorders/id517058288?mt=8&ls=1](http://itunes.apple.com/us/app/fetal-alcohol-spectrum-disorders/id517058288?mt=8&ls=1)

ACOG Webpage on alcohol and women:  
[www.womenandalcohol.org](http://www.womenandalcohol.org)



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# Contact me ANYTIME!

# Thank You!

*Kathy Mitchell*  
*Washington, DC*

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# Assisting Victims with Autism Spectrum Disorder (ASD)

Carolyn Gammicchia

Executive Director  
L.E.A.N. on Us

[gammicca@comcast.net](mailto:gammicca@comcast.net)

586-703-3866

[www.leanonus.org](http://www.leanonus.org)



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# What is Autism Spectrum Disorder?

- Autism spectrum disorder (ASD), a neurological condition with a variety of symptoms and affects individuals to varying degrees.
- ASD knows no racial, ethnic, or social boundaries. There is no known cause.
- People with autism may have difficulties in communication and social understanding, unusual reactions to sensory input, and/or may demonstrate what appear to be inappropriate behaviors to others.
- ASDs affect an estimated 1 in 68 children in the United States, an increase of close to 200% since 2004.



We have used this photo in training first responders due to autism often being referred to as a “hidden” disability. We ask attendees if they can identify which of our sons has autism in this photo. An average of 25% are accurate.

Source: 2002 ASA Advocate magazine - Cover photo



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# Assisting Crime Victims with Autism

When assisting a crime victim who is on the autism spectrum, crime victim professionals should take specific actions to communicate with and provide support appropriately.

Individuals with autism spectrum disorder (ASD) have difficulty picking up social cues (social referencing) and understanding other individual's thoughts and intentions, making them vulnerable to a range of crimes, from fraud and theft to more violent crimes. Individuals with ASD are also generally taught compliance from a very young age, making them easy targets for abuse and victimization.

Therefore individuals on the autism spectrum may:

- Not question “rules” or those in charge
- Not be assertive
- Agree with adults or authority figures out of necessity
- Always honor other people's opinions or their personal choices may not be honored by others
- Be taught to be obedient and dependent



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# Assisting Crime Victims with Autism

Due to the nature of autism and the social environments in which individuals with ASD may live, the risk for victimization and abuse is heightened by the following:

- The individual's reduced privacy
- Lack of teaching regarding healthy sexuality and decision-making
- Reduced expectations by caregivers and others
- Rewards provided for obedience and passivity
- Limited friendships and increased social isolation
- Negative attitudes toward those with disabilities



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# Assisting Crime Victims with Autism

For those unfamiliar with autism, challenges in providing support can be overcome with training.

Characteristics typical to people with autism must be recognized and accommodated. Communication considerations are vital to the process, especially for providing appropriate supports and services from initial contact to follow-up care.

The first step? Ask the individual directly about his or her means of communication, or ask a support person if you aren't able to communicate with the victim immediately. Additionally most CACs have professionals trained in assisting individuals with disabilities.

Characteristics of many crime victims with autism include:

- Verbal responses (if able) may seem loud, blunt, or tactless
- May not comprehend what is said due to processing abilities or unfamiliarity with the person speaking
- May appear deaf and not respond to verbal cues
- May be unable to speak verbally (30-50% estimated no-verbal), or speak with difficulty, use rambling speech, or echo what is said
- May repeat words or phrases several times to process them
- May become frustrated when the form of communication they use is not understood



