



Human Services
Research Institute

Abuse-Neglect-Exploitation: Risks & Safeguards for People with Disabilities

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Evolving Recognition of Harm & Evolving Rights

Awareness & Action Path:

- Acceptance that violence and abuse occurs
- Social condemnation & data & anecdotal information that abuse is pervasive & harmful
- Laws to protect
- Reporting & investigation mechanisms
- Criminal prosecution

At one time we didn't believe abuse against these groups existed or was condemnable:

- Children
- Seniors (adults 60 years & above)
- Non-white race & ethnic discrimination
- Domestic violence (partner violence)
- People with disabilities
- Clergy/priest child molesters
- People identifying as LGBTQ

Evolving U.S. Standards

U.S. Disability Laws

- 1972 Wyatt v. Stickney case
- 1973 Section 503 of Rehabilitation Act
- 1975 Congress enacted Protection and Advocacy system
- 1975 Individuals with Disabilities Education Act (IDEA)
- 1984 Voting Accessibility for the Elderly and Handicapped Act
- 1986 PAIMI program established
- 1990 Americans with Disabilities Act
- 1999 Olmstead v. L.C. decision

Centers for Medicare and Medicaid Services (CMS) New HCBS Rules

- 2014 - Home and community based service (HCBS) settings must ensure public funds support full integration.
- States have until 2019 to come into setting compliance. People using HCBS must have same degree of access to community as typical community members, etc...
- 2014 - People must be offered opportunity to self direct and must use person-centered service planning

World Health Organization

- Health and welfare of people today is more dependent on social and economic conditions.
- Social segregation and poverty place all people at risk, but people with IDD experience these conditions more than the general population.
- “Social exclusion also results from racism, discrimination, stigmatization, hostility and unemployment. These processes prevent people from participating in education or training, and gaining access to services and citizenship activities. They are socially and psychologically damaging, materially costly, and harmful to health. People who live in, or have left, institutions, such as prisons, children’s homes and psychiatric hospitals, are particularly vulnerable.”

United Nations Convention on Rights of Persons with Disabilities, 2006

- 160 countries signed treaty (U.S. needs Senate to ratify.)
- Countries guarantee that persons with disabilities enjoy their inherent right to life on an equal basis with others (Article 10)
- Ensure the equal rights and advancement of women and girls with disabilities (Article 6) & protect children with disabilities (Article 7)
- Recognize all persons are equal before the law & prohibit discrimination on basis of disability and guarantee equal legal protection (Article 5)



Harms against people with disabilities

Little reliable national data exists. Why?

- Inhibitions to talking about it
- Disbelief that it occurs & so frequently
- Discounting reports of people with IDD
- Low level of reporting
- Belief that nothing will or can be done
- Victims who are physically, financially, or emotionally dependent on offenders are less likely to report to authorities, seek justice, or access victim service assistance. They may fear retaliation or destitution if their offender is arrested and convicted.



Disability Pride parade
 ADA 25 Years
 July 2015, NY

Harms against people with disabilities

People with disabilities are victimized at much higher rates than general population:

- a. Children with a disability are 68% more likely to be victims of maltreatment than children without a disability.
- b. Women with IDD are at 4 to 10 times greater risk of sexual assault than women in general population.
- c. More than one-fourth of persons with severe mental illness were victims of a violent crime in the past year, a rate more than 11 times that of general population.



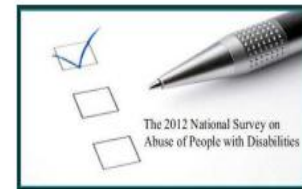
Abuse of People with Disabilities Victims and Their Families Speak Out

2012 National Survey on Abuse of People with Disabilities findings:

- Prevalent and pervasive
- Happens in many ways
- Occurs repeatedly across all types of disabilities
- Nearly half of victims with disabilities did not report abuse to authorities
- When reported, nearly 54% said nothing happened.
- Perpetrators were arrested in less than 10% of reported cases.
- When therapy is provided to victims, its helpful. Two-thirds of victims were not referred. Less than 10% of victims of sexual or physical abuse received benefits from a crime victim program.

Abuse of People with Disabilities

Victims and Their Families Speak Out



A Report on the 2012 National Survey
on Abuse of People with Disabilities

Nora J. Baladerian, Ph.D.
Thomas F. Coleman
Jim Stream

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Disability and Abuse Project
www.disabilityandabuse.org

2012 National Survey Findings

More than 70% of people with disabilities reported they had been abused!



All kinds of abuse:

- 87.2% verbal-emotional abuse
- 50.6% physical abuse
- 41.6% sexual abuse
- 37.3% neglect
- 31.5% financial abuse

Abuse and Repeated Abuse!

- More than 90% of people with disabilities who were victims of abuse said they had experienced such abuse on multiple occasions.
- 57% of these victims said they had been victims of abuse on more than 20 occasions.
- 46% said abuse happened too many times for them to count.



Source: 2012 Survey on Abuse of People with Disabilities report



What increases a person's risk for abuse?

Abuse is more likely when:

- ✓ **Prior victimization** - especially if person did not receive help with recovery
- ✓ Someone has **power or control** over another, such as:
 - Financial authority
 - Decision making authority
- ✓ Individual has **vulnerability**:
 - Communication or mobility limitation
 - Mental health condition or considered a behavior challenge
 - Dependent for personal care
- ✓ Individual is **socially isolated**:
 - Lack of friends and friends with general community members
 - Not engaged in integrated community activities, work, school

Harm is usually committed by people known to the person with a disability:

- family caregivers
- intimate partners
- personal assistance service professionals
- service providers (e.g., paid or unpaid caregivers, healthcare workers, and providers of other community services, such as transportation)



Photo: Statistics For The Number Of Seniors With Disabilities Who Suffer Abuse, <http://www.seniorabuselaw.com/news-and-information/abuse-seniors-disabilities.html>



What NCI tells us about vulnerabilities for abuse for adults with I/DD receiving services in Florida

