Introduction

Anyone can be victimized by crime. But people who have a disability can be more vulnerable to victimization than others in society. People with a mental impairment can be less able to recognize and avoid danger, and people with a physical impairment can be less able to protect themselves or escape harm. Furthermore, victims of crime who have a disability can be less able to contact law enforcement and, without disability accommodations, help in the investigation of their victimization.

This chapter will cover important considerations for handling emergency calls where the victim is a person with a disability.

Given an assignment to telephone emergency services, participants will effectively handle calls from crime victims with disabilities, in accordance with federal and state law requirements and best practices identified by the Department of Justice’s Office of Victim Services.

Training Objectives

♦ Discuss distinct issues unique to crime victims with disabilities
♦ Explain vocabulary sensitivity and diverse needs of crime victims with disabilities.
♦ Discuss the first response guidelines for crimes against people who have a disability.

Reason for training

The nature of our jobs causes us to interact with people who are victims of crime. Crime does not discriminate; it can happen to anyone at any time. As 9-1-1 personnel, you must be aware of and prepared for the unique challenges that may be presented when responding to call from victims of crime with disabilities.

Distinct Crime Victim Issues

Crime Victim Issues

Most issues that confront crime victims with disabilities are issues that also affect all crime victims. They include underreporting of crimes; a lack of responsiveness from law enforcement or prosecutors based on a perceived lack of credibility on
the part of the victim; repeated victimization; lack of effective, appropriate services, physical or social isolation of the victim; and a judicial process that is centered on the rights and needs of the offender, not the victim. However, there are important issues and even distinctions that must be emphasized when serving victims of crime with disabilities.

Crime Victim Issues for People with Disabilities

Crime victims with disabilities have a higher risk of victimization than crime victims without disabilities, and face a greater risk of being re-victimized, often at the hands of a caregiver or family member. Consequently, victims may not be in a position to report the crime without fear of retaliation from the care provider.

A crime victim with a disability or a person who becomes disabled due to crime may not have the resources or the physical stamina to cope with the many delays and hurdles that typically occur in the criminal justice system. For example, if a victim is paralyzed as a result of a crime, the victim will be adjusting to this recent disability at the same time that he or she is interacting with the criminal justice system. The combination may well be overwhelming.

Child custody issues are typically complex in cases of domestic violence. When the victim has a disability, the issues may be further complicated. According to disability advocates, some courts have awarded custody to the batterer, based on an assumption that children may be better-off with an offender without a disability than with a victim who has a disability.

Vocabulary Issues

Vocabulary Issues: General Tips

There are some general practices that people should consider when communicating when interacting with people with disabilities.

- Always use people-first language and avoid using words that reduce individuals to a series of labels, symptoms or medical terms.

- Emphasize the person, not the disability by putting the person-noun first.
Avoid putting a label or condition prior to an individual’s name or title.

Avoid using terms such as patient, confined, restricted, wheelchair bound, cripple, deformed, deaf and dumb, afflicted with, stricken with, suffering from, invalid, courageous, brave, inspirational, poor, unfortunate, incapacitated, retarded, mentally deficient, idiot, mentally defective, fit, and special.

The term able bodied should also be avoided and is not accurate to describe a person who does not have a disability. Accessible environments and adaptive equipment allow many individuals with disabilities to perform the same activities as people without a disability. Use the term non-disabled or the phrase does not experience a disability when it is necessary to distinguish that a person does not have a disability. Avoid using terms such as able-bodied or normal when referring to people without disability in contrast with those who have disabilities.

Although still in wide use today, the term handicapped may also be offensive. It is often used to denote parking or entrances to buildings. The more appropriate terminology is accessible parking, accessible entrance, accessible accommodations, etc.

Due to some disabilities, people must use wheelchairs for mobility. Unfortunately, we often refer to a person who uses a wheelchair as bound or confined. This is highly offensive and inappropriate. Using the concept of people-first, the appropriate terminology is “individual or person who uses a wheelchair.”

Vocabulary Issues: Specific Terms

The words that we use are important, but some related to law enforcement and criminal justice may have negative connotations for people with disabilities.