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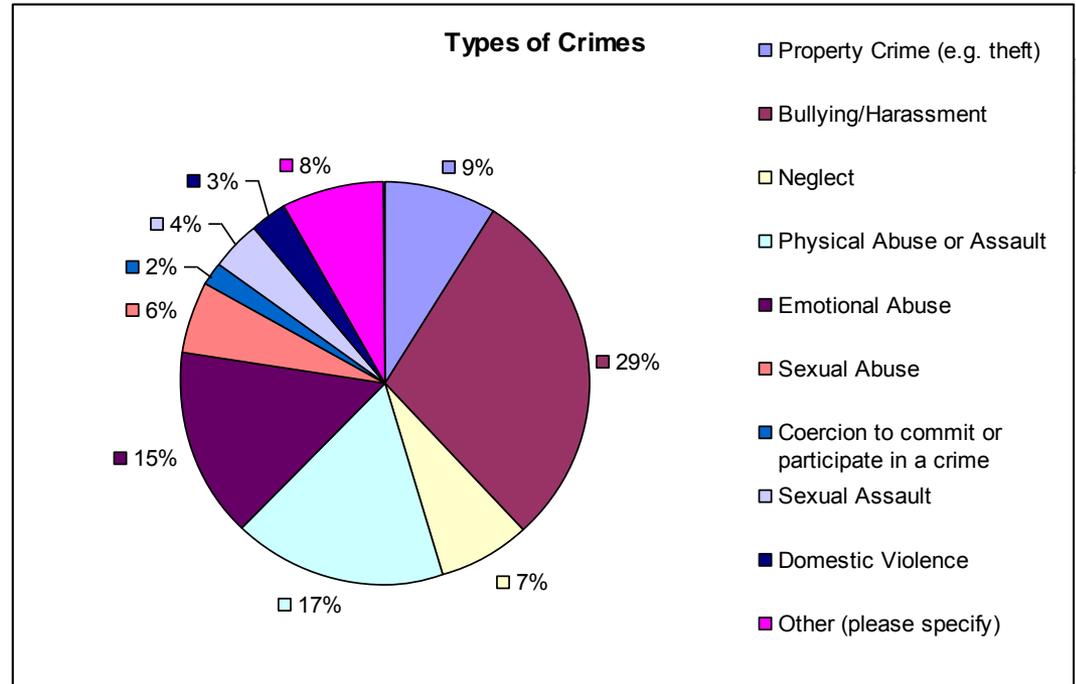
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# Assisting Victims with Autism

A 2007 survey of over 1,500 individuals on the autism spectrum and their caregivers revealed:

- 35% had been the victim of a crime
- 29% Bullying/Harassment
- 17% reported physical abuse or assault
- 13% reported being survivors of sexual abuse
- 9% reported property crimes
- 8% reported sexual assault
- 8% reported neglect



(Autism Society, 2007)

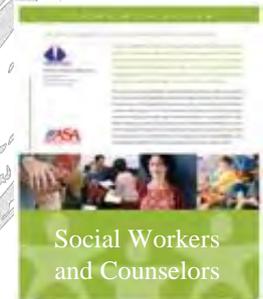
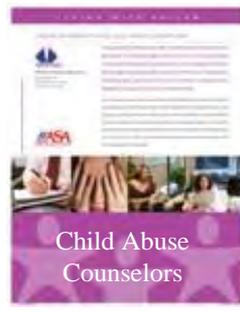
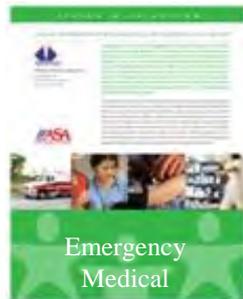
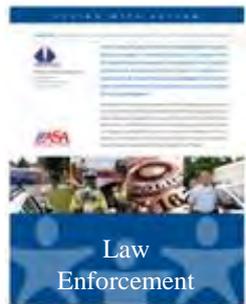


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# Assisting Crime Victims with Autism

In 2007 the *Crime Victims with Autism Assistance, Education, and Training Program*, a project funded by the DOJ/OVC, was launched and six fact sheets for crime victim professionals and two brochures for crime victims with autism and care providers were made available. These have been designed to improve services to crime victims with autism and can be downloaded without cost from the Autism Society website. Additionally there is an eight hour curriculum design specifically for multidisciplinary team response and community collaboration for appropriate response and appropriate preparedness.



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<http://www.autism-society.org/about-the-autism-society/publications/resource-materials>

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# Assisting Crime Victims with Autism

## *Creating an Environment for Systems Change*

- “It Takes a Village” with individuals with autism being valued within it and part of the process
- Increase awareness of the challenges in service delivery
- Create a path for a reduction in victimization and abuse
- Show a marked increase in the number of prosecutions



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One person can make a difference and each of you has done so by viewing this webinar.

Thank you!