Preliminary data from NCI's Adult
Consumer Survey 2014-15

Vulnerability

Communication

N=1401

- 72% speech
- 25% gestures
- 1% sign
- 1% communication device
- 1% other



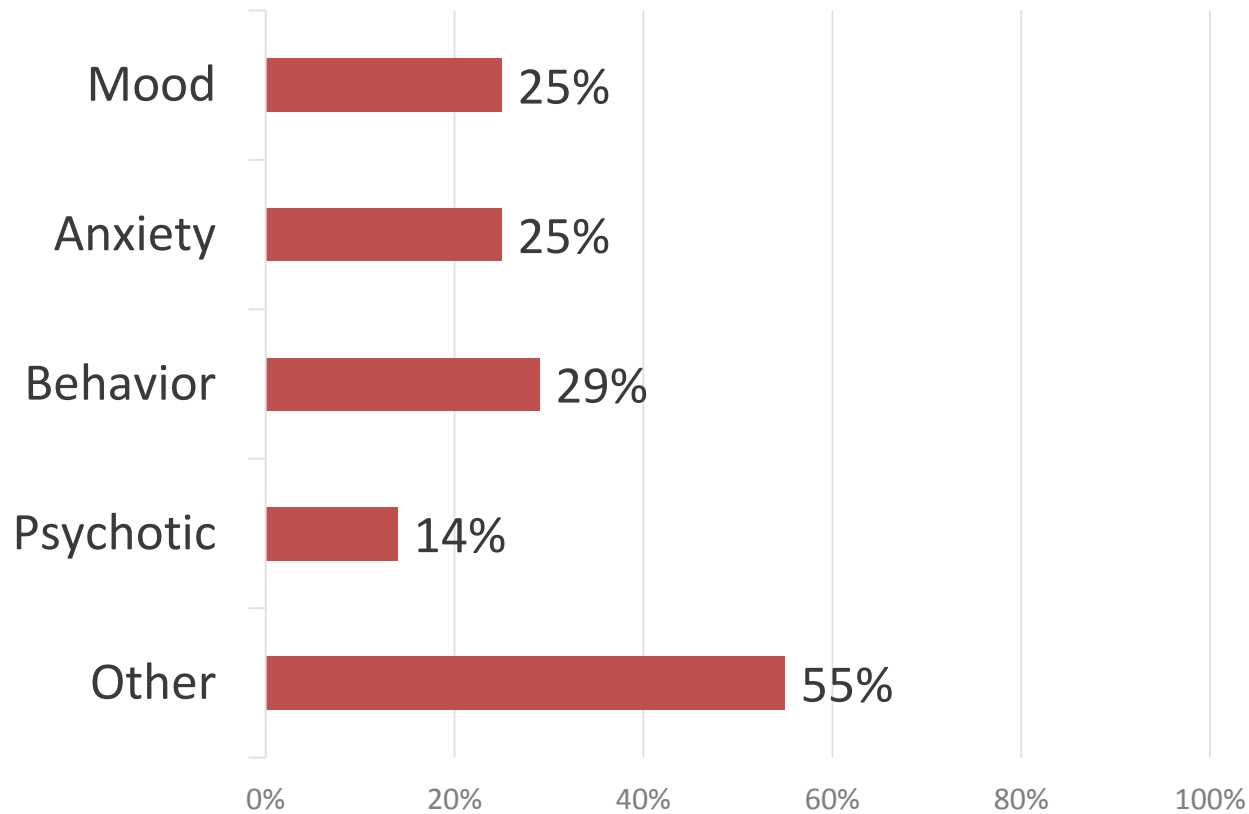
Mobility

N=1401

- 72% self
- 15% with aid
- 12% dependent on others

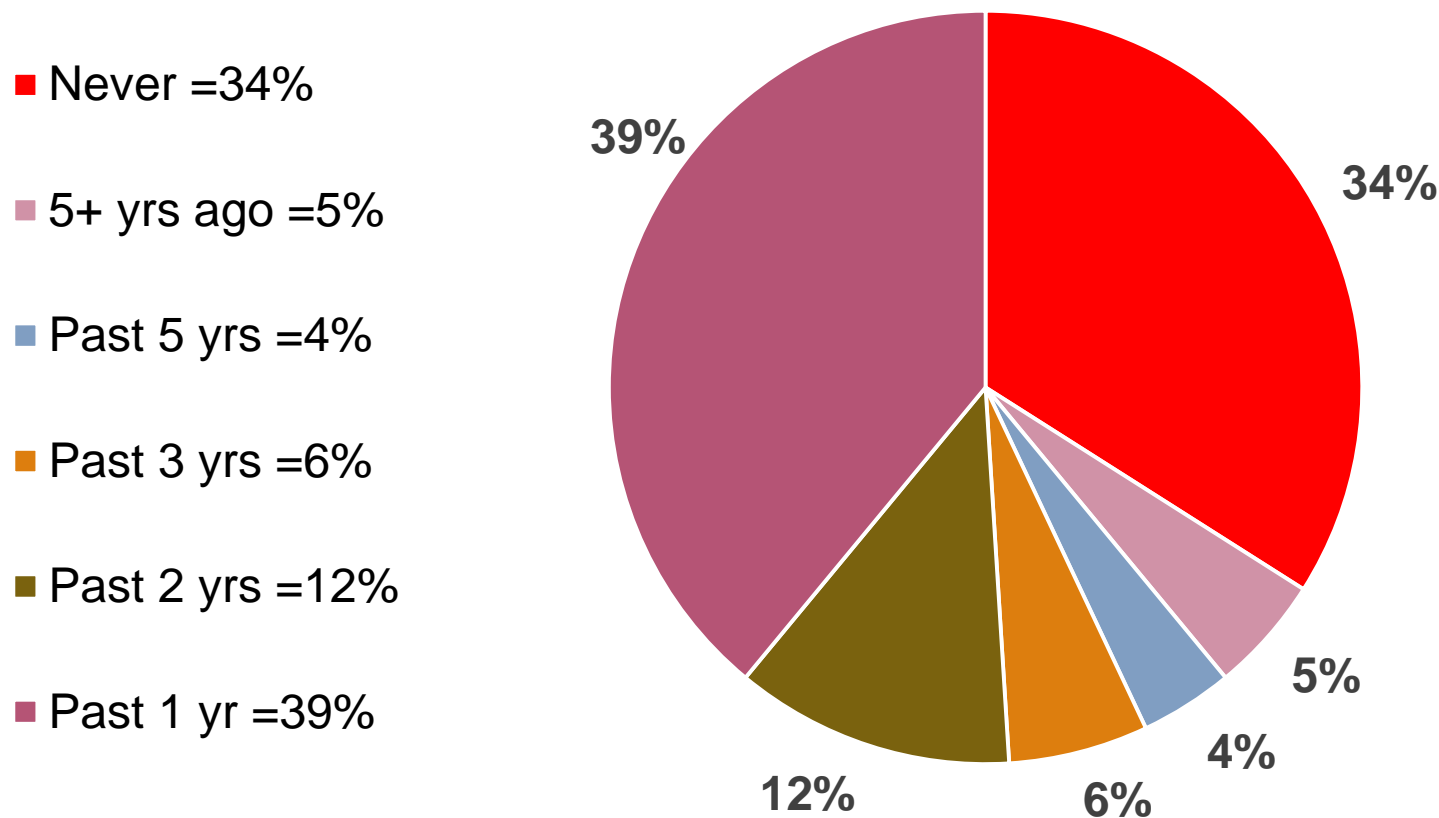


