

Protecting Children with Intellectual and Developmental Disabilities

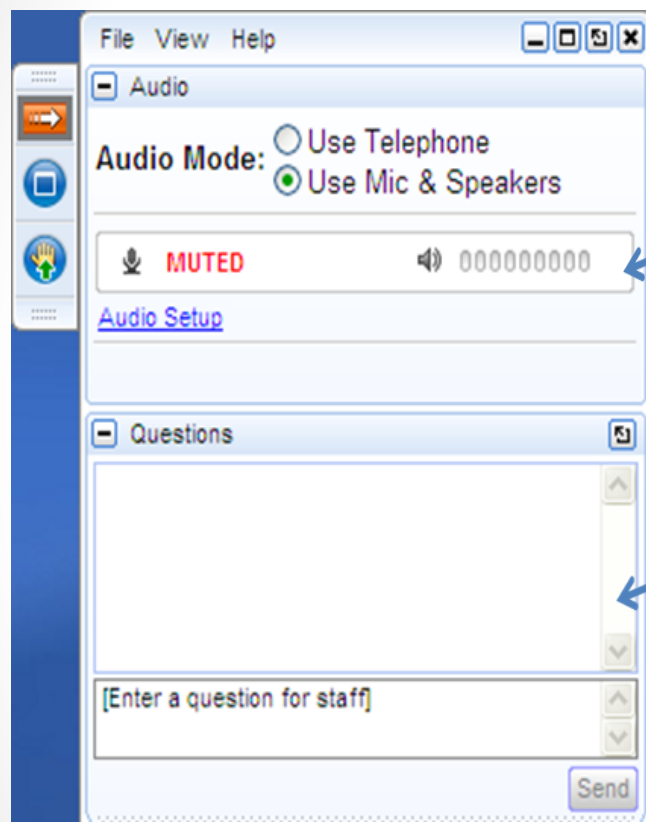
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OJJDP's MECP

- MECP offers assistance to local, state and tribal law enforcement, nonprofit organizations, and other juvenile justice practitioners to:
 - strengthen their responses
 - increase the use of evidence-based practices
 - identify and address operational and programmatic needs
- Coordinated by Fox Valley Technical College
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About The Arc



- Founded in 1950, nation's leading and largest community-based organization
- Network of 140,000 members in almost 700 state and local chapters serving more than 1.4 million people with I/DD and their families
- National headquarters in Washington, DC with strong federal-level public policy advocacy and program services department (over \$10 million awarded funds)
- Provide life-long services and advocacy in areas such as: prevention, early intervention, special education, health care, employment and *criminal justice*

Introducing NCCJD



- Funded by BJA, Department of Justice
- Offers I&R, training and technical assistance related to people with disabilities in the criminal justice system as victims or suspects/offenders
- Popular monthly webinar series
- White paper series to include topic of best practices
- On-line resource library that includes
 - Searchable resources by profession (LE, victim advocates, legal)
 - Recent “in the news” stories
 - Coming soon: State map of resources with relevant legislation and lists of experts (attorneys, forensic interviewers, etc.)

Today's Agenda

- Defining intellectual and developmental disabilities
- Types of violence, risk factors and signs of violence
- Applicable research / issues specific to children with disabilities
- Identify what works: accommodations for communication
- Know the resources, don't try to go it alone

LOOK DEEPER - IDENTIFY - LEVERAGE

Abuse of 3 year old with autism





Karli's Story

How could this happen?

- Having a disability does not inherently breed abuse, but society's response to people with disabilities does.
(Power of pre-conceived notions of LE or PWD)
- Devalued, invisible, asexual
- Lack of inclusion with regard to every day life community activities and services
- How do you balance safety while increasing independence?

Discover your “why”

- People with intellectual disabilities are the single most vulnerable population to victimization
- Reduced fear of liability; increased confidence and skill set
- Because of your unique role in the life of a child, you may be the only chance a child has to get help
- The satisfaction of a job well done – you may very well be the child’s first and/or only protector

What is intellectual disability (ID)*

- About 3 percent of Americans have ID
- Most common syndromes include Autism, Down syndrome, Fragile X syndrome and Fetal Alcohol Spectrum Disorder
- 3 criteria to validate presence of ID
 - ➔ Must be present from childhood
(before age 18)
 - ➔ I.Q. (intelligence quotient) is below 70-75
 - ➔ Limitations in “adaptive behaviors”

*See The Arc's fact sheet:

<http://www.thearc.org/document.doc?id=3661>

What are developmental disabilities?

