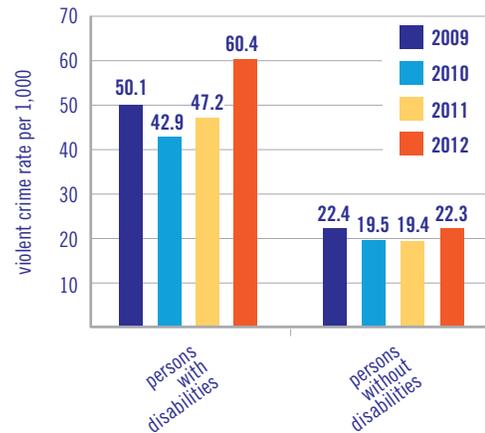


## CRIMES AGAINST PERSONS WITH DISABILITIES

Persons with disabilities are victimized by crime at much higher rates than the rest of the population, and they are often targeted specifically because of their disabilities. As compared to other population groups, victims with disabilities experience higher rates of victimization by persons known to them, and they report crime less frequently, often because of the nature of their disabilities, such as cognitive or physical disabilities or mental illness. In addition to violent victimization and property offenses, crimes against persons with disabilities can also constitute a subset of hate crimes. As described more fully in the subsection devoted to hate crimes, these crimes are defined by being motivated by the offender's bias against victims of a particular group, such as those with disabilities. A majority of the information in this section relies on findings from the National Crime Victimization Survey (NCVS), which only includes those 12 and older with disabilities living among the general population in household settings. As a result, this may contribute to an underestimation of the level of violence experienced by people with disabilities as it does not take into account people living in institutions, people who are homeless or children under 12. The section concludes with several data points, compiled from a variety of other sources, about violence against children with disabilities as they are at a substantially greater risk than their non-disabled peers of being victimized.<sup>1</sup>

- The age-adjusted violent victimization rate for persons with disabilities (60.4 violent victimizations per 1,000) was more than twice the rate among persons without disabilities (22.3 violent victimizations per 1,000) in 2012.<sup>2</sup>
- From 2009 to 2012, the age-adjusted rate of violent crime increased by 20.6 percent from 50.1 per 1,000 to 60.4 per 1,000. By comparison, the rate of violent crime against persons without disabilities decreased by 0.4 percent from 22.4 per 1,000 in 2009 to about 22.3 per 1,000 in 2012.<sup>3</sup>

**VIOLENT CRIME AGAINST PERSONS WITH AND WITHOUT DISABILITIES**



- In 2012, for both males and females, the age-adjusted rate of violent crime was greater for those with disabilities than the rate for those without disabilities. The rate for males with disabilities was 59.0 per 1,000, compared to 25.1 per 1,000 for males without disabilities; for females with disabilities, the rate was 61.8 per 1,000, compared to 19.5 per 1,000 for females without disabilities.<sup>4</sup>
- The rate of aggravated assault reported against persons with disabilities in 2009 was 6.6 per 1,000. That number increased to 10 in 2012. From 2011 to 2012, the aggravated assault rate decreased slightly from 10.5 to 10.0.<sup>5</sup>
- Simple assault (34.1 per 1,000 persons) was the most common form of violence utilized on persons with disabilities in 2012.<sup>6</sup>
- In 2012, those with cognitive disabilities had the highest unadjusted violent victimization rate (63.3 per 1,000 persons), simple assault rate (39.7 per 1,000 persons), and serious violent victimization rate (23.6 per 1,000 persons). This is also true for both male and female victims with disabilities.<sup>7</sup>

1 Lisa Jones et al., "Prevalence and Risk of Violence against Children with Disabilities: A Systematic Review and Meta-analysis of Observational Studies," *Lancet* 380, no. 9845 (2012): 899.

2 Erika Harrell, *Crime Against Persons with Disabilities, 2009 – 2012-Statistical Tables*, (Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice, 2014), Table 1, accessed June 6, 2014, <http://www.bjs.gov/content/pub/pdf/capd0912st.pdf>.

3 Ibid., calculated from Tables 3 and 4.

4 Ibid., Table 5.

5 Harrell, *Crimes Against Persons with Disabilities, 2009-2012*, Table 3.