Vulnerability: Behavioral health



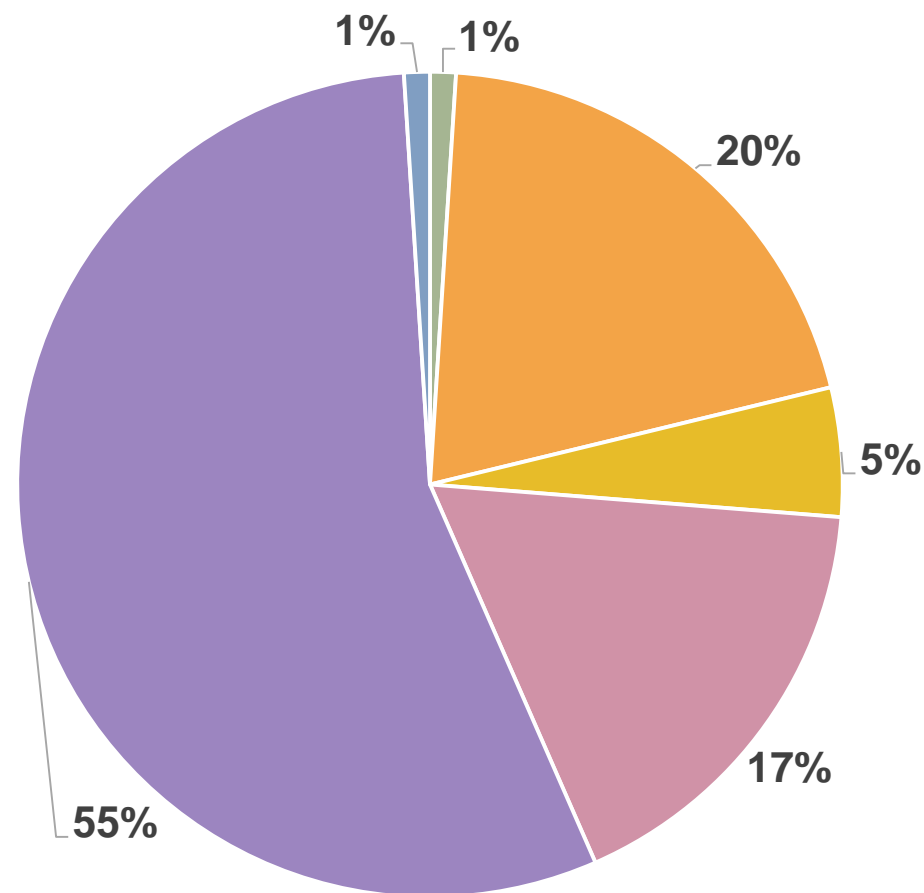
Vulnerability: Preventive health care

Most recent Pap Test (women 18 years & above) N=574



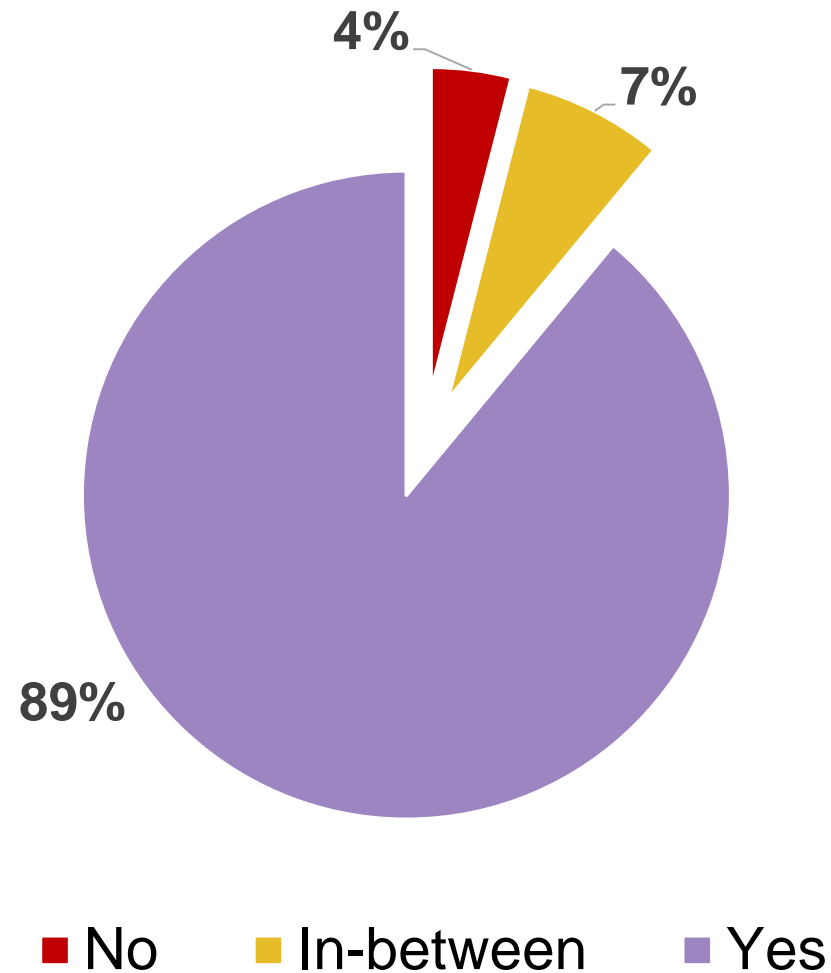
Vulnerability: Home Type

- Group home 1-3 =1%
- Group home 4-6 =20%
- Group home 7+ =5%
- Own home/apt =17%
- Relative's home=55%
- Foster/host home=1%