- DD is a broader term that can include people with intellectual disabilities (ID) or other disorders that occur during the developmental period (birth to age 18)
- Group of conditions that occur due to an impairment in physical, learning, language or behavior areas.
- According to the CDC, **about one in six children in the U.S. have one or more developmental disabilities or developmental delays**
- Major differences: age of onset, severity of limitations, and the fact that a person with DD may not have a low IQ
- About half of those with ID do not meet criteria for DD

Types of Violence

- Physical violence – hitting, kicking, biting, *loss of control during discipline, use of restraints/seclusion*, fractures, bruises
- Sexual violence – unwanted sexual touch, rape or attempted rape, forcing to touch someone sexually
- Emotional abuse – humiliation, social rejection or psychological abuse
- Neglect – lack of supervision, medical neglect, hygiene neglect

Risk factors

- Same reasons as children without disabilities, but magnified
- Devaluation
- Isolated/not integrated into outside world
- More dependency on others throughout their lifetime
- Lack of social connections
- Lack of self-advocacy training which can result in low self-esteem/self-image
- Compliance rewarded / strong urge to please
- Perceived as easy target / little or no accountability of offender in most cases

More risk factors

- Viewed as a non-credible witnesses due to disability
- Low to non-verbal abilities, unable to communicate concept of abuse without appropriate supports
- No or very limited connections with effective advocates (parent or otherwise)

Specific to sexual violence:

- Limited or no access to information about sex or how to report abuse (lack of education in school systems)
- Limited to no access to information about sex or how to report abuse
- A sense of lack of control over their own lives and bodies
- See Arc's Guide to Risk Factors for Abuse

<http://www.arcgreatertwincities.org/pdf/ArcGuideAbuseRiskFactors.pdf>

Increased caregivers=increased risk

- Family and friends
- Household members
- Religious groups, programs
- Baby sitters
- Respite care workers
- Social workers
- Personal care attendants
- Teachers and aides
- One on One aide
- Therapists (speech, other)
- Coaches
- Pediatrician and disability specialist health care provider
- Mental health providers
- Dentists
- Case managers, service coordinator
- Bus and van drivers
- After school programs
- Scouts and similar programs
- Recreational therapists
- Neighbors, community acquaintances

Risk factors for children with FASD

- Trouble understanding consequences of behavior
- May think abuse/violence is their fault
- Excessive desire to please others
- *Regardless of IQ level, social functioning substantially lower than those with out FASD*

Reference: “*The Victimization of Individuals with Fetal Alcohol Syndrome/Effects*” by Kathryn Ann Kelly

Signs of Victimization*

- Similar to those without disabilities
- Two primary signs to look for: Report from the child and/or sudden or dramatic changes in behavior
- Listen to your own intuition
- False disclosures are rare
- Ask about victimization ***routinely***

*For more information, see The Arc's fact sheet: "Abuse of children with intellectual disabilities": <http://www.thearc.org/what-we-do/resources/fact-sheets/abuse>

Indicators: Autism*

- *Exacerbation of social anxiety, generalize anxiety, or phobias*
- Depression, irritability, anger or withdrawal
- Difficulty with thinking, concentrating or remembering
- Re-enactment
- Changes in normal behavior and personality
- Self-injury
- Sleep disturbances
- Post Traumatic Stress Disorder (PTSD)

** For more information: Safe & Sound: Serving Victims of Crime Series, Autism Society available at <http://www.autism-society.org/>*

2012 World Health Organization



- Globally, 93 million children have a moderate or severe disability
- First of its kind study to provide pooled prevalence estimates; included 17 studies re: violence against CWD between 1990-2010
- Children with ID have a higher risk of violence, most apparent in physical, emotional and sexual violence
- Results suggest up to a quarter of CWD will experience violence within their lifetimes
- Must be viewed as a high-risk group for violence and given priority

Source: www.thelancet.com

Violence occurs more often than not...

