

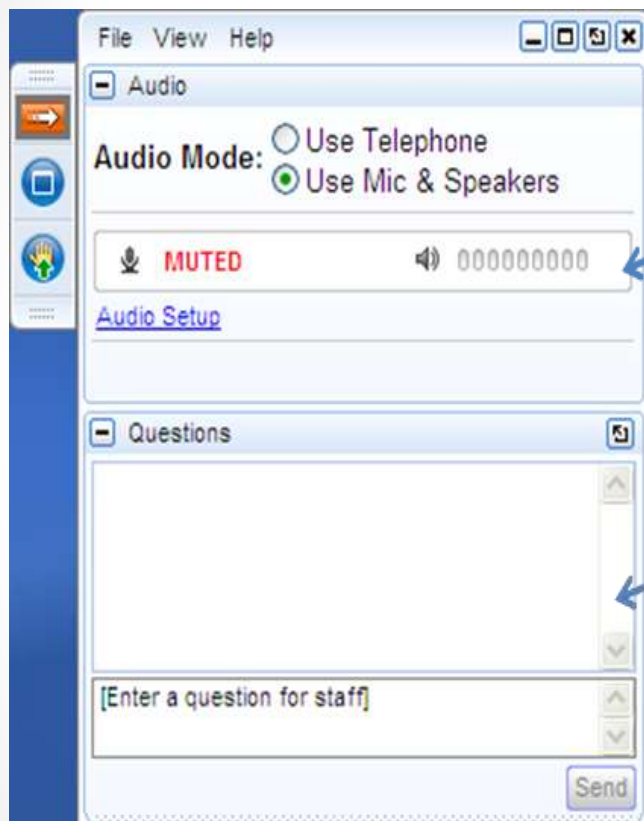
Supporting Victims with Complex Communication Needs

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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
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Institute on Disabilities at Temple University

A center within the College of Education

- Is Pennsylvania's University Center for Excellence in Developmental Disabilities Education, Research, and Service (UCEDD).
- Mission of the Institute is to lead by example, creating connections and promoting networks within and among communities so people with disabilities are integral to the fabric of community life.
- Is staffed with more than 40 professionals, people with disabilities, family members of people with disabilities, and students.

Association of University Centers

- AUCD's mission is to advance policies and practices that improve the health, education, social, and economic well-being of all people with developmental and other disabilities, their families, and their communities by supporting our members in research, education, health, and service activities that achieve our vision for a future in which all people, including those living with developmental and other disabilities are fully included, participating members of their communities.

Find *your* state UCEDD at

www.AUCD.org

Look under "Find Network Members"

www.mecptraining.org

Institute on Disabilities at Temple University

- Is a member of the Association of University Centers on Disabilities (AUCD) that supports and promotes a national network of university-based interdisciplinary programs.
- 67 University Centers for Excellence in Developmental Disabilities (UCEDD), funded by the Administration on Intellectual Developmental Disabilities.
- 43 Leadership Education in Neurodevelopmental Disabilities (LEND) programs funded by Maternal and Child Health Bureau
- 15 Intellectual and Developmental Disability Research Centers (IDDRC), most of which are funded by the National Institute for Child Health and Development.

PA's Initiative on Assistive Technology

- Pennsylvania's Initiative on Assistive Technology (PIAT) is a statewide program under the federal Assistive Technology Act.
- PIAT strives to enhance the lives of all Pennsylvanians with disabilities, older Pennsylvanians and their families.
- PIAT's primary activities are those that increase access to and acquisition of assistive technology (AT) devices and services. AT devices and services provide people with choice, control and independence at home, work, school, play, and in their communities.

PENNSYLVANIA'S INITIATIVE
PIAT
ON ASSISTIVE TECHNOLOGY



FOR INFORMATION contact:

PIAT - Pennsylvania's Initiative
on Assistive Technology

Tel: 800-204-7428 (voice)
866-268-0579 (TTY)

Email: ATinfo@temple.edu

Web: www://disabilities.temple.edu/piat



Find *your* state AT ACT Program at
www.findATnow.org/

What is Complex Communication Needs?