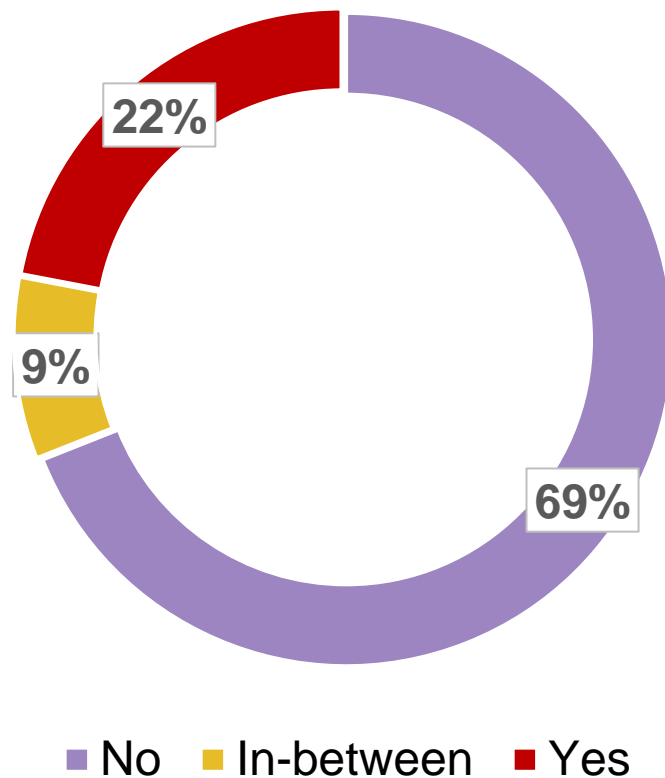


N=1411

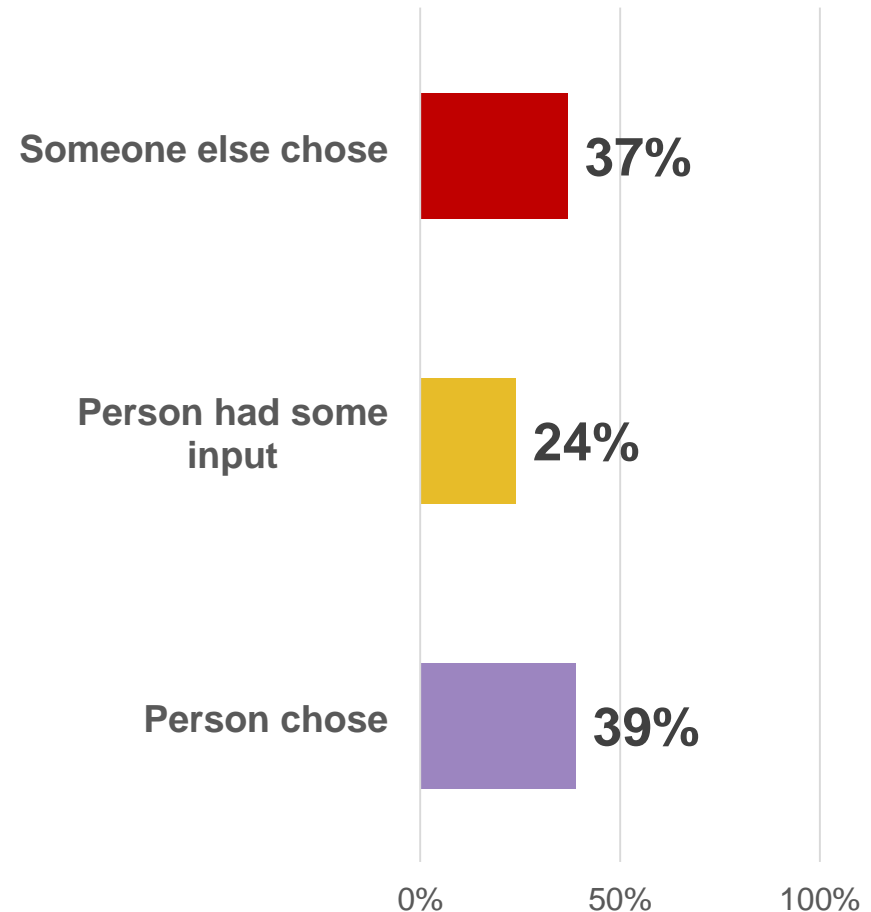
Do you like where you live?



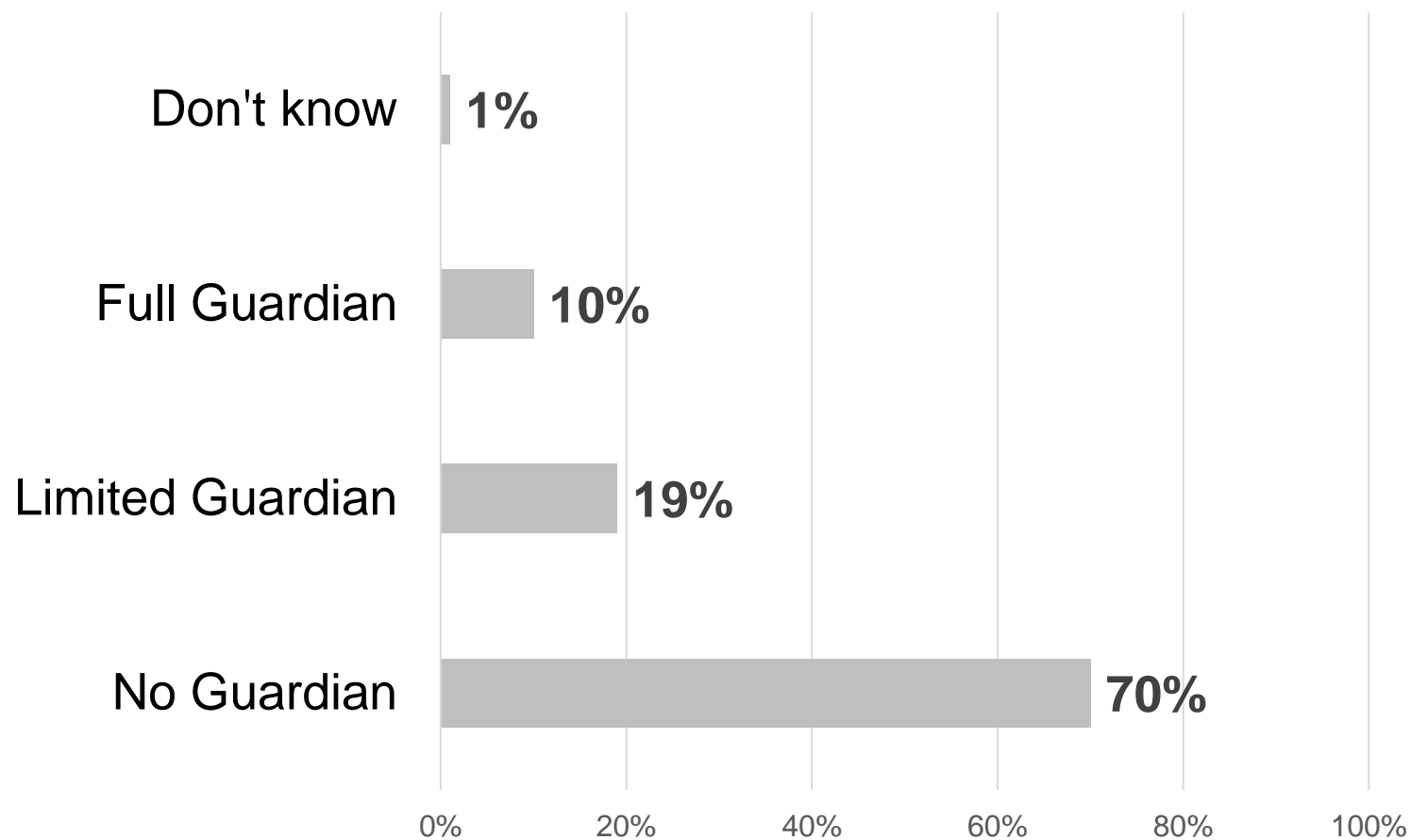
Would you like to live somewhere else? N=871



