

Centering Survivors with Disabilities in Your Organizational Policies

Disability Organizations

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Abuse of People with Disabilities

People with disabilities and Deaf people experience violence at alarming rates



People with disabilities are 4X more likely to experience sexual assault and experience intimate partner violence at a rate 40% higher than those without disabilities



If you serve people with disabilities, you are serving people with disabilities who have experienced abuse.

Why should disability organizations address their organizational policies?

- While survivors of domestic and sexual violence may only reach out to victim services in crisis, survivors with disabilities often have an ongoing relationship with disability providers.
- Many survivors of domestic and sexual violence first disclose to a trusted person, which could be staff at your organization.
- Disability organizations can establish policies that can prevent abuse from happening.
- Overreliance on mandatory reporting can put survivors

Implications of Policies

- Any organization working with people with disabilities should be familiar with the implications of mandatory reporting, abusive staff and programs service both the victim and the person hurting them on the crime victim's safety, confidentiality and privacy.



Policies

Questions

- Are you prepared to address the safety needs of a survivor whose personal care worker or staff member is the one hurting them?
- What do you do when the survivor and the person who has hurt them are both receiving services from your organization?
- Does your mandatory reporting policy create a barrier to survivors reaching out to you for help?

Abusive Staff Members

→ Why is this important to consider?



Who are these Staff Members?

- Similar to people who abuse people without disabilities, the majority of people who abuse people with disabilities are known to their victims, such as family members. People who abuse people with disabilities are also uniquely connected to their victims through service relationships. People working in disability-related fields (paid or unpaid caregivers, group home staff, occupational therapists, doctors, nurses, and other professionals) are also believed to be responsible for significant numbers of incidents.

Why Develop A policy

- A policy addressing abuse committed by employees articulates to all its employees the organization's expectations that allegations of abuse will be reported, investigated, and not tolerated.
- Having a policy that establishes zero-tolerance for abuse committed by staff members reflects a disability organization's commitment to providing a safe environment for all of its employees, service users, and visitors, which is an essential component of effectively addressing domestic and sexual violence.

Zero-Tolerance Policy

An agency's policy establishing zero-tolerance for abuse committed by employees should outline:

- The responsibility of its staff to report any suspected abuse by staff
- Its commitment to investigating all allegations of abuse
- What accused employees can expect during the investigation
- Consequences for accused employees found responsible

Serving Both Victim and the Person Abusing Them

→ Why is this important to consider?



Who are Potential Abusers?

- Just as disability organizations are likely serving victims of domestic and sexual violence, they are also likely serving the offenders of these crimes.
- For example, many disability organizations provide services to entire families and family members are often the most likely to commit crimes against people with disabilities.
- Acquaintances, which would include other service users or group home residents, for example, are also often responsible for these crimes.
- Significant safety concerns arise in settings where both victims and offenders are being served.

Why Develop a Policy?

- Having a policy that addresses how its staff should respond to instances when the agency is serving both the victim and the person abusing them can mitigate these concerns by centralizing decision-making in victim safety and offender accountability.

Serving Both the Survivor and Offender

An agency's policy that addresses the instances when it serves both the survivor and offender of sexual and/or domestic violence should outline:

- The agency's commitment to safe and respectful service delivery when serving victims and perpetrators
- The agency's protections and limitations around confidentiality
- The circumstances under which services can be terminated for perpetrators
- The agency's commitment to ensuring victim safety and choice

Mandatory Reporting

→ Why is this important to consider?



Mandatory Reporters

- Most people who reach out for help in the aftermath of victimization can be reasonably assured of their ability to maintain control over what happens to their information.
- However, due to a series of public policy decisions, people with disabilities may not have the same rights.
- In each state, there are “mandatory reporter” statutes that apply to persons interacting with older adults and/or adults with disabilities (often referred to as “vulnerable adults” in the statutes).
- If in the course of his or her professional duties, a mandatory reporter is made aware of neglect or abuse, he or she is required to report these concerns to either Adult Protective Services or a regulatory body in their state.

Who are Mandated Reporters?

Some of the most common mandated reporters include:

- Social Service Agencies
- Law Enforcement Personnel
- Emergency Response Service Providers
- Healthcare, Medical, or Dental Service Providers
- Mental Health Providers
- Financial Services Providers
- Clergy

What Must Be Reported?

The types of victimization covered by statutes also vary by state, some examples:

- Physical Abuse
- Emotional Abuse
- Neglect
- Isolation
- Financial or Material Exploitation
- Abandonment
- Sexual Abuse
- Self-Neglect

Types of Disabilities Covered by Statutes

Varies by state and usually, include people with intellectual and developmental disabilities. If the law judges them to be unable to protect themselves, people with other types of disabilities may also be subjected to the laws. The population covered go by a variety of names:

- Endangered Adults
- Dependent Adults
- Impaired Adults
- Vulnerable Adults
- At-Risk Adults

Barriers Created by Mandatory Reporting Requirements

For people with disabilities who have experienced violence to feel safe and comfortable enough to talk about their experiences with staff at disability organizations, they need transparency in mandatory reporting requirements and consistency in how those requirements are applied.

Mandatory Reporting Requirements

- Mandatory reporting requirements, however, can limit a service provider's ability to maintain confidentiality, as they require professionals to report victimization of vulnerable adults to adult protective services and/or a regulatory body in their state.
- Specifically, many disability service providers are mandatory reporters and are required, immediately upon learning of victimization, to report.
- However, there are additional steps that can be taken to support the survivor during the the report and post-victimization.

Mandatory Reporting Policy

An agency's mandatory reporting policy for people with disabilities should outline:

- Who at the agency are mandated reporters
- The type(s) of abuse which triggers a report
- The type(s) of disability the person must have to trigger a report
- Who the staff must report abuse to, both inside and outside of the agency

Questions?

