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

Background

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.

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 law enforcement 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.

The circumstances of a crime dictate when and how responding officers are able to first address victims and their needs. You 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. Apprehending offenders is the law enforcement officer’s primary duty and, as a result, first responders may not be able to respond to victims as quickly as they would like.

As soon as the responding officer's most urgent tasks have been completed, however, attention can be directed to crime victims and their needs. At that point, how you approach victims, explain your competing law enforcement responsibilities, and work with victims is crucial to their recovery. Always remember that you are there for each victim. Crime victims are not just witnesses for you.

By responding to victims appropriately and compassionately, the law enforcement officer is also more likely to gain their trust and cooperation. As a consequence, victims are 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 in this handbook illustrates some of these differences and how to better serve all crime victims.

General Tips on Responding to Crime Victims Who Have a Disability

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 watch victims carefully for signs of any disability. You should also not be hesitant to ask victims if they have any individualized needs because of a mental or physical impairment. In short, as the first response officer, 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, the person *has* an impairing condition, not the person *is* that condition.
- Ask victims how they wish to be characterized and how you 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 your interview. 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 you 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.

- Speak directly to victims, even when they are accompanied by another person. People who have a disability are sometimes assumed to be incapable of making decisions for themselves.
- 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 can't 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.
- Document victims' disability in your incident report and their individualized (1) communication, (2) transportation, (3) medication, and (4) other accommodation needs.
- Ensure that victims are in a safe environment before leaving the scene. 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 followup.
- Never assume that people with disabilities somehow suffer less emotional trauma and psychological injury than other crime victims.
- Remember that federal law (see section II) requires—with few exceptions—that law enforcement make reasonable modifications to policies, practices, and procedures where needed to accommodate crime victims who have a disability, unless doing so would fundamentally alter the service, program, or activity the agency provides.

First Response to Victims of Crime Who Have a Disability	October 2002

This document was last updated on March 19, 2007