



# INCREASING CRIMINAL CONVICTION AGAINST PERPETRATORS WHO ABUSE PEOPLE WITH DEVELOPMENTAL DISABILITIES

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## PURPOSE/PROBLEM

The purpose of this project is to increase conviction rates of perpetrators who abuse people with Developmental disabilities by educating nurses who work with these patients and increase their awareness to the problem.

### The Problem:

“Although people with developmental disabilities are twice as likely to be victims of crime, the criminals are very seldom convicted of these crimes. Rates of violence and abuse perpetrated on people with developmental disabilities (e.g., mental retardation, autism) appear significantly higher than for people without these disabilities. Few of these crimes get reported to police, and even fewer are prosecuted because officials hesitate to pursue cases that rely on the testimony of a person with a developmental disability” (Bureau of Justice Statistics).

## BACKGROUND/AIMS & OBJECTIVES

People with disabilities are abused at an alarming rate. They are the most harmed group in the United States (Petersilia, 2017)

There is an extremely low rate of prosecution for crimes against people with disabilities.

Teaching nurses how to respond appropriately to people with disabilities who have been abused is a critical step towards ensuring that perpetrators will be convicted.

The aim of this project is to educate nurses in being able to answer the 7 important questions in the previous section, and put the information into practice

## METHODS & FRAMEWORK

“Critical theory is useful in understanding the position of people with disabilities (PWD) in society. This theoretical framework suggests that there is an unequal distribution of resources and power in society, which produces both conflicts and marginalization of those without resources and power. Evidence of the marginalization of PWD can be found in research that suggests that PWD experience abuse at rates 4 to 10 times higher than the rate for people without disabilities” (West, 2006).

American Nurses Association. (2015). Code of ethics for nurses with interpretive statements. Silver Spring, MD: <http://www.nursingworld.org/code-of-ethics>

Bureau of Justice Statistics, Crime against people with disabilities, 2009-2015 statistical tables (US Dept of Justice, 2017), <https://www.bjs.gov>.

Petersilia, J., Foote, J., & Crowell, N. A. (Eds.). (2017). Crime Victims with Developmental Disabilities: Report of a Workshop. *Crime Victims with Developmental Disabilities: Report of a Workshop*.

People with Intellectual Disabilities Crime Victimization



West, B. 2006, Reporting abuse, *Disability Studies Quarterly*, 26, 1.

## ORGANIZATIONAL AIMS/OBJECTIVES

•The Butler County Board of Developmental Disabilities is founded on the belief that all people, regardless of circumstances, have inherent worth and the right to be treated with dignity.

•Furthermore, the Board believes that people with developmental disabilities should be encouraged to exercise and enjoy the rights guaranteed to them as citizens of the United States of America and the State of Ohio to the fullest extent of the law. The mission statement of BCBDD is to support individuals to successfully live, work, and learn in the community. Based on this philosophy and mission statement my project will help PWD have the same rights as others when crimes are committed against them.

• Since one of the services of BCBDD is to investigate abuse, this education will add another layer of protection. Nurses who work with these individuals on a daily basis will have the ability to assess for and report abuse to the appropriate people and have a better understanding of the legal system and the issues that arise for PWD in that system.

## SCOPE OF PRACTICE & OUTCOMES

The role of the forensic nurse is multifaceted related to this project. The nurse is responsible for the education of other nurses. This includes nursing education along with education related to the criminal justice system. The forensic nurse can also be involved in a clinical role as a forensic interviewer, or as a SANE if a sexual assault is involved. It is also important for the forensic nurse to be a leader as many nurses who work with PWD are unfamiliar with many aspects of patient abuse, reporting, and the systems involved.

Many people will be involved in creating permanent change when it comes to being able to prosecute people who abuse PWD. In this situation, it will be nurses and investigators at the BCBDD level, to begin with, who can then continue to educate other staff members. The criminal justice system and forensic investigators are also important in making sure justice is served when PWD are abused. When all systems work together, not only are PWD served and supported, but all professionals involved also can support each other through what can be a difficult process for all involved.

## CONCLUSION

There are many reasons that people with disabilities don't get equal representation when it comes to being victims of crimes. They may be afraid to report, or feel that they will not be believed. There may be a communication issue, or law enforcement may not feel that the victim can effectively testify in court. What ever the reason, it is important that victim of crimes who have disabilities have as many advocates as possible. It only makes sense that nurses who work with people with disabilities can help in the process of helping to get perpetrators convicted by educating themselves. Education regarding what to look for when assessing for abuse, how to speak to people with disabilities about their abuse, and the types of community resources available can help nurses be a positive part of increasing convictions of perpetrators. SANE nurses should educate themselves on issues that may arise during an exam of a PWD. If all nurses take advantage of available education regarding abuse of PWD, they can become an important advocate for a PWD in a very difficult time and help to create a positive outcome.

## RELEVANCE TO THE PROFESSION

Without the proper education, nurses are not able to effectively advocate for and protect people with disabilities. “Nurses must always stress human rights protection with particular attention to preserving the human rights of vulnerable groups such as the poor, the homeless, the elderly, the mentally ill, prisoners, refugees, women, children, and socially stigmatized groups” (ANA, 2015, p. 33). Based on this statement from the ANA, education about how to help PWD get justice in court goes to the core of what nursing is about. As nurses are often the first professionals to come in contact with abuse victims, it is so important for them to have an understanding of how to deal with both the nursing and possible legal issues around abuse of PWD. Nurses are mandated reporters so it is extremely relevant to the profession that they have an understanding of how the legal system works and how to access that system for people who may not understand how to access it themselves. In issues of abuse we are simply a small part of a much larger team and all nurses must understand that team and how to be a working part of it.