Who chose where you live?
N=573



Power & Rights: Decision making rights

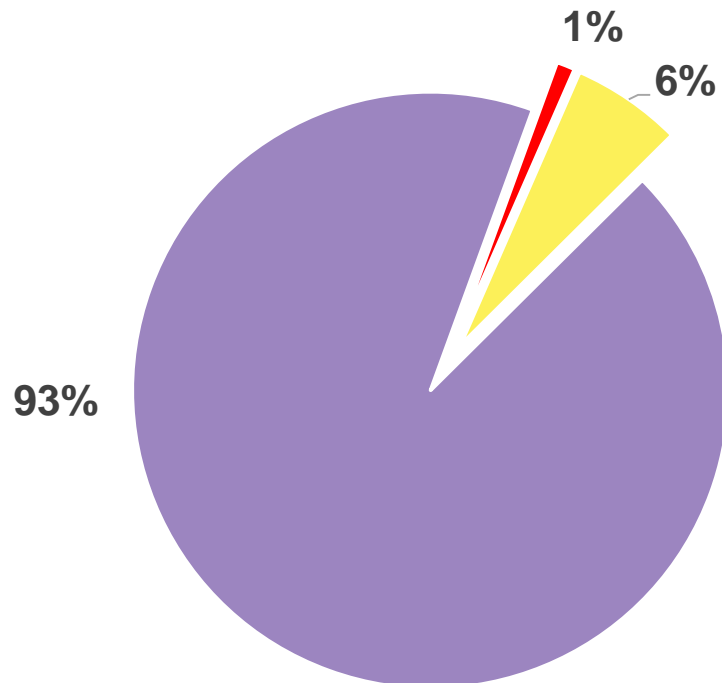


N=1401

Power & Respect: Staff relationships

Do your staff treat you with respect?

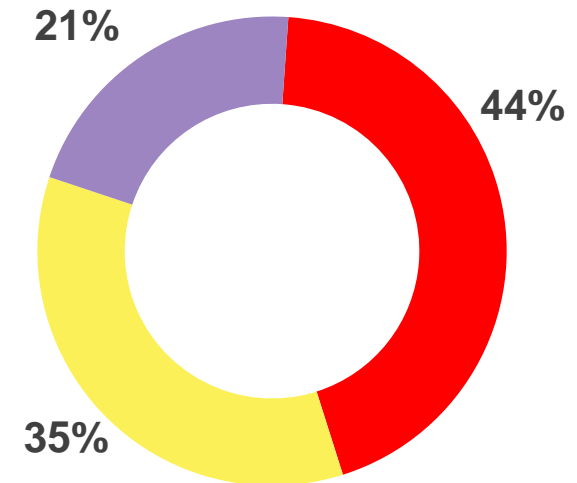
N=769



- No
- Sometimes or some staff
- Yes

Do you chose your staff?

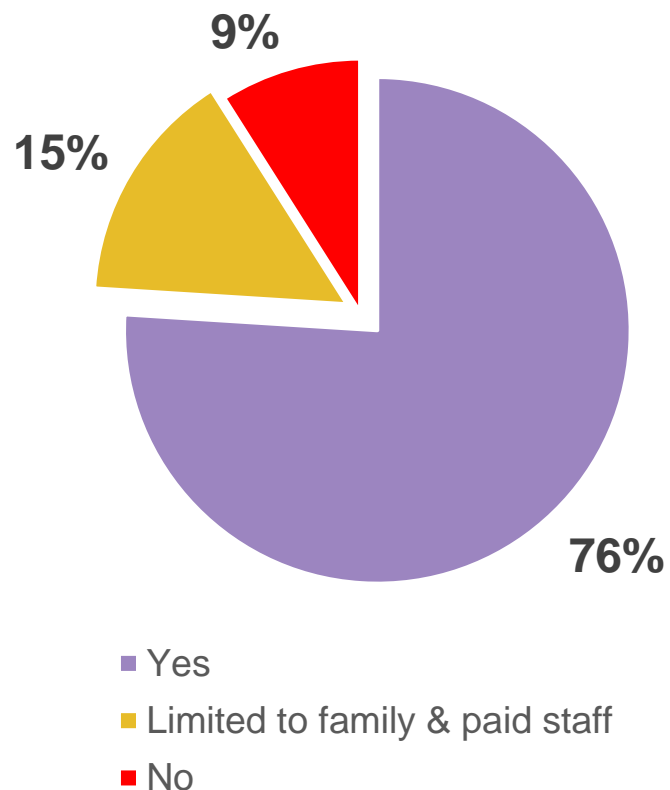
N=1277



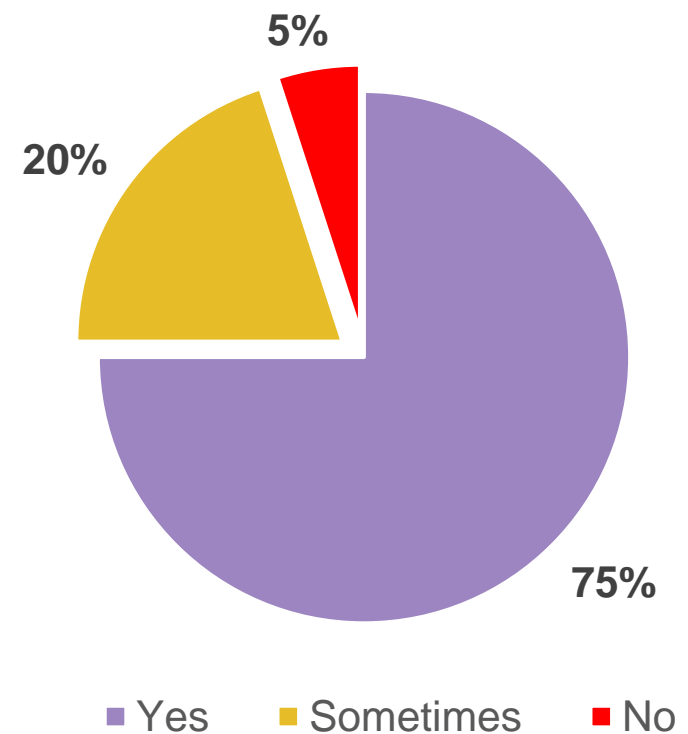
- Someone else chose
- Someone else chose but can request change
- Person chose