- **Victim:**

  Victim is a loaded term in the disability rights community. In the medical system, people with disabilities have historically been considered "victims" of their disabilities, i.e., a "victim" of polio. The term reinforces an already-existing, socially-imposed negative identity. Disability advocates have struggled to transform their identity from "victim" to something more
positive; therefore, admitting "victimization" is often experienced as a setback. Victim advocates have also long been concerned about using language that would include all crime victims and yet not be stigmatizing. Service providers working with crime victims could clarify the issue by asking the victims how they prefer to be characterized. Some individuals may prefer the term survivor, while others may feel that the use of victim is an appropriate word to describe their status in the aftermath of violent or repeated victimization.

- **Special Services:**

  “Special services” is another loaded term with negative connotations. Crime victims with disabilities do not want anything special. They want the rights and services to which they are rightly entitled and request common-sense accommodations to ensure that they can receive them. However, many crime victims (not just those with physical or cognitive disabilities) will need individualized attention and services.

- **Disability:**

  Disability is more than a physical/emotional/mental issue. It is a political and social issue as well, and frequently is a major source of a person's identity because of societal attitudes. Many people with disabilities view their disabilities as disabling only to the extent to which society does not provide an accommodating environment.

- **Violence:**

  Violence may be defined differently for many people with disabilities. For example, the withholding of a wheelchair, thus forcing a person to slide along the floor, might be considered an act of violence. In that regard, it is important to note that many acts of criminal violence committed against vulnerable individuals, such as children, the elderly, and individuals with disabilities, are referred to as forms of abuse. While the behavior is certainly abusive, using the term abuse instead of violence can serve to minimize the severity of the crime against the victim.
Disability Community:

The disability community includes family members, who, like the family members of many crime victims, are frequently secondary victims. And, sometimes, they may be the offender.

Diverse Needs

There is no single, monolithic "disability community." It is made up of many smaller communities that may vary from one geographic location to another, and according to the type of disability.

Not all disability advocates support mandatory reporting of crimes against people with disabilities. An individual struggling to maintain independence may perceive mandatory reporting as excessive "protectionism," while others believe that the legal requirement to report crimes against "vulnerable adults" is integral to ensuring their safety.

There are varying numbers of Deaf and Hard-of-Hearing people throughout the country. For example, a large number of Deaf and Hard-of-Hearing people are in the Washington, D.C. area, probably because of the presence of Gallaudet University, the largest 4-year liberal arts university for the Deaf in the United States. Other communities of similar size may have far fewer Deaf residents. However, even within the communities of people with similar disabilities (for example, those with spinal cord injuries, or those who are blind, or those with learning disabilities), it must be remembered that the community is composed of separate, unique individuals who differ from one another and will require individualized assistance. All racial, ethnic, and socio-economic groups include people with disabilities.

Accessibility is different depending on the disability.

Guidelines on First Response to Victims of Crime Who Have a Disability

First Response:

One out of five people in the United States has a mental or physical impairment, and the disability is severe for half of this population. These disabilities come in many forms but all affect either a person’s mental functioning, such as the ability to reason and exercise good judgment, or a person’s physical abilities, such as the ability to see and hear.

Numerous research studies indicate that the risk of criminal victimization for people with a disability is much higher than for people without disabilities. In addition, people who
have a disability are often victimized repeatedly by the same perpetrators. Yet, most of the issues that confront victims who have a disability are issues that affect all crime victims.

The way victims cope depends largely on their experience following the crime. As a communications officer, you are usually the first official to interact with victims. For this reason, you are in a unique position to help victims cope with the trauma of the crime and restore a sense of security and control over their lives.

**Communications Officer’s Role:**

The circumstances of a crime dictate when and how responding officers are able to first address victims and their needs. They may have to juggle many other tasks, such as securing the crime scene, determining and calling for emergency medical services, advising other public safety personnel on their arrival, collecting evidence, and interviewing witnesses at the scene. Therefore, communications officers should give consideration to the number of officers/responders sent and what information is provided prior to arrival to prepare those responders for dealing with the disability issues that will be present at the scene. Communications officers should refer to their departmental policy for specific instructions on relaying disability related information to their responders via radio and/or data terminals.

