

## **Victims with Disabilities Face Unique Challenges**

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When Anita left her abusive husband Ed, she found that escaping his violence would not be easy. She moved her two children into an apartment and sought expert advice on how to start a new life. She obtained an order of protection, a divorce, and full custody of her children. As she struggled to free herself from Ed, he began stalking her. Anita finally moved to a new city and even changed her name. Yet one afternoon when she picked up her children, Ed was waiting outside the school. Alarmed and frustrated, she prepared to flee again.

Anita's plight is hardly unique. Abusers often become stalkers. And stalkers tenaciously pursue their victims. Yet Anita's story is somewhat unusual. In her case, the stalker had little trouble finding his ex-wife because she has a disability: she is deaf.<sup>1</sup> To locate Anita, Ed (who is also deaf) simply contacted the Social Security Administration to "inquire" whether the Security Disability Insurance (SSDI) checks his children receive as this dependents were reaching them. In answering Ed's question, the agency gave him Anita's new address.

### **Victims with Disabilities**

Anita's difficulties in escaping her ex-husband suggest the complex challenges that stalking victims with disabilities face. Stalkers may target these victims because of their disabilities or exploit their disabilities in committing crimes. Victims face formidable burdens in protecting themselves, unique barriers to reporting, and difficulty accessing or receiving victim services.

Approximately 20 percent of non-institutionalized Americans have a disability.<sup>2</sup> And people with disabilities suffer alarming rates of victimization. Women with disabilities experience the highest rate of personal violence— violence at the hands of spouses, partners, boyfriends, family members, caregivers, and strangers—of any group in our society today.<sup>3</sup> Of the 200 women with physical and cognitive disabilities who responded to a 2002 survey, 67 percent reported having experienced physical abuse, and 53 percent of the women reported having experienced sexual abuse.<sup>4</sup> Some researchers believe that 90 percent of people with developmental disabilities will at some point in their lives be the victims of sexual assault and that only 3 percent of these crimes will be reported.<sup>5</sup>

### **Vulnerability to Stalking**

Given the level of physical violence experienced by people with disabilities, as well as the established link between intimate partner violence and stalking,<sup>6</sup> it is highly probable that people with disabilities experience significant levels of stalking. While the Stalking Resource Center has found little research to establish the prevalence of stalking among people with disabilities, our experience suggests that stalking is likely to occur in this population. In this article, we attempt to lay the groundwork for such research, to elicit feedback from providers who may have served such victims, and to explore the best ways to help them.

### **Offender Manipulation**

People with disabilities are particularly vulnerable to stalking because they are sometimes perceived to be easier to control than other victims. "The balance of power in all abusive relationships shifts very subtly," says Debora L. Beck-Massey of the Domestic Violence Initiative for Women with Disabilities in Denver, Colorado, "so more and more of the control, decision making, and options slide toward the batterer's side." Abusers of people with disabilities often control victims' access to basic necessities such as food and transportation to increase their dependence.

If the relationships end, these abusers are particularly well equipped to stalk the victim. They have access to a significant amount of personal information, such as bank account numbers, passwords, and Social Security numbers, which they can use to take money from victims or to prevent them from accessing their funds. They are familiar with victims' work arrangements and any special transportation systems victims use. These controlling behaviors, as part of an overall pattern of conduct, produce substantial emotional distress and are likely to cause fear in the victim.

### **Protection Problems**

Stalking victims often have great difficulty protecting themselves and their families. They may have to change their entire lives—move to a different community, change jobs, alter their physical appearance, and even change names—all to avoid their offender's next move. "For stalking victims with disabilities," said Beck-Massey, "the very systems they rely on for support—for transportation, financial support, or services—may increase their vulnerabilities." Ed used the SSDI system to track Anita because she relied on SSDI support for her children. A victim with a disability living in government-subsidized housing may find it impossible to move quickly, even to escape a dangerous situation, because of six- to twelve-month waiting periods for apartments in such facilities.

### **Barriers to Reporting and Receiving Services**

Stalking victims with disabilities confront the same barriers to reporting the crime (such as fear of not being believed) that most victims face. In addition, victims with disabilities have to contend with physical or social isolation, impediments to communication or mobility, or physical or financial dependence on a caregiver who may also be the perpetrator.<sup>8</sup> For example, a victim who is housebound because of her disability may never sufficiently escape her caregiver to be able to report her victimization to law enforcement.

