

Interviewing Victims with Disabilities: Identifying Gaps and Best Practices

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Setting the Stage: Barriers to Safe and Accessible Interviews for Victims with Disabilities

People with Disabilities at Increased Risk for Victimization

- People with disabilities are 3X more likely to experience violent victimization, including sexual assault.
- People with intellectual disabilities are up to 12x more likely to experience sexual victimization.

Victimization is Underreported

- Only **37.3%** said they had reported it to the authorities.
- About **58%** believed that nothing would happen if they reported; **38%** had been threatened or were afraid; **33%** did not know how or where to report.
- When victims with disabilities did report incidents of abuse to authorities, **in 52.9% of cases nothing happened. Alleged perpetrators were arrested in only 9.8% of cases** where abuse was reported to authorities.

Baladerian, N., Coleman, T. & Stream, J. (2013). A Report on the 2012 National Survey on Abuse of People with Disabilities. Spectrum Institute's Disability and Abuse Project, CA.

Misconceptions about people with disabilities can lead to victimization

- Societal norms of how people with disabilities should be controlled and protected, as well as stripped of power, creates an environment ripe for violence, abuse, and neglect.
- People in positions of power can take advantage of that power to harm people with disabilities.
- A person with a disability is often placed in situations where others may have power or control over them.

Misconceptions (2)

- People with disabilities may experience a variety of power dynamics that can contribute to their victimization, including:
 - Age (someone older or younger taking advantage of their age);
 - Use of Institutional Power/Position (someone using a position of power);
 - Guardianship (a guardian using their power);
 - Privilege (using other types of privilege [race, gender, sexuality, etc.] as power).

Barriers to reporting

- Victims with disabilities are traditionally more isolated than victims without disabilities, may have fewer avenues for disclosures.
- Victims with disabilities may face communication barriers.
 - Victims with disabilities may not communicate in the way that professionals expect or easily understand.
- Victims with disabilities may have experienced disbelief from authorities in the past, making them hesitate to report.

Barriers to reporting (2)

- Victims with disabilities are usually denied education about healthy sexuality and healthy relationships before and after victimization occurs.
 - They may not know the behavior they are experiencing is “wrong” or how to respond to it.
- Belief that people with disabilities are not victimized.
- Belief that people with disabilities are not good reporters of what happened to them.

Barriers: chat

- What barriers have you seen for victims with disabilities in reporting their victimization?

Gaps in Interviewing Victims with Disabilities

Gap #1: Protocols not designed for adults

- Current protocols for interviewing adult victims with disabilities are modeled off of protocols for children with disabilities
 - Default reliance on child advocacy centers
- Equates adults with disabilities to children when, in reality, adults have different needs than children
- Assumes vulnerability and infantilizes adults

Gap #2: No protocol used for various types of interviews

- There are different types of interviews, including:
 - Minimal facts
 - First responder contact
 - Forensic interview
- Interviews are conducted by various players in the system, at various points in the system and are not consistent for people with disabilities

Gap #3: Pre-interview stage is not designed for adults with disabilities

- Fact gathering is not designed to elicit information from the victim when a person has a disability
- Over-reliance on third party information which can compromise confidentiality

Gap #4: Ongoing supports not equipped to work with victims with disabilities

- Agencies providing ongoing supports to victims are not equipped to support adults with disabilities
 - May refer to CACs, who are equipped to connect children and their families to resources, but not necessarily adults
- Victim services are working with prosecutors – they need context on victims with disabilities

Gap #5: Limited on-going therapeutic opportunities for adults with disabilities

- Group therapy is not always accessible to people with disabilities
- Individual therapists are not trained to work with people with disabilities

Gaps: chat

- What gaps have you seen when interviewing victims with disabilities?

Recommendations for Interviewers



Best practices

- Still being established – protocol for adults with disabilities
- Interviewers should specialize in adults with disabilities (*not* default to child interviewers)
- Varies by jurisdiction
 - Neutral, comfortable, safe setting for reporting
 - Decision of reporting made by adult, but supported
 - Electronic/video recording of statement

Best practices (2)

- Appropriately trained interviewer
 - Knowledge in disabilities
 - Open ended narrative question types
 - Non-leading or suggestive
 - Done in a way that the victim communicates
- Trauma informed
- Referrals for necessary services/supports for victim during the process
- Policies in place to serve people with disabilities



Rethink How We View Disclosure

- Historically viewed as static, single-time occurrence and a one-way process.



Address Sources of Reluctance/Roadblocks

- Family/caregiver dynamics
 - Socially isolated
 - Support system more controlling or may be torn apart
 - Rigid traditional family values and stigma
- May process stress/trauma differently
- Trauma can create communication challenges
- Barriers to access

Interview settings for adults: chat

- Where in your community are adult victims with disabilities being interviewed?

Interview settings for adults (1)

- Fully accessible
- Not specific for children
- Room is set-up for adults
 - No child like paraphernalia, has adult chairs
- Neutral
 - Non-threatening
 - Friendly or comfortable

Interview settings for adults (2)

- Audio and visual recording capabilities
- Appropriately trained interviewer for adults
- Medical services available – seamless process
- Ideally some mental health / family support available

Interview setting for children

- Children's Advocacy Center
 - Fully accessible
 - Friendly, comforting, familiar, inviting
 - Neutral
 - Not a place offenders are served
 - Semi-private
 - Audio visual recording capabilities
 - Appropriately trained interviewer
 - Family support as well as mental health support
 - Medical services

Asking questions

- Recall-based questions
 - Narrative invitation
 - Focused narrative request
 - Detail question (who, what, where, when, how)
- Recognition-based questions
 - Multiple choice question
 - Yes/no question
 - Questions that introduce information
- People with disabilities may respond more accurately to recall based questions.

Asking questions (2)

Recall information

- Victim's information
- In victim's words
- Less influenced/contaminated by interviewer
- The "story" of what happened

Recognition

- May feel they need to answer
- Risk of contamination – false positives
- May answer question they did not understand

Questions – examples

- Recall

- “What happened?”
- “Tell me more.”
- “What happened next?”

- Recognition

- “Did the fight happen in the bedroom, den, or somewhere else?”
- “Did he do it on purpose or was it an accident?”

Questions: chat

- What other types of questions have you seen be effective for victims with disabilities?

Create adult appropriate protocols

- Long term goal: develop protocols for adults with disabilities that are modeled off of best practices for interviewing adults
 - Create adult protocols
 - Adapt adult protocols to make them accessible to people with disabilities

Questions?

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