Social Life: Relationships

Do you have friends you like to talk to or do things with? N=864

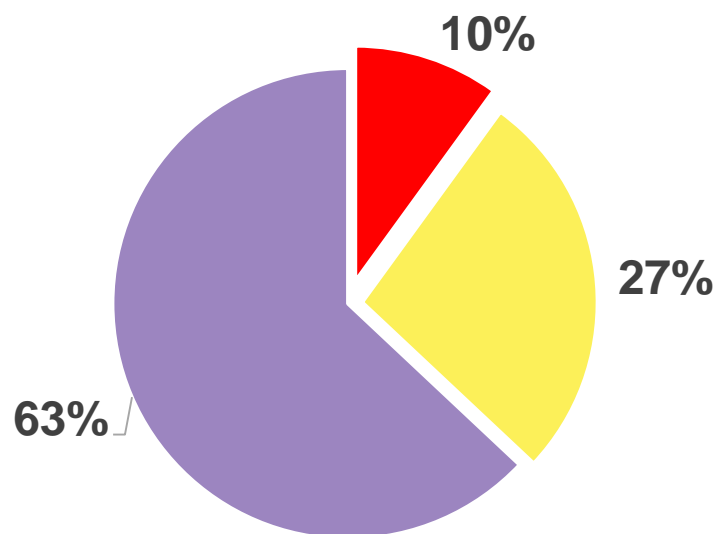


Can you see your friends when you want to see them? N=781



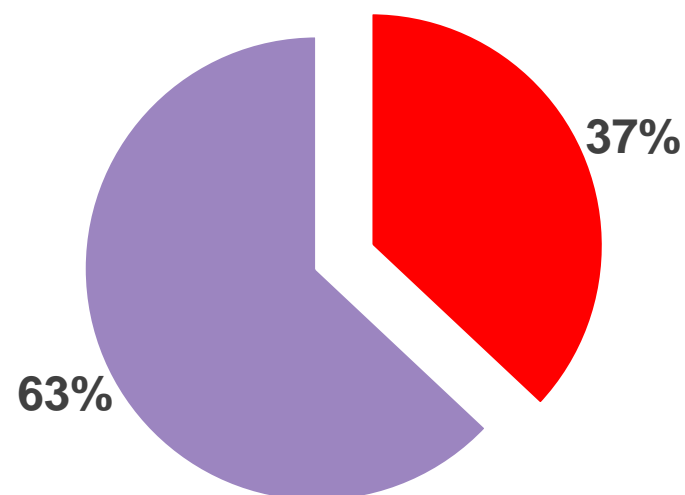
Social Isolation: Relationships

Do you ever feel lonely? N=842



- More than half the time
- Half the time
- Less than half the time

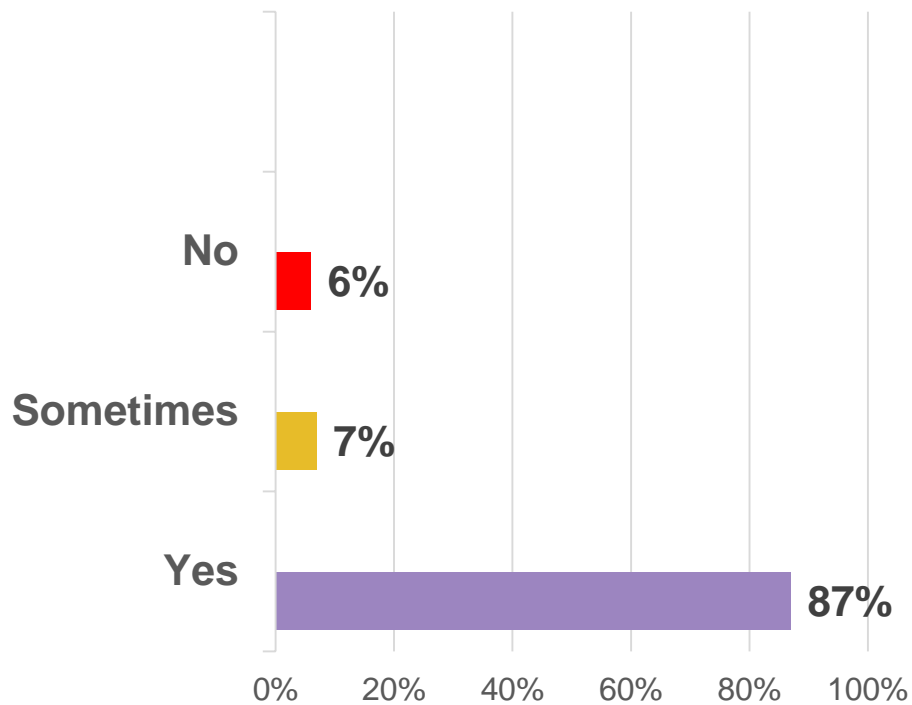
If we combine those who are lonely most of the time with those who experience loneliness half the time.....



- Often + sometimes lonely
- Rarely lonely

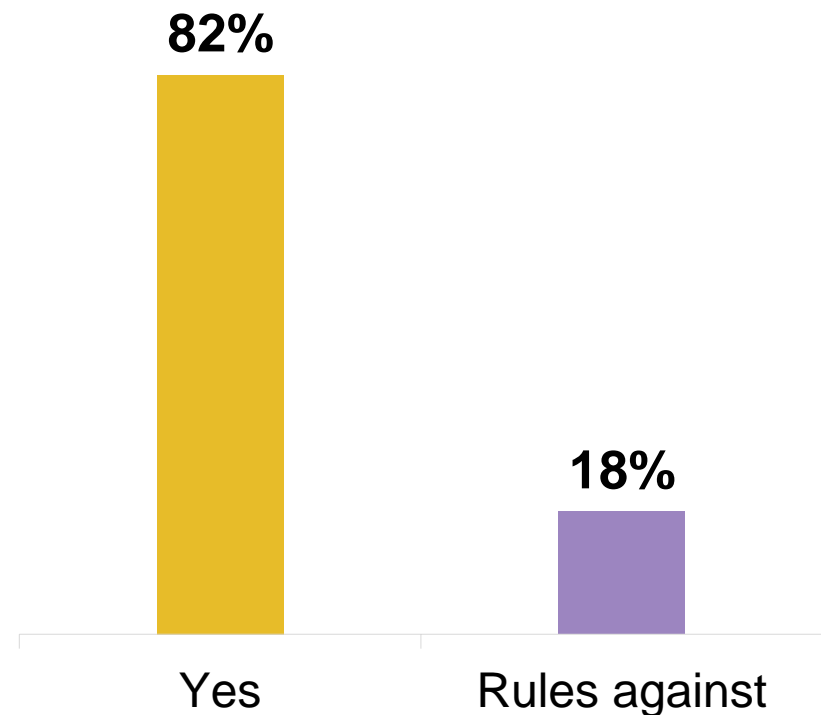
Respect & Relationships

Do people let you know before entering bedroom?