- “Approximately 1.3% of all individuals have such significant communication disabilities that they **cannot rely on their natural speech to meet their daily communication needs.**

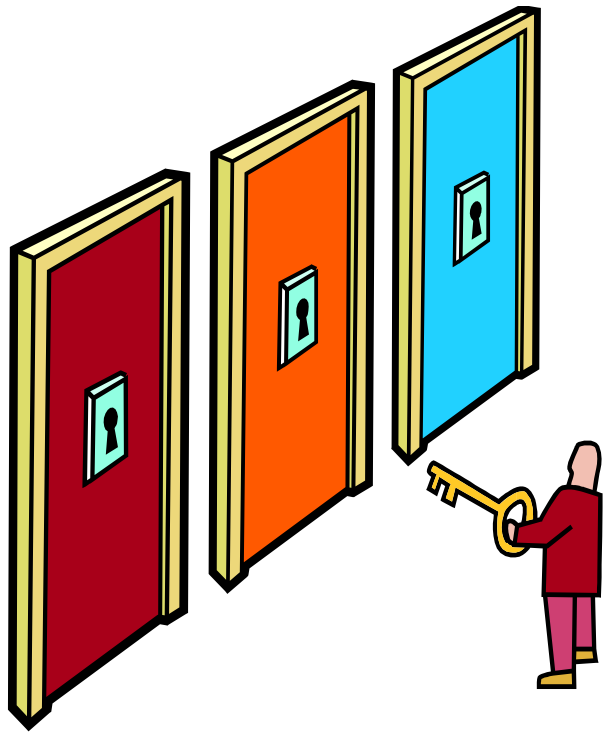
Without access to speech, these individuals are *severely restricted* in their communication and participation in all aspects of life –education, family, and community.”

(Beukelman and Mirenda, 2005)

Complex Communication Needs

- Refers to difficulty communicating using *only* verbal speech
- Can occur at any age
 - Developmental (childhood) or Acquired (from disease/accident)
- May be due to significant speech, language, and/or cognitive impairments
 - Cognition (ability to think/reason, attention/focus, memory) & communication are interrelated
- Communication impacted by environment & situation
 - anxiety, unfamiliar rooms, pain, lighting, & noises
 - can be distracting and interfere with the ability of the victim to understand and/or recount an incident

Communication is Key



- Believability
- Disclosing
- Reporting
- Testifying
- Receiving supports & services

We Know That

- Children with disabilities are 2.9 times more likely (than children without disabilities) to be sexually abused.

Lund & Vaughn-Jensen, 2012

- Children with intellectual *and mental health* disabilities appear to be 4.6 times at a greater risk (than children without disabilities).

Lund & Vaughn-Jensen, 2012

- In a school-based study, children with disabilities were more than 3 times more likely to be sexually abused (than children without disabilities).

Sullivan & Knutson, 2000

The best victim is the one who can not tell!

Victims with Complex Communication Needs

The extent of criminal victimization, neglect and abuse of children with complex communication needs is unknown.

What we do know is that:

- Survey of 40 adult AAC users (Bryen, Carey, and Frantz, 2003)
 - 45% of adults who use augmentative & alternative communication (AAC) experienced crime and abuse.
 - Only 28% reported their experience to the police.
- People with CCN may be found incompetent to testify because of their speech impairment.

Multidisciplinary Approach

- It is commonly accepted that a multidisciplinary approach to the investigation of child abuse, especially sexual abuse, is advantageous.
- It minimizes the number of interviews and court appearances.
- Multidisciplinary teams are generally composed of:
 - Law Enforcement investigators
 - Medical Personnel (doctors, nurses, SANE)
 - Child Protective Service Agencies
 - Victim Assistance Programs
 - Child Advocacy Centers

Fact Finding / Investigation

Law enforcement focuses on the criminal act and legally defensible fact finding, such as:

- What happened
- Accuracy of the victim's memory to recall the incident
- Objective versus subjective reality

- When the only evidence offered is the word of the child against the word of an adult, proving child sexual abuse can be difficult in a court of law.

- It is decidedly more difficult when the child/adolescent/adult communicates in a non-traditional manner.

Establishing Rapport

- Ask open-ended questions to encourage *narrative* responses.
- Clarify the victim's terminology for various body parts and sexual activities.
- Don't assume victim's chronological age and developmental age for terminology are the same.
- It is not uncommon for people with intellectual and developmental disabilities to be embarrassed or reluctant to say "penis," "vagina," "sex," and "breasts" because they have been taught these are dirty words.

Communication in Justice System

- Content of the interaction
 - Recalling episodes of fear, anxiety
- Context of the interaction
 - Unfamiliar environment & people
- Form of communication
 - Formal, Q&A versus conversational
- **Complex language**
 - Abstract vs concrete concepts (e.g., tie date/time to events instead of numbers)
 - May use leading questions

Case Study

- 15 Year old girl with CP and significant speech impairments
- Uses a power wheelchair and sometimes a talking computer (AAC device)

- Discloses to her aide
- Aide informs school administrator

- Police notified
- Investigating detective's notes fill $\frac{1}{4}$ of an 8x11 sheet of paper
- He states "she doesn't talk well," "she's hard to understand"

Case Study

- District Attorney's Office decides to prosecute
- Asks the Institute for assistance in working with a victim with significant communication issues

- V.O.I.C.E. Protocol is developed
- Validating Others' Intentional Communicative Expression

- Public Defender challenges VOICE protocol
- Judge allows the VOICE protocol, citing the ADA

Case Study

- Public Defender offers expert witness to challenge both the re-voicer and the victim

- Defendant found guilty on all counts
- Sentenced to 20-40 years in state prison

- Victim was provided court accompaniment by local victim service program

What Is V.O.I.C.E.

Validating Others' Intentional Communicative Expression

- A tool to ensure that people with complex communication needs are *heard* within the criminal justice system
 - Helps provide equal access to equal justice
 - Developed for Criminal (not civil) cases
- Speech-to-speech interpretation
 - May be called Re-voicing
 - Repeating *word-for-word* the message of someone whose speech is difficult to understand
- **Accommodation** for disability
 - Title II of Americans with Disabilities Act (ADA)
 - Ramps at entrance, large print text

Intelligibility

“Intelligibility” – how well person’s speech can be understood

- Depends on setting / environment
 - Easier to understand: 1-on-1 conversation, familiar topics
 - Harder to understand: noisy settings, unfamiliar topics (don’t know what vocabulary to expect)

Intelligibility

- Depends on Listener / Partner
 - To some degree... proficient listeners may be able to compensate for reductions in the talker's proficiency (Fletcher and Galt, 1950)
 - Familiar Partners (extensive contact, across time)
 - Family, close friends, caregivers understand *BEST*
 - BUT may have a "stake" in court testimony
 - "Trained listeners"
 - Judges, attorneys, partners familiar with speech disabilities (disability advocates, speech-language pathologists)

V.O.I.C.E.

Developed for people with

- Significant speech disabilities
 - Speech is unintelligible - cannot be understood by unfamiliar/untrained listeners
 - Person knows what they want to say, **BUT** speech cannot be understood
 - Person may *also* use printed communication boards or talking computers **BUT** partners (judges, attorneys, jury) can't see/hear/wait for message
 - VOICE provides options for person to use *most comfortable* form of communication



Communication Devices



- Augmentative and Alternative Communication (AAC)
 - Assistive technology for Communication
 - Strategies and supports to minimize or compensate for communication difficulties
 - Range of low-tech to high-tech
 - Simple, usually home-made “equipment” like printed pictures, communication books, ABC boards
 - Recordable devices with 1-128+ buttons
 - Talking computer / Speech-generating device (no need to pre-record)
 - Alternate Access (enables device use without directly touching - switches, eye gaze)



V.O.I.C.E.

V.O.I.C.E. is NOT for

- Translation / Interpretation
 - Ex: People who use speak other languages fluently, including American Sign Language used by Deaf
- People unfit to testify for other reasons
 - Ex: memory loss or confusion - Alzheimer's, significant mental health

V.O.I.C.E.

- Who makes the request for VOICE?
 - WHOEVER identifies the need for accommodations
 - Legal Counsel (prosecutor, defense attorney)
 - Victim / Family
 - Victim Services
 - Disability Advocate / Service Provider
- Who provides VOICE services?
 - Licensed and trained Speech-Language Pathologists
 - May need approved as Expert Witness or Court-Appointed Interpreter

Summary

- “The victim showed extraordinary courage in overcoming her disabilities to speak up and obtain justice. The jury’s verdict and the Judge’s sentence are sending a clear message to all predators in the city. We will protect our most vulnerable citizens, even when they suffer from mental or physical disabilities that make it difficult for them to communicate.”
 - John O’Neill, Esquire (Philadelphia District Attorney’s Office)

Thank you for attending this webinar
Any Questions?



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