- 50% more likely to experience violent crimes
- *Higher for young and middle-aged*
- *People with cognitive disabilities more likely to experience violent crime*
- 1 in 5 believe they were targeted due to disability

National Crime Victim Survey (2007), Bureau of Justice Statistics

BJS Report:

National Crime Victim Survey

- Age- adjusted rate of **violent crime** against persons with disabilities (28 per 1000) was **nearly twice the rate** for persons without disabilities (15 per 1000)
- Serious violence (**rape/sexual assault, robbery and aggravated assault**) 50% of violence, an increase from 36%
- Serious violent victimization was **16** per 1,000 persons with disabilities compared to **5** per 1,000 or 3 times the rate for people without disabilities.

National Crime Victim Survey (2012), Bureau of Justice Statistics

Children with ID

- Children with IDs experience higher rates of all forms of abuse compared with their typically developing peers (Martinello, 2014)
- Twice the risk of physical and sexual abuse (Crosse, 1993)
- Different degrees of risk of violence depending on type of disability:
 1. Behavior disorder = physical abuse vs. speech disorder = neglect
 2. Behavior disorder OR intellectual disability = all 3 forms of abuse (neglect, physical and sexual) is higher compared to children with other types of disabilities (speech/hearing/learning/health impairments/ADD) (Sullivan, 2003) (Sullivan & Knutson, 1998)

Violence in institutions

- Infamous Willowbrook Institution
Staten Island, NY (1972)
- GA Advocacy Office: Best way to prevent abuse and neglect is by placing children with disabilities in community
- Some feel problems in institutions can be fixed with more funding, many others do not, saying abuse in institutions cannot be fixed with any amount of funding
- *Violence cannot be dealt with administratively – it must be brought out in the open and met with accountable measures*

Source: <http://thegao.org/news-resources/preventing-abuse-neglect/>

Human trafficking



- *People with disabilities remain one of the groups most at risk of being trafficked; exclusion from justice system contributes to being targets*
- Stigma and marginalization of PWD creates a particular vulnerability
- Parents who see no hope of jobs or marriage for their CWDs may place them in exploitative situations with the intent of shedding a “burden” or seeking income
- Where schools fail to accommodate students with disabilities, high school drop-out rates leave them on the streets and at much higher risk of being trafficked
- *Commonly held belief that PWD aren’t sexually active increases risk of sex trafficking, especially women and girls (EX: HIV/AIDS survey by Yale Univ)*
- *Governments often ignore disability as a risk factor and don’t include PWD in anti-trafficking efforts*

*US Dept. of State Trafficking in Persons Report 2012 (Topics of Special Interest) available on-line:
<http://www.state.gov/j/tip/rls/tiprpt/2012/192359.htm>*

Bullying

- Nearly one-third of all school-aged children are bullied each year - upwards of 13 million students (*Centers for Disease Control*)
- Only 10 U.S. studies have been conducted on the connection between bullying and developmental disabilities, but all found that ***children with disabilities were two to three times more likely to be bullied than their nondisabled peers.***
- 64 percent of children who were bullied did not report it; only 36 percent reported the bullying (*The Pacer Center National Bullying Project: www.pacer.org*)
- Children with autism are four times as likely to be targeted as kids without developmental disabilities. (2012, Archives of Pediatric & Adolescent Medicine)
- *Washington Post* story of 16 year old boy with autism
http://www.washingtonpost.com/local/parents-of-autistic-children-fear-their-children-being-bullied--for-good-reason/2014/04/24/ab1eb588-cbce-11e3-a75e-463587891b57_story.html

Sexual violence*



- Children with disabilities face increased risk for sexual violence
- Estimates suggest between 39 and 68% of female and 16 to 30% male children will be sexually abused before age 18 (Mahoney & Poling, 2011)
- Developmental delays throughout the child's life may influence likelihood of sexual abuse (motor, social, language, emotional)
- Caregivers often cited as the most likely perpetrator
- A strong foundation for healthy sexuality must begin in the early years, and a plan of action created (Martinello, 2014)

* For more information, see The Arc's fact sheet *People with ID & Sexual Violence*:
<http://www.thearc.org/what-we-do/resources/fact-sheets/sexual-violence>

Why is sexual abuse so common?