N = 818

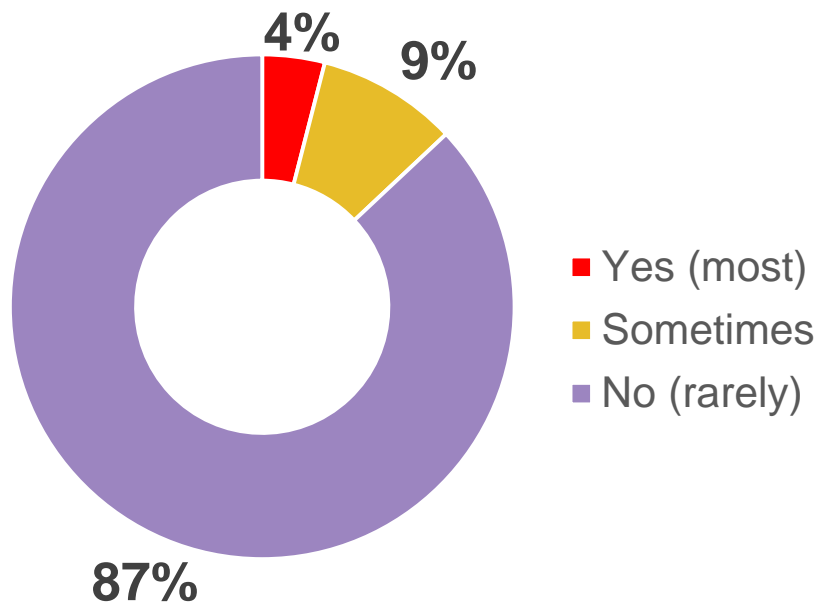
Can you be alone with friends or visitors in your home, or does someone have to be with you?



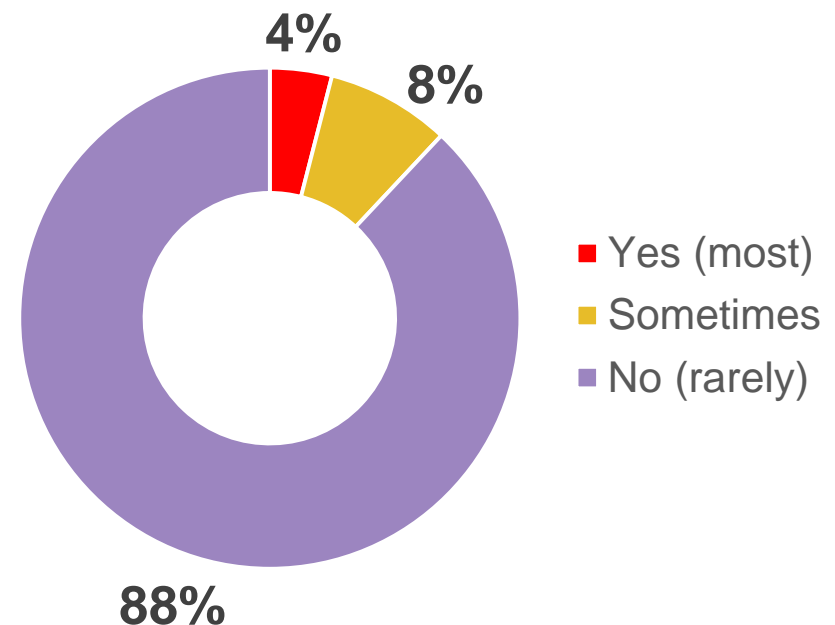
N = 1,156

Threats to Well-being

Are you ever afraid or scared when you are at home? N=873

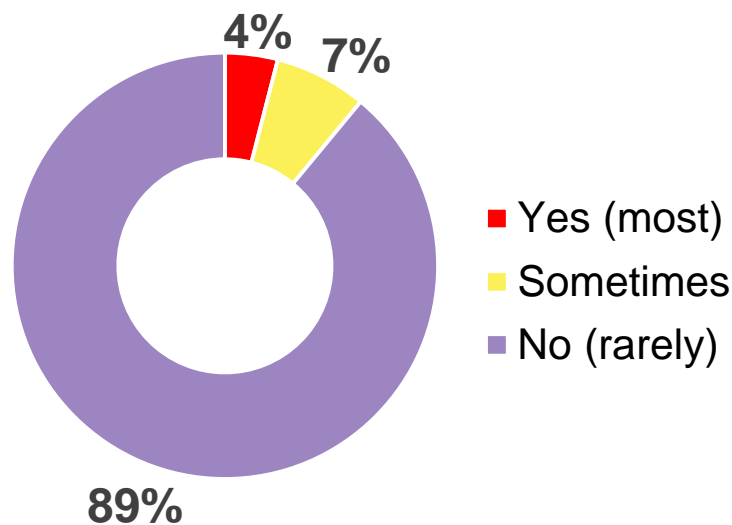


Are you ever afraid or scared when you are out in your neighborhood? N=848

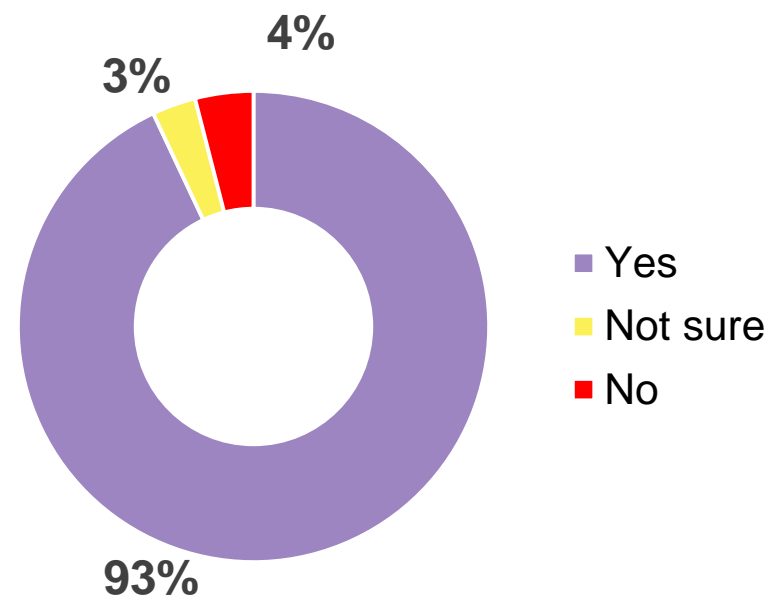


Threat to Well-being & Supportive Relationships

Are you ever afraid or scared when you are at work, day program, or other activity? N=545