Gathering information and dispatching appropriate resources for the call type is the primary duty of the communications officer. However, as soon as the communications officer's most urgent tasks have been completed, attention should be directed to crime victims and their needs. At that point, how you communicate with victims and explain what to expect upon arrival of responders, is crucial to their recovery.

Always remember that you are there for each victim. Crime victims are not just witnesses/reporting parties for you. By responding to victims appropriately and compassionately, the communications officer is also more likely to gain their trust and cooperation. As a result, victims are more prepared for the arrival of responders and more willing to provide detailed information about the crime to the officer and later to investigators and prosecutors, which, in turn, leads to the conviction of more criminals.

Finally, although most issues that crime victims who have a disability confront are concerns that affect crime victims in general, there are still important differences in how to approach and help victims with a disability. The information presented below illustrates some of these differences and how to better serve all crime victims.
General Tips:

A lack of personal familiarity with individuals who have a disability may cause you to feel professionally awkward and uncertain in your response to victims of crime with disabilities. On the other hand, a person’s impairment may not be obvious, so listen to victims carefully for indications of any disability. You should also not be hesitant to ask victims if they have any individualized needs because of a disability if you are uncertain. In short, as the 1st first responder, you can promote effective communication, reduce your anxieties, and best serve victims by observing these guidelines:

- Rethink your attitude about people who have a disability (the negative attitudes of others are sometimes their greatest impairment).

- Consider that a person with a substantial disability may be healthier than you.

- Be careful not to label or define people by their impairment. For example, referring to the victim as “a disabled woman” rather than saying the victim is “a woman with a disability” can convey the image of a person who is primarily disabled and secondarily a woman.

- Similarly, it is better to say “the victim has schizophrenia” or “the victim has a mental illness” rather than “the victim is a schizophrenic,” and “the victim is a male with blindness” is better than “the victim is a blind man.” In other words, person has an impairing condition, not the person is that condition.

- Ask victims how they wish to be characterized and how you or your responders can communicate with them most effectively. Your respect and sensitivity will ensure that the words you use and accommodations you make are appropriate, not detrimental. The presence of someone familiar to victims or a person knowledgeable about their impairment may also be extremely important for victims and helpful during officer interviews. But, recognize that family members, service providers, and others could be the offenders or could protect the offenders. The presence of these people, therefore, may inhibit victims from fully describing the crime to officers for fear of retribution.

- Do not act on your curiosity about the victim’s disability. Restrict your questions to those necessary to accommodate the victim’s needs.
Avoid expressing pity with phrases such as “suffering from” Alzheimer’s disease and “a victim of” mental illness.

Listen to your tone of voice and monitor your behavior to avoid talking down to victims, coming across in a condescending manner, or treating victims as children.

Do not express admiration for the abilities or accomplishments of victims in light of their disability.

Be mindful of the underlying painful message communicated to victims by comments such as “I cant believe they did this to someone like you”; “She’s disabled and he raped her anyway”; or “To steal from a blind man. That’s got to be the lowest.” The message is that one considers people who have a disability as “less than” complete human beings.

Again, recognize that family members, service providers, and others could be the offenders and that an alternate caregiver or shelter may be needed for victims. Contact a victim advocate whenever possible for victim services and follow-up.

Never assume that people with disabilities somehow suffer less emotional trauma and psychological injury that other crime victims.

Remember that federal law requires —with few exceptions—that law enforcement and other public safety agencies make reasonable modifications to policies, practices, and procedures where needed to accommodate victims of crimes and other emergencies who have a disability, unless doing so would fundamentally alter the service, program, or activity the agency provides. Special attention needs to be paid to ensuring that, as communications officers, we do not discount the value or validity of information received from or about a person with a disability being the victim of a crime or other emergency. We must employ due diligence towards providing the same level of service to people who are victims of crime or other emergencies without regard to whether they have a disability or not.
References & Resources:


