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RESEARCH ARTICLE

Law enforcement's response to crime reporting by people with disabilities

Mary Oschwald^{a*}, Mary Ann Curry^b, Rosemary B. Hughes^c, Anne Arthur^a and Laurie E. Powers^a

^aRegional Research Institute for Human Services, School of Social Work, Portland State University, Portland, OR, USA; ^bSchool of Nursing, Oregon Health and Science University, Portland, OR, USA; ^cUniversity of Montana, Missoula, MT, USA

One hundred and thirty three US law enforcement departments completed a survey about protocols used to serve crime victims with disabilities, such as asking about and providing accommodations and recording disability and accommodation information. Most departments did not have these protocols and service and community based barriers were indicated. Cross-training and co-advocacy between law enforcement and disability agencies were supported. Two recommendations are offered: provide disability awareness training to law enforcement and ask all victims if they need accommodation and supports. Finally, systematic use of the Americans with Disabilities Act (ADA) definition of disability is also recommended.

Keywords: law enforcement; victims with disabilities; accommodations; cross-training

People with disabilities constitute approximately 51.2 million (18%) of the United States (US) non-institutionalized civilian population (US Census Bureau, 2006). This paper describes findings from a US study about protocols used by law enforcement to serve crime victims with disabilities. This research used the American's with Disabilities Act (ADA) of 1990 definition of disability: a person who has a physical or mental impairment that substantially limits one or more major life activities, a record of such impairment, or being regarded as having such an impairment, for example with communicating, seeing, hearing, learning, remembering, or providing one's own self-care (Americans with Disabilities Act of 1990). Though focused on US law enforcement departments, study findings are applicable for an international law enforcement audience. Acknowledging the human rights of all crime victims, those with and without disabilities, assures best practice. When crime victims receive needed support and accommodations, they can exercise their rights, engage in crime reporting and prosecution, and receive full access to services and case proceedings, equitable financial compensation, and equal access to restoration, healing, and justice.

Crimes committed against Disabled individuals are serious concerns. US studies reveal a greater prevalence of crime committed against people with disabilities compared to those in the general population. Over 25% of individuals with severe mental illness

*Corresponding author. Email: oschwald@pdx.edu

were victims of a violent crime, an 11 times greater rate than is estimated in the general population (Teplin, McClelland, Abram, & Weiner, 2005). Women with disabilities were at increased risk for interpersonal violence (IPV) compared to women without disabilities (Brownridge, 2006; Nosek, Howland, Rintala, Young, & Chanpong, 2001; Smith, 2008). Powers et al. (2002) found that 67% of women with disabilities reported lifetime physical abuse and 53% reported lifetime sexual abuse. Among men with disabilities, Powers, Curry, McNeff, Saxton, Powers, and Oschwald (2008), found that 65% reported lifetime physical abuse, a rate similar to men without disabilities, and 24% reported lifetime sexual abuse, a rate eight times higher than men in the general population (Tjaden & Thoennes, 2000). Many of these crimes may not be reported to law enforcement (Child et al., 2010; US Department of Justice & Office of Victims of Crime, 2002), which results in inaccurate and insufficient documentation of occurrences and severity. Underreporting silences the victims and disregards their pain and hurt. Even if crimes against Disabled people do get reported, inadequate documentation of needed accommodations may limit effectiveness and prevent victims from receiving their rightful compensation (Nosek, Hughes, Taylor, & Howland, 2002).

To date, very few US studies have investigated whether or not victim disability status and accommodation information are included in law enforcement crime reports; thus, this study was designed to: (a) increase our knowledge about methods law enforcement use to report, identify, and track crimes committed against people with disabilities; (b) identify law enforcement practice and policy that would support people with disabilities who decide to report crime; and (c) identify barriers faced by law enforcement when they support victims with disabilities during the crime reporting process.

Background

Despite increased understanding about crimes committed against Disabled people, we still do not have an accurate US national prevalence rate. To understand this knowledge gap, it may help to look at data collection methods and reporting barriers. Currently, summary- and incident-level crime databases do not require tracking victim disability status, or support and accommodation needs. In addition, victims may hesitate to report due to previous negative experiences with law enforcement, personal or reliant relationships with the perpetrator, possible negative consequences after disclosure, including perpetrator retaliation. Finally, underreporting of crimes may be attributed to system-level factors, including inconsistent interpretations of mandatory reporting laws and differing state statute language used to define crimes, perpetrators, and victims.

Lack of national summary crime and crime incidents data of victims with disabilities

US crime data are compiled using three primary sources: (1) the Federal Bureau of Investigation's (FBI) Summary Uniform Crime Report (UCR); (2) the National Incident-Based Reporting System (NIBRS), which is a UCR component that tracks individual crime incidents compared to summary crime accounts; and (3) the US Department of Justice's National Crime Victimization Survey (NCVS). Combined, these databases do not fully capture crime rates involving Disabled victims.

Initiated in 1929, the Summary UCR is a voluntary program used by law enforcement to report crime to the FBI. Departments generally use it if they are not upgraded to, or have not been certified to use, the newer NIBRS database. NIBRS was developed in 1985 to enhance the quality of US crime data, and is a part of the overall

UCR. Similar to the UCR, NIBRS is a voluntary program that allows law enforcement jurisdictions to report crime to the FBI. Unlike the UCR, NIBRS data provide a more detailed account of crime based on individual incidents; whereas, the UCR data provide summary accounts of crime. By 2008, 31 states received NIBRS certification, though not every department in those states has individually adopted or uses NIBRS. In total, about 25% of the US is recognized by NIBRS reporting, which accounts for approximately 26% of US crime and 37% of the total number US law enforcement departments (Justice Research and Statistics Association, Incident-Based Reporting Resource Center, 2008).

Though the UCR and NIBRS databases include some victim demographic information, such as age, sex, race, ethnicity, relationship to the offender, other information that may help improve practice, such as victim disability status or information about accommodations, are not tracked in the UCR or NIBRS. Thus, it is not possible to determine the prevalence of crimes committed against Disabled people, and data on victims with disabilities are not available for monitoring crime trends or for shaping policy, practice, and research (James & Council, 2008).

Gaps in the UCR and NIBRS databases specific to victims with disabilities are partly accounted for by data collected using the NCVS. The NCVS is an annual telephone survey conducted with approximately 42,000 US households (US Department of Justice, 1999), and is the primary source of crime data not reported to the police. The NCVS gathers victim disability status using six broad questions, such as 'Because of a physical, mental, or emotional condition, does this person have serious difficulty concentrating, remembering, or making decisions?' or 'Is this person deaf or does he/she have serious difficulty hearing?'

Barriers to collecting accurate NCVS victim data have been identified and include the use of proxy respondents who are permitted to answer questions for the primary interviewee (Committee on Law and Justice, Petersilia, Foote, & Crowell, 2001). If a NCVS telephone interviewer deems the primary survey respondent to be either mentally or physically 'incapacitated,' then a proxy – typically another household member who knows the primary respondent – may be interviewed. In the 1997 NCVS survey, a proxy completed approximately 4% of the interviews; of those, 30% were proxies for people defined as physically or mentally incapacitated (McCleary & Wiebe, 1999). Using proxies can seriously undermine data accuracy, especially in cases where the proxy may be the perpetrator (Petersilia, Foote, & Crowell, 2001).

Victims' underreporting of crimes

In addition to gaps in data, victims' understandable hesitancy to report limits our knowledge about crimes committed against Disabled individuals. Identifying victims' hesitancy, knowing their personal experiences with law enforcement, and understanding their perceptions of the criminal justice process may explain their reluctance to self-report. In discussing victims' personal experiences and perspectives, we are not assigning blame or holding them accountable for the crimes they experienced. Rather, our intent is to describe personal and contextual issues that may pertain to victims with disabilities, and in turn, affect their self-reporting decisions.

Disabled victims' personal experiences are varied and complex. They may feel powerless about their situation and misperceive that the violence is their fault (Cantos, 2006). Social isolation may increase the overall risk of criminal victimization, furthering victims' perceptions of personal powerlessness and heightening their fear of perpe-

trator retaliation (Andrews & Veronen, 1993; Petersilia et al., 2001). Perpetrator retaliation may be exacerbated if victims are dependant on them for support, such as providing personal care and transportation, or providing help with paying bills. Some people with disabilities may have been socialized to believe that compliance and acceptance of their situation are good behaviors, while complaining and speaking out about dangerous situations are bad behaviors (Andrews & Veronen, 1993; Carlson, 1997; Furey, 1994). Victims with disabilities may worry about being perceived as 'bad' or noncompliant, may fear losing independence, or fear subsequent placement into a more restrictive setting, such as a nursing home, group home, or state institution if they report (Petersilia et al., 2001). For those who live in residential settings, fear of retaliation from family members and agency personnel may be powerful reasons for not reporting a crime (Helm, 1990). Decisions about filing a crime report are multi-faceted and complicated and may be associated with unknown consequences and increased danger.

Perceptions about law enforcement, and the stress associated with proceedings to adjudicate a case, may be personal-level reasons Disabled victims do not report crimes. Some people with disabilities perceive that law enforcement will not believe and/or fully investigate the crime (Saxton, McNeff, Powers, Curry, Limont, & Benson, 2001; Sobsey & Doe, 1991), while others believe reporting to be an ineffective strategy due to possible perpetrator retaliation, loss of independence, or insufficient action on the part of law enforcement (Powers et al., 2002; Saxton et al., 2001, 2006). Some victims believe that law enforcement will not record their complaint as a criminal act, but instead make a referral to Adult Protective Services (APS) (Saxton et al., 2001; Sorenson, 2001). Language or communication challenges may increase victim's difficulties with describing the incident (Sobsey, 1994), and victims may be concerned their disability status will become public record and be used against them (Child et al., 2010; Tyiska, 2001). Of the 40 people with disabilities surveyed by Bryen, Carey, and Frantz (2003), 45% indicated they had experienced a crime, though only 28% filed a police report. By comparison, 37% of victims in the general population indicated filing a report to the police (US Department of Justice, 2000). Finally, Child et al., 2010, found that one's past negative experience with law enforcement would influence their future decisions to report.

The type and nature of the relationships between crime victims and perpetrators

In addition to victims' hesitancy or refusal, victim-perpetrator relationships may influence decisions to report. Perpetrators may be support people, family members, paid social service and caseworkers, direct care providers, intimate partners, and peers. Sobsey (1994) found that direct care providers perpetrated 52% of the crimes committed against people with developmental disabilities, while Turk and Brown (1992) and Westcott (1992) found the majority of perpetrators to be family members, other peers with disabilities, and/or paid social service workers. If paid direct care staff become perpetrators and crime is reported, the social service agency's reputation and accountability may be jeopardized. Similarly, if the perpetrator is the victims' intimate partner or family member, the victim risks retaliation from both the perpetrator and other family members. Finally, if the perpetrator is a direct care provider, and back-up care is not available, victims may lose essential support before other care can be arranged (Petersilia et al., 2001).

System-level barriers to crime reporting

System-level factors may also contribute to inconsistent and underreporting of crimes committed against people with disabilities, including: different vulnerable adult state statute definitions used to define criminal behavior, perpetrators, and vulnerable adults; agency protocol that do not require external reports be made to law enforcement (Horner-Johnson & Drum, 2006; Protection and Advocacy, Inc., 2003; Sorenson, 2001); and inadequate training for law enforcement on ways to support and provide accommodations for Disabled victims.

Vulnerable adult state statute definitions

Underreporting of criminal behavior committed against people with disabilities may be attribute to states using different definitions to describe criminal behavior, perpetrators, and victims with disabilities (also labeled 'vulnerable adults'). For example, Sobsey (1994) and Luckasson (1999) found that sexual assault crimes committed against people with disabilities were insufficiently defined as 'abuse and neglect' rather than acts of sexual victimization. Incorrectly or insufficiently describing crime incidents reduces report accuracy, devalues survivors' experiences, and minimizes the actions and accountability of perpetrators (Sorensen, 1997). In terms of varying definitions for perpetrators and 'vulnerable adults,' the Alaskan state statute, 'Endangering the Welfare of a Vulnerable Adult In the First and In the Second Degree,' which applies to vulnerable adults 18 years old and older, defines perpetrators and their relationship to the victim as those people 'who are caring for vulnerable adults by contract or authority of law or in a state-licensed facility or program' (Alaska Statute § 11.51.200, Alaska Statute § 11.51.210). On the other hand, the Hawaiian state statute, entitled 'Endangering the Welfare of an Incompetent Person for Incompetent,' which applies to persons 18 years old or older, does not have specific guidelines for defining perpetrators or their relationship to the victim (Hawaii Revised Statute § 709-905).

State statutes are also inconsistent when defining Disabled persons. Tennessee defines a Disabled Adult is a person 'who, because of mental or physical dysfunctioning or advanced age is unable to manage such person's own resources, carry out the daily activities of living or protect such person from neglect, hazardous or abusive situations without assistance from others and who had no available, willing and responsible able person for assistance. . .' Tennessee Statute Code § 71-6-117. The state of Washington, however, uses the term 'Dependent Person' to define a person with a disability, who is someone, 'because of physical or mental disability, or because of extreme advanced age, is dependent upon another person to provide the basic necessities of life,' Washington Revised Statute § 9A.42.020.

Underreporting of crime by social service agencies

Inconsistent and underreporting of crimes committed against people with disabilities may be attributed to agency practice that does not require an external report be made to law enforcement (Horner-Johnson & Drum, 2006; Protection and Advocacy, Inc., 2003; Sorenson, 2001). In 1997, Sorensen's California Victims of Crime Committee Report examined crimes against Disabled residents living in state-funded institutions and estimated that between 80 – 85% of abuse had never been reported to law enforcement (as cited in Tyiska, 1998, pg. 11). Additionally, Horner-Johnson and Drum (2006) found that

social service agency personnel did not report approximately 75% of crimes involving sexual victimization of people with developmental disabilities to the police. Typically, crimes in residential care facilities only get reported internally to the agency administrators (Cantos, 2006), and perpetrators are seldom prosecuted (Davis & Abramson, 2000). This practice further silences the victims, invalidates the criminal behavior, and denies victims access to external support and accommodations, which may promote healing. As expressed by a woman with physical disability, 'It's [crime] treated as though it's a social worker problem. That it's not a crime. It devalues disabled people because it's [crime] seen as a medical model problem' (Saxton et al., 2001, p. 409).

Protection and Advocacy, Inc. (2003), California's provider of legal advocacy for people with disabilities, offered several explanations for why approximately 71% of crimes specifically committed against people with severe developmental disabilities went unreported (Protection and Advocacy, Inc., 2003). They found that mandatory reporters, such as educators, healthcare workers, social workers, therapists, and social service workers, may not know the mandatory reporting laws, may have different interpretations about which behaviors constitute crime, and may use different protocols for deciding when and to whom to file a report (Protection and Advocacy, Inc., 2003). Delaying or denying the filing of a report may compromise victims' safety, limit their rightful compensation and access to justice, and diminish the quality and quantity of evidentiary data entered into the report; thus, subsequent investigations may be incomplete or insufficient.

Inadequate and/or insufficient disability awareness training for law enforcement

Disability awareness training provided to law enforcement personnel may be inadequate (Bean, 1999). For example, focus group studies conducted separately with crime victims with disabilities and police officers and investigators identified the importance of providing additional and more extensive disability awareness training to law enforcement (Child et al., 2010; Hughes et al., 2011). Furthermore, of the 84 surveys returned from the 135 that were sent to mid-sized US police departments, Hails and Borum (2003) found that 70 departments offered new recruits an average of nine hours of disability awareness training; 42 departments averaged five hours per year of ongoing in-service training, while roughly 33% did not provide any post-academy disability awareness training. Training materials were developed internally with minimal input from outside consultants, and few departments invited consumers or professionals from the disability community to co-facilitate, despite finding that suggests effective training involves co-facilitation between disability and the police (Houchins, 2000; Klyver & Reiser, 1983).

Informal meetings, community events, and social gatherings were found to be effective venues for increasing awareness of disability issues (Modell & Cropp, 2007). Informal meetings gave people with disabilities and police a chance to interact in meaningful ways during non-crisis discussions and build relationships that helped lessen misconceptions, increase understanding, and reduce fear; this resulted in better outcomes for both parties (Modell & Cropp, 2007).

Finally, by law, police are required to adhere to Title II of the 1990 American's with Disabilities Act (ADA) and Section 504 (US Department of Justice, Office for Victims of Crime, 2002). These federal laws require that criminal justice personnel provide services to crime victims with disabilities, thus ensuring equal access to services and justice (US Department of Justice, Office for Victims of Crime, 2002). While some law enforcement departments did offer disability awareness training (Cochran, Deane, & Borum, 2000;

Lamb, Weinberger, & DeCuir, 2002; Steadman, Deane, Borum, & Morrissey, 2000; Teplin, 2000), many focused on ways to best serve people with mental health disabilities rather than people with multiple types of disabilities, which should include ways to provide universal access and support.

The aforementioned literature suggests several interrelated factors that, taken together, may explain the underreporting of crimes against people with disabilities, including inadequate crime data collection requirements, victim reluctance, social service practice that does not require external reports be made to the police, and insufficient training of law enforcement personnel. However, little information is available on law enforcement practices and policies pertaining to the identification and support of crime victims with disabilities. To address this, our study evaluated the following research questions:

1. How is disability status being incorporated into crime reporting?
2. What protocols and practices are being used by law enforcement to support victims with disabilities during the reporting and investigation proceedings?
3. What barriers do officers face when they work with victims with disabilities during the reporting and investigation proceedings?

Method

Sample

The National US Directory of Law Enforcement Administration database, compiled by the National Public Safety Information Bureau, was used to identify representatives from the following four types of law enforcement departments: municipal police, county sheriffs, campus police, and tribal police. A randomized stratified sample that included 9.5% of the 20,929 municipal, campus, and sheriff departments was selected. To obtain sufficient tribal police representation, all 271 US tribal law departments were included; thus, 2,271 US law enforcement departments received a mailed survey packet.

Procedure

Survey construction

The National Disability and Crime Reporting Survey was co-developed by a team of researchers familiar with victimization against people with disabilities, and Sergeant Michael Sullivan, ADA Coordinator at the San Francisco Police Department. The 35-item survey was divided into six sections: (1) respondent contact information, (2) agency demographic information, (3) agency protocols, (4) barriers officers face when serving victims with disabilities, (5) department practices, and (6) hate crime reporting information. Most items required a written response.

Survey distribution

In 2006, the survey packet was mailed directly to the department representative, and included: a cover letter; letters of endorsement from The International Association of Chiefs of Police (IACP), the Police Executive Research Forum (PERF), and the National Public Safety Information Bureau (NPSIB); an information sheet that described the study's purpose, procedures, benefits, and risks; and a postage-paid return envelope. The

cover letter stated that data would be confidential and reported in the aggregate. The Institutional Review Boards at Portland State University and the Northwest Indian Health Board approved study materials. Follow-up reminder postcards were mailed to each department two weeks after the first mailing.

Findings

A total of 133 surveys were returned: 104 municipal police, 15 county sheriffs, 6 campus police, and 8 tribal police, an approximate six percent return rate. Data were entered into a confidential SPSS database, stored on a secured computer server, and analyzed in the aggregate.

Demographic information

Personnel in leadership positions, such as Chiefs, Detectives, Sheriffs, Captains, Sergeants or Lieutenants completed most surveys ($n = 94$, 75%). The remaining respondents included Crime Victims' Liaison Officers, Accreditation Managers, and Administrative Support Specialists ($n = 34$, 25%). Over half, ($n = 74$, 56%) reported that ADA compliance was not part of their job, while the remainder ($n = 59$, 44%) reported it was. The jurisdiction size ranged from 200 - 210,000 people; the average jurisdiction size was 30,000 people. The number of sworn officers ranged from 1-485 (mean = 54), while the number of employed non-sworn personnel ranged from 0-200 (mean = 19). Only 16 departments (12%) reported having an internal departmental program that focused specifically on serving crime victims with disabilities.

Research question #1: how is disability status being incorporated into crime reporting?

We wanted to know how law enforcement departments assessed and incorporated victim disability status into their crime reports, and what definition was used to define disability, if any.

Definition of disability

Only 12 departments (9%) indicated they had a formal definition for disability, including those defined by the ADA, the 'Hate Crimes Guidelines' definition (Hate Crime Statistics Act of 1990), or the disability definition cited by their city, state or federal statutes. Other disability definitions included victim's self-report, previous case documentation that indicated a victim's need for 'special handling' or collaboration with a disability provider, and officer's determinations that victims had physical, mental health, or psychiatric disabilities.

Identifying victims with disabilities and recording disability status on crime reports

Respondents were asked whether or not their departments had protocols for identifying victims' disability status and recording accommodation information in the crime reports. The majority ($n = 105$, 79%) did not have protocols for identifying victims' disability status, but those that did reported: 'any disability would be noted [as] a part of the incident report if it was deemed relevant to the circumstances of the incident,' or 'all cases involving a crime against a person with a disability are reviewed by victims services.'

and 'included in state reporting documents.' Reporting victims' disability information was deemed helpful because it allowed investigators to provide accommodations, understand any links between the crime and the victims' disability, and request referral to victim services. However, the majority of departments ($n = 108$, 81%) did not have a place to record disability status in their crime reports.

Inquiring about disability as a result of the crime

Most departments ($n = 112$, 84%) did not have a protocol for tracking whether or not victims acquired a crime-related disability. Qualitative responses from those that did ($n = 21$, 16%) mentioned that 'this information would be documented in the form of a handwritten or taped statement and included along with the crime report' or this is 'not a written protocol, however, this is part of any investigation that we conduct' or 'this would be part of an interview conducted by a police officer, at the crime scene investigation' and would be 'forwarded on to appropriate agencies and prosecutors.' One department indicated that 'any disability resulting from a crime is part of the investigative process and an integral part of crime selection for prosecution' and victims are referred to either Victims' Advocacy services or other appropriate social service agencies to obtain support, accommodations, and compensation.

Research questions #2: what protocols and practices are being used by law enforcement to support victims with disabilities during the reporting and investigation proceedings?

Law enforcement departments were asked if they had the following practice protocols in place for serving crime victims with disabilities: (1) recording information about accommodation needs; (2) asking victims if they need additional accommodations; (3) providing accommodations; and (4) facilitating successful crime reporting. The majority did not.

Recording, asking about, and addressing victims' accommodation needs

Twenty-one (16%) of the respondents indicated that their department's crime report form specified a section for recording victims' accommodation needs, such as the need for an interpreter or accessible transportation, or a need for extra time to talk to the officer. Nineteen departments (14%) had a protocol for asking victims whether or not they needed additional accommodations. Some departments would 'automatically render any aid or assistance required' and 'asked everyone involved if additional help was necessary; no written policy.' Other departments would ask victims about needed accommodations 'only if there is an apparent disability that interferes with reporting,' or accommodation information would be included 'on court related material for those individuals who may need additional accommodations for court purposes.'

Many departments ($n = 49$, 37%) had protocols in place for providing accommodations to victims, such as providing interpreters, arranging for care if the caregiver was arrested or injured, connecting with local social service organizations if victims needed additional supports or accommodations, and providing teletype writers (TTYs) for Deaf victims or ramps for victims with ambulatory disabilities and who used walkers or wheelchairs.

Facilitating successful crime reporting

Thirty-one percent ($n = 40$) of the respondents reported having successful and effective protocols for facilitating crime reporting with victims with disabilities, such as: improvising to meet any need, determining need at the time of reporting, using a caregiver or ombudsman, and having a victims' advocate present during the report proceedings. Some protocols included having a checklist in each victim's rights packet so victims could indicate their accommodation needs.

Research question #3: what barriers do officers face when they work with victims with disabilities during the reporting and investigation proceedings?

Our third research question asked if officers experienced any barriers while supporting crime victims during the reporting and investigation proceedings. Barriers are presented in two areas: practice-based barriers and community based barriers.

Practice-based barriers

Officers experienced the following practice-based barriers during the reporting and investigation proceedings: a) difficulty communicating with or understanding victims, b) not having enough time with victims; and c) and not being able to obtain sufficient incident information.

Difficulties communicating with or understanding some victims with disabilities presented difficulties for law enforcement officers. Language and communication barriers that make it difficult to understand the victims' speech patterns may result in inadequate witness statements and possible conflicting versions of events. Other respondents indicated that some victims 'change the story when speaking to the officer or detective.' Officers found it difficult when they did not know or understand a victim's disabilities or when victims were not 'able to assist with the investigations due to physical or cognitive limitations,' were incoherent, could not communicate, or could not remember incident events.

Insufficient time with victims was noted as another practice-based barrier officers experienced during the reporting and investigation proceedings. If there was a 'lag time' between when the crime occurred and when the report was filed, then the investigation proceedings could be delayed and the quality of evidence compromised. Difficulty in obtaining sufficient incident data from victims was identified as another barrier. Some officers perceived victims as 'incapable of giving investigators any information' due to their 'physical or cognitive limitations.' Other times, officers found it difficult if they perceived victims were withholding information about the crime incident.

Community-based barriers

Community-based barriers were also experienced by law enforcement during their service to crime victims with disabilities. Using a 4-point Likert scale (a lot, quite a bit, somewhat, or not at all), respondents rated the extent to which the following community-based barriers hindered their work with crime victims with disabilities: a) lack of interpretive services for the Deaf, b) limited community resources during referrals for additional accommodations and support, c) lack of accessible transportation, and, d) difficulty arranging for a reliable back-up personal assistance if the alleged suspect was the one providing personal support (Table 1).

Table 1. Respondent endorsement of accommodation barriers.

‘How much is each factor a barrier for your agency in serving victims with disabilities?’	A lot	Quite a bit	Somewhat	Not at all
Interpreter services not available (<i>n</i> = 131)	8 (6%)	11 (8%)	66 (50%)	46 (35%)
Limited community resources for referral (<i>n</i> = 132)	7 (5%)	12 (9%)	55 (42%)	58 (44%)
Accessible transportation not available (<i>n</i> = 131)	10 (8%)	13 (10%)	68 (52%)	40 (31%)
Difficulty arranging back-up care if victim’s caregiver is arrested or incapacitated (<i>n</i> = 129)	14 (11%)	14 (11%)	69 (53%)	32 (25%)

Additional survey questions

In addition to these three main research questions, we were interested in the amount of disability awareness training offered to officers, victims advocates, and civilians about ways to serve people with disabilities; whether or not investigators were involved in completing crime reports; and whether or not departments had formal cooperative agreements with other community agencies. Finally, we asked respondents if their state had a hate crime statute, and if so, whether or not disability status was included as a condition for hate crime prosecution.

Although many departments provided officers with disability awareness training (*n* = 56, 42%), the average number of hours per year devoted to disability awareness training was relatively low (1.5 hours per year on average). Fewer departments provided disability awareness training to crime victims’ advocates (*n* = 19, 14%) or their civilian personnel (*n* = 23, 17%), each of whom received approximately 1.5 hours per year. In addition, many departments (*n* = 57, 44%) allowed investigators to assist with completing crime reports, and formal cooperative agreements with social service agencies, such as Adult Protective Services (APS), domestic violence shelters, or rape crisis centers, were seen to expand service delivery. While most departments did not have formal agreements in place with these types of providers, they did have informal arrangements with groups such as their local Salvation Army, churches and faith groups, county-based services, or public transit authorities for transportation support. Finally, almost all respondents (*n* = 126, 95%) indicated that their state had hate crimes statutes, and of those, 73 (64%) reported disability status to be a part of these statutes.

Discussion

These findings offer exploratory information about some of the ways US law enforcement departments serve crime victims with disabilities. Despite the disappointingly low survey response rate (6%), these findings can contribute to our knowledge about law enforcement practice and protocols for serving crime victims with disabilities. One should not use these findings to infer or generalize about policies and practices of all US law enforcement departments. Perhaps the survey response rate could have been improved if more than one follow-up reminder postcard had been sent out. However, the low response rate, in part, may be indicative of the early phase of attention law enforcement departments are giving to victims’ disability status, given the fact that most departments lacked formal policies and procedures for identifying Disabled victims, though officers continue to proactively inquire about victims’ accommodation needs. It is also possible

that responding departments were more advanced in their disability practices and policies than departments that elected not to respond or believed they had insufficient information to share. Finally, the absence of federal requirements to collect, track, and report summary- and incident-level data may foster an inattention victims' disability status.

The variety and lack of clarity about which definitional source to use to define disability may make it difficult for departments to establish systematic guidelines, and may explain why the majority ($n = 105$, 79%) of departments did not have a formal protocol for identifying disability, or why 108 (81%) did not have a specific section in their crime report to document a victim's disability status. If victims are not asked about disability status, accommodations, or support needs, law enforcement may not be able to provide adequate service or accommodations to crime victims (Nosek et al., 2002). In addition, it was somewhat surprising that respondents generally did not think the following common community-level barriers hindered their work: lack of American Sign Language (ASL) interpreters, limited disability community referral resources, lack of accessible transportation, and difficulty with arranging for back-up care providers. Perhaps departments and/or officers were not aware these support were needed, or victims did not file a report, or if they did make a report, chose not to disclose disability status or support needs.

Child et al. (2010) found that some Disabled crime victims hesitate or refuse to disclose disability status because they fear their personal information will be included in the public record, such as a crime report or crime database, or fear their disability label would be used against them in the criminal proceedings, thus diminishing their credibility (Child et al., 2010). It is important that law enforcement officials consider victims' fears and apprehensions about the reporting process and understand their legitimate reasons to remain silent or to disclose only partial details of the incident.

Regardless of whether or not victims disclose disability status, police need to routinely inquire about accommodation and support needs. Inserting these types of questions in the report form would prompt officers to record this information. Asking all victims a general accommodation question would provide victims a mechanism for requesting accommodations and disclosing disability status, and would allow officers a chance to clarify with the victim what they exactly need. Insufficient quality time with victims, and difficulty in obtaining sufficient and complete information about the crime incident and/or accommodation needs, hinders officer's opportunities to best serve victims.

Our findings on amount of disability awareness training law enforcement receives align with finding from other studies (Hails & Borum, 2003; McAfee & Musso, 1995). For example, we found that only 42% ($n = 56$) of departments provided disability awareness training to officers at an average of 1.5 hours per year, and only 14% ($n = 19$) of departments offered disability awareness training for their victims' advocates at an average of 1 hour per year. Given the difficulties with systematically defining disability, along with the lack of formal departmental protocols for working with Disabled victims, more disability awareness training is needed for all personnel. Sobsey (1994) suggested including the following five themes in any disability awareness training: (1) discussion about prevalent social attitudes towards people with disabilities; (2) information about specific legal and medical needs that people with disabilities may have; (3) strategies to build and carry out co-advocacy with other organizations that serve people with disabilities, (4) such as APS or county mental health agencies; orientation to the court and its complexities; and (5) specialized training for some officers who could then be called on to support colleagues in their service to victims with disabilities.

Recommendations

Based on the findings from this exploratory study, integrated with findings from the existing literature, we offer two major recommendations for improving law enforcement's service to crime victims with disabilities.

Recommendation one – provide disability awareness training

Each year, include new recruits and experienced personnel in on-going disability awareness training. If possible, include members of the disability community when developing and facilitating these trainings. Training contents should include information about ADA law, with specific attention to Titles II and III, which requires that all social service organizations, including criminal justice and victims' assistance programs, provide reasonable accommodations to those they serve. Training content should include discussion about why victims may be reluctant to disclose disability status, ways to support and encourage disclosure, and information about accommodations and community resources. Conduct cross-trainings events with criminal justice personnel and members of the Disability community to provide networking opportunities, increase understanding, foster awareness of individual experiences, and provide education about the roles and responsibilities of members of each group.

Recommendation two – ask about accommodation and support needs

Ask all crime victims, those with and without apparent disabilities, about accommodations or supports they may need. Asking all victims these types of questions will allow for full participation in crime reporting and case investigation. If departments cannot readily provide needed accommodations, they need to collaborate with disability agencies and make arrangements to ensure all victims have full access to all proceedings. Community agencies may be able to provide accommodations such as ASL interpreters, mental health specialists, or back-up care providers. Finally, assistive communication technology should be available so victims can be fully understood, speak independently, and have access to all proceedings information.

Although exploratory, findings from this study offer support for the need to strengthen law enforcement's capacities to identify and support victims with disabilities. As the largest minority group in our US population, people with disabilities are at increased risk for criminal victimization and they face many barriers to reporting crime and achieving justice. While a relatively new area of focus for many law enforcement agencies, improving the identification and support of victims with disabilities appears feasible and must be encouraged.

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Notes on contributors

Mary Oswald, PhD, MSW, is a research assistant professor at the Regional Research Institute for Human Services, School of Social Work, Portland State University.

Mary Ann Curry, RN, DNSc, is professor emeritus at the Oregon Health & Science University School of Nursing.

Rosemary B. Hughes, PhD, is a senior research scientist in the Rural Institute on Disabilities and research associate professor in the Department of Psychology at the University of Montana in Missoula.

Anne Arthur, MA, was a research associate at the Regional Research Institute for Human Services at Portland State University.

Laurie E. Powers, PhD, is the Director of the Regional Research Institute for Human Services, School of Social Work at Portland State University.

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