- Sex ED/assertiveness training rarely provided in special education classrooms or elsewhere
- Communication skills / having the correct words or terminology to report sexual assault
- Child doesn't realize the act is wrong/illegal or thinks he or she does not have the right to say no
- Offenders are often connected to them through disability services
- So common that it's expected and has become the norm – making sterilization the answer in some countries

Sexual Abuse of Children with Disabilities Issue Brief, Vera Institute of Justice (March 2013)

<http://www.vera.org/sites/default/files/resources/downloads/sexual-abuse-of-children-with-disabilities-national-snapshot-v3.pdf>

Using simple accommodations

- Be willing to slow down and take extra time
- Keep verbal communication simple, use easy to understand wording and concrete concepts
- Learn and use effective interviewing techniques
- Request help from a “support person” who is not suspected of abuse

Tips for better communication

- Keep sentences short
- Use simple language
- Speak slowly and clearly
- Ask for concrete descriptions
- Break complicated instructions down into smaller parts
- ***Use pictures, symbols and actions***

Children with complex communication needs

- Communication disorders include speech and hearing impairments, learning disabilities, and I/DDs
- Arguably the most vulnerable and underserved among child victims
- Research largely non-existent
- Tools: drawings, communication boards, unrelated/unbiased interpreters



Drawings of Luis Murillo's 8 year old autistic son
April 23, 2013. | Ting Shen~Sun-Times Media





Accommodations for children with autism

Provide:

- More time to process questions
- More distance between child and interviewer
- Assistive technology as needed (low or high tech)
- Shorter interviews
- Elimination of noise and visual stimuli or distractions
- Prescribed medication

Interviewing Techniques

- Treat victims, and their case, the same as others
- Seek assistance if you can't communicate
- Speech problems do not equal cognitive impairment
- Cognitive impairment is unrelated to reliability of memory / many have very good recall
- Cognitive impairment is unrelated to knowing the truth from a lie

Reference: “*Victims with Disabilities: The Forensic Interview*,”
Office for Victims of Crime, April, 2007

It's a team effort

- You do not have to be an expert on disability issues to make a significant difference in the life of a child!
- Coordinated team approach is recommended (multi-disciplinary teams or disability response teams)
- First, second and third responders can help child victims through the process of victim to survivor (via cross-training, sharing of resources and expertise)
- First responders and their agencies should keep a list of local resources and be prepared
- Peer-to-peer training modes work well to help children with disabilities speak out about and against violence

Resources

- The Arc's National Center on Criminal Justice and Disability (NCCJD)
<http://www.thearc.org/NCCJD>
<http://www.thearc.org/NCCJD/resources/by-audience/victim-advocates>
- Office for Victims of Crime (creating MDTs)
<http://www.ovc.gov/pubs/victimswithdisabilities/index.html>
- Disability & Abuse Project: Risk Reduction WB
<http://disabilityandabuse.org/books/index.htm>
- Coalition of Sexual Abuse Against CWD
<http://www.chicagocac.org/what-we-do/casacd/>
- NCVC resource directory:
<http://www.victimsofcrime.org/library/resource-directory-victims-with-disabilities>

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National Center on Criminal Justice & Disability

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The Arc is pleased to announce it has been awarded a two-year grant for \$400,000 by the U.S. Department of Justice, Bureau of Justice Assistance (BJA) to develop a national center on criminal justice and disability, with a focus on intellectual and developmental disabilities (I/DD). This is the first national effort of its kind to bring together both victim and suspect/offender issues involving people with I/DD under one roof. According to the National Crime Victim Survey of 2010, the victimization rate is twice as high for individuals with disabilities as compared to those without disabilities. [Read more.](#)

webinar series

[Disability Awareness Training: A Train the Trainer Program for First Responders](#)
July 31, 2014

from the blog

[The Arc Responds to U.S. Supreme Court Decision in Hall v. Florida](#)
Tuesday, May 27, 2014 3:21:20 PM

[The Arc Applauds Stay of Execution of Robert Campbell, Vows to Continue Legal Advocacy Efforts](#)
Tuesday, May 13, 2014 7:29:47 PM

[The Arc Responds to the Scheduled Execution of Robert Campbell](#)
Monday, May 12, 2014 5:59:28 PM

In order to continue our important work, we need to build a broad base of support in the fields of disability and victim advocacy, criminal justice, law, & law

National Center on Criminal Justice & Disability

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