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# The Role People with Disabilities Play in Reducing Victimization



Kecia Weller, Board Resource  
Center Advisor and Abuse-  
Awareness Advocate



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# Quotes from Victims with Disabilities



“People should not be able to hurt us and get away with it.”



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# Quotes from Victims with Disabilities



“I may not talk as good as you.

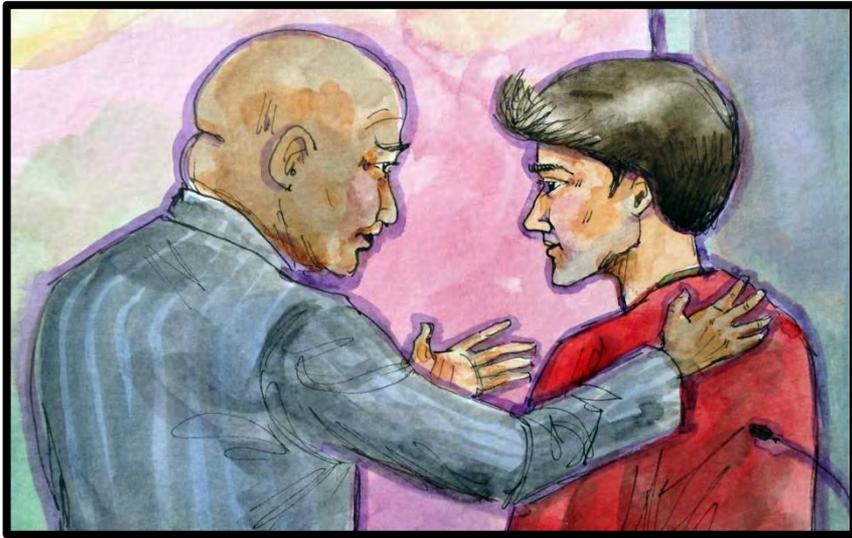
But I know what happened and I know who did it.”



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# Quotes from Victims with Disabilities



“The detective and my lawyer believed me.”

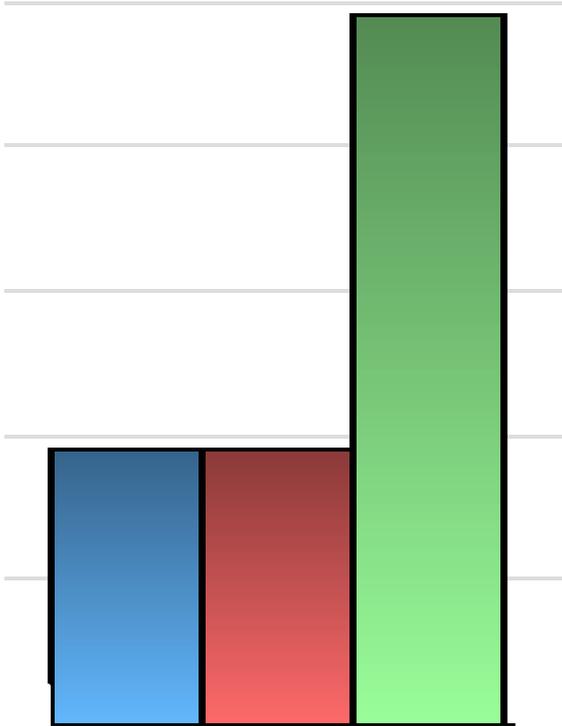


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# Education = Prevention



- Abuse can happen to anyone at any time.
- We are victimized at a higher rate than those without disabilities.
- We play an important role in educating criminal justice professionals.



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# Prevent Abuse: Make a **Safety Plan**



- Have a trusted person to call when feeling unsafe.
- Know ways to stay safe.
- Know who to call to report possible abuse.
- Keep phone numbers for local police and APS in your cell phone.



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# Criminal Justice Professionals

Talk about safety in ways that do not scare or overwhelm the person.

- Use everyday language.
- Be familiar with different types of disabilities.
- Be knowledgeable about the ways people communicate.
- Have ongoing interactions with people with I/DD.



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# My Story

## Abuse incident on the bus

1

What happened

2

What it was like

3

What I did

4

The results



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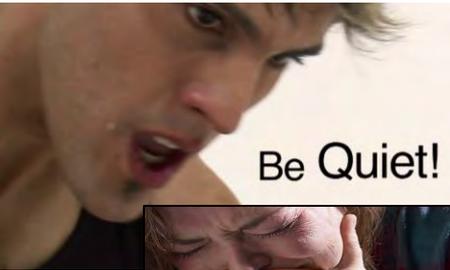
# Reasons people do not report

## FEAR OF

- not being believed,
- more abuse,
- being blamed,
- losing services,
- losing home, job, family, friends.

Not educated about rights.

Taught not to cause trouble.



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# How to Talk to Victims with Disabilities

People with I/DD:

- Ask what the person needs to make the interview safe.
- Allow plenty of time.
- Use everyday words.
- Meet one-on-one with the person (include their trusted person if requested).
- Meet in a comfortable place with few distractions.



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# How to Talk to Victims with Disabilities



- Give the person time to tell their full story.
- Ask open ended questions like, “Can you tell me more about...?”
- Avoid rapid firing or “why” questions.



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# What should we do next?

**WHAT  
NEXT**



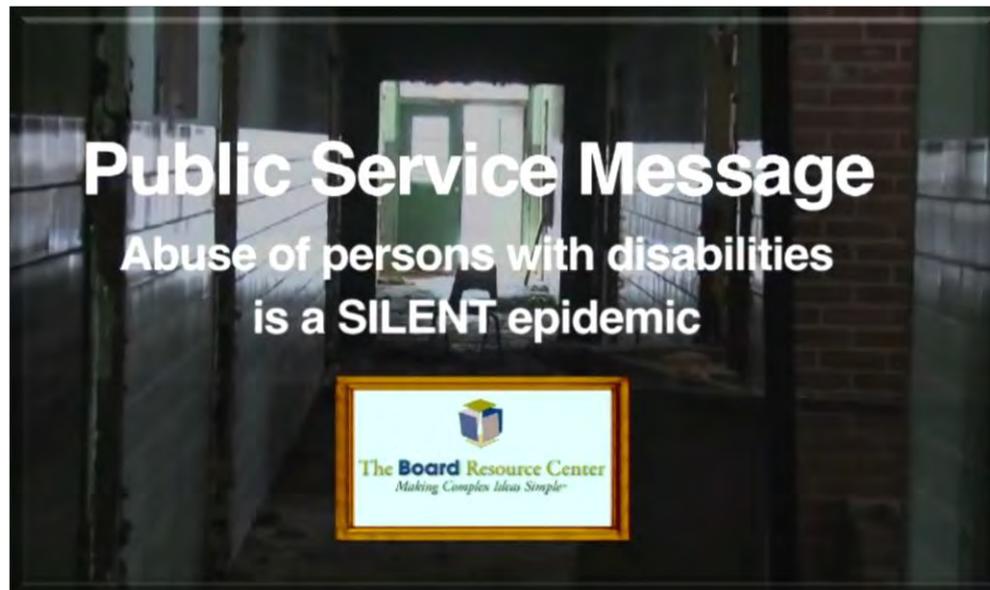
- Talk about abuse and how to stop it!
- Learn how to support people who report.
- Continue training law enforcement personnel.
- Include people with disabilities in training teams.



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*Abuse of Persons with Disabilities: A Silent Epidemic*

Lets all raise our voices to stop abuse!  
Thank you!



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# Next Webinar

- Attend the next webinar on **July 30<sup>th</sup>: Sex Offenders with Intellectual and Developmental Disabilities: Problems and Solutions from Around the Nation**
- Use I&R/TA service, and refer others
- Share your story and raise awareness

**Contact us at:**

**[NCCJDinfo@thearc.org](mailto:NCCJDinfo@thearc.org)**



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# Questions?

## Survey:

- <http://fs8.formsite.com/thearcwebinar/form49/index.html>

## Next Webinar:

- July 30<sup>th</sup>: Sex Offenders with Intellectual and Developmental Disabilities: Problems and Solutions from Around the Nation
- <http://www.thearc.org/nccjd/training/webinars>



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