Victims are also vulnerable to stalkers' exploiting their disabilities to avoid criminal justice intervention. For example, a stalker may escape being investigated as a suspect by posing as a concerned friend checking up on a victim. Or, if a victim has a developmental disability and an investigating officer finds two differing versions of events—one from a woman who seemed confused and another from a coherent, ostensibly concerned "friend" of the victim—the officer might be easily convinced that the victim was not victimized at all. Stalkers can also pressure victims to drop charges by threatening them in ways that, absent the context of a disability, might seem less malignant. For example, by canceling a victim's food delivery or transportation to a crucial doctor's appointment, a stalker can remind the victim that he can control her life.

Stalkers can also exploit the victims' reliance on assistive technologies, such as Text Telephone (TTY) machines and e-mail. For example, a stalker who is able to hack into the victim's e-mail or gain access to her TTY machine can pose as the victim to interfere with communications with her victim advocate or the police department (e.g., posing as the victim, the stalker requests that the police discontinue their investigation of the stalking case).

### **Identifying Needs and Providing Effective Services**

For all stalking victims and victim advocates, recognizing the problem is half the battle. Criminal justice professionals and victim service providers must first know who in our communities may be at most risk for being victimized. Then, to improve their responses, they must identify the barriers to reporting crime and accessing services for these victims.

### **Conclusion**

Victim advocates, criminal justice agencies, and disability rights workers should take a closer look at the complex and challenging needs of stalking victims with disabilities. Researchers would benefit from studying the incidence of stalking among these victims, and victim service providers and criminal justice professionals could use the resulting knowledge to improve their response to victims with disabilities.

The Stalking Resource Center would appreciate hearing from providers who have worked with such victims, and we welcome information on appropriate best practices, protocols, or policies. To share information with the SRC or to learn more about stalking, please contact us at [src@ncvc.org](mailto:src@ncvc.org).

### **How to Work with Victims with Disabilities**

- Consult disability agencies and victims with disabilities when devising your community's response to stalking.
- Collaborate with disability services agencies to provide training for criminal justice professionals and victim service providers on best practices for working with people with disabilities. Train disability rights workers to recognize and address stalking.
- Use targeted outreach and appropriate services (e.g., use inclusive language and symbols in organization materials and provide the local Telecommunications Relay Service (TRS) with a current list of victim service hotlines).
- Observe Americans with Disabilities Act requirements. Compliance with the law helps victims with disabilities and protects government agencies and government-funded organizations from liability for discrimination.

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1 The Stalking Resource Center (SRC) recognizes the unique culture of the deaf community and the desire of its members to be independently identified. However, for the purposes of this brief article, the SRC adopts the Americans With Disabilities Act (ADA) definition of an individual with a disability as "a person who has a physical or mental impairment that substantially limits one or more major life activities,...who has a history or record of such an impairment, or ...who is perceived by others as having such an impairment." Examples included in the ADA definition include orthopedic, visual, speech, and hearing impairments, as well as many other conditions.

2 U.S. Census Bureau, "Disability Status: 2000," Census 2000 Brief (March 2003), <http://www.census.gov/prod/2003pubs/c2kbr-17.pdf>, (Accessed October 31, 2005).

3W. Abramson et al., eds., "From the Editors," *Impact: Feature Issue on Violence Against Women with Developmental or Other Disabilities* 13, No. 3 (2000), <http://ici.umn.edu/products/impact/133>, (Accessed: October 31, 2005).

- 4 L.E. Powers and M. Oswald, "Violence and Abuse Against People with Disabilities: Experiences, Barriers and Prevention Strategies," Center on Self-Determination, Oregon Institute on Disability and Development, Oregon Health and Science University, Citing: L.E. Powers, M.A. Curry, M. Oswald, S. Maley, M. Saxton, and K. Eckels, "Barriers and Strategies in Addressing Abuse: A Survey of Disabled Women's Experiences," *Journal of Rehabilitation* 68, No.1 (2002): 4-13.
- 5 D. Sobsey and T. Doe, "Patterns of Sexual Abuse and Assault," *Sexuality and Disability* 9, No. 3 (1991): 243-259; and C. Tyiska, "Working with Victims of Crime with Disabilities," Office for Victims of Crime Bulletin, (Washington, DC: U.S. Department of Justice, 1998).
- 6 M.B. Mechanic et al., "Intimate Partner Violence and Stalking Behavior: Exploration of Patterns and Correlates in a Sample of Acutely Battered Women," *Violence and Victims* 15, No. 1 (2000): 55-72.