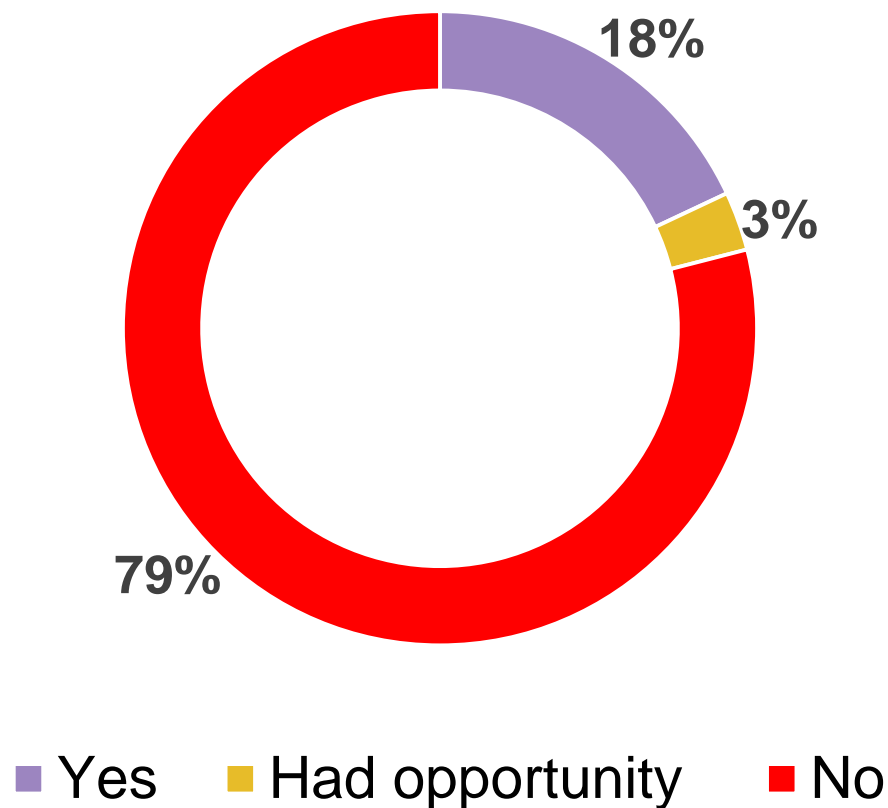


If you ever feel afraid, is there someone you can talk to? N=857



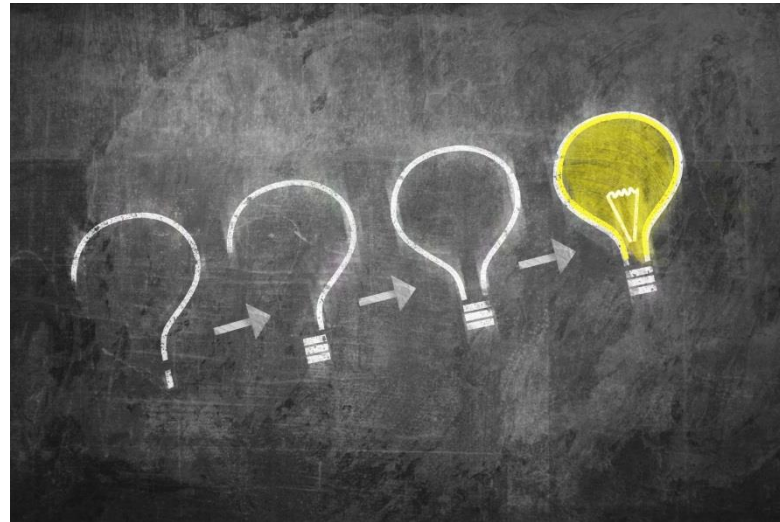
Social Isolation: Self Advocacy

Have you ever participated in a self advocacy meeting or event? N=1209





Safeguards Risk Reduction & QI project ideas



Safeguards

- Friends! Help people with I/DD have more relationships. Reduce isolation and segregation!
- Use and update Abuse registry & Background checks
- Thorough exams with health care practitioners that ask about victimization & share resources
- Ensure crime victimization supports are offered & accessible.
- Don't assume anyone is free of risk. We all have some areas of vulnerability.
- REPORT your suspicions!

Safeguards continued ...

- Educate people with I/DD on sexuality (private & consensual behavior, public behavior, assaultive).
- Educate people with I/DD about their rights in terms and language they understand.
- Educate about signs and symptoms of abuse, neglect, financial exploitation.
- Educate all people on importance of reporting.
- Support people with IDD by discussing vulnerabilities & risk reduction (as needed & annual service planning).

NCI Family/Guardian Surveys Ask:

- Do you know the process for filing a complaint or grievance against provider agencies or staff? **85% Yes**
- Are you satisfied with the way complaints or grievances against provider agencies or staff are handled and resolved? **88% Yes**
- Do you know how to report abuse or neglect? **94% Yes**
- **Within the past year, if abuse or neglect occurred, did you report it? 55% Yes**
- If you reported abuse or neglect in the past year, were the appropriate people responsive to your report? **94% Yes**

Source: 2014-15 Family/Guardian Surveys Results

Georgia Quality Council Initiative

- Region II QIC developed a training by people with IDD for people with IDD on harm & standing up to it.
- Training conveyed what abuse (“assault”), neglect, & exploitation is in simple language. They role played examples.
- At end of trainings, people with IDD were invited to take a pledge to report, share how they would report, and what they would do next if nothing happened or changed after they reported.
- QIC family members saw dramatic differences. People understood, were more self-determined & looked out for their peers more assertively.

Florida QC Project Ideas

- Educate about good relationships, signs and symptoms of a/n/e, how to report & what to expect after reporting.
- How well are abuse registry & background checks keeping perpetrators away?
- Who is reporting? Are people with IDD reporting?
- Are adequate victim's services available to those with IDD in the criminal justice system?
- Is therapy offered to crime victims in FL? How it is paid for?
- Ask people about their experiences.
- Support people by discussing individualized risk reduction at least annually as part of service planning.

Resources

Slide 8 references:

- a. Children's Bureau, "Child Maltreatment, 2004," (Washington, DC: U.S. Department of Health and Human Services, 2005), 27, <http://www.acf.hhs.gov/programs/cb/pubs/cm04.pdf> (accessed May 11, 2007)
- b. W. Abramson et al., eds., *Impact: Feature Issue on Violence Against Women with Developmental or Other Disabilities* 13, number 3 (2000)
- c. L.A. Teplin et al., "Crime Victimization in Adults with Severe Mental Illness: Comparison with the National Crime Victimization Survey," *Archives of General Psychiatry* 62, number 8 (2005)

Centers for Medicare & Medicaid HCBS Guidance, <https://www.medicaid.gov/Medicaid-CHIP-Program-Information/By-Topics/Long-Term-Services-and-Supports/Home-and-Community-Based-Services/Home-and-Community-Based-Services.html>

National Council on Disability: <https://www.ncd.gov/publications/2007/May212007>

National Core Indicators (NCI) website: www.nationalcoreindicators.org

Disability and Abuse Project: <http://disability-abuse.com/>

A Report on the 2012 National Survey on Abuse of People with Disabilities:
<http://disability-abuse.com/survey/survey-report.pdf>

United Nations Convention on Rights of Persons with Disabilities:
<http://www.un.org/disabilities/convention/conventionfull.shtml>

World Health Organization, 2003 publication, *Social Determinants of Health, The Solid Facts, 2nd Edition*, p. 16.
http://www.euro.who.int/_data/assets/pdf_file/0005/98438/e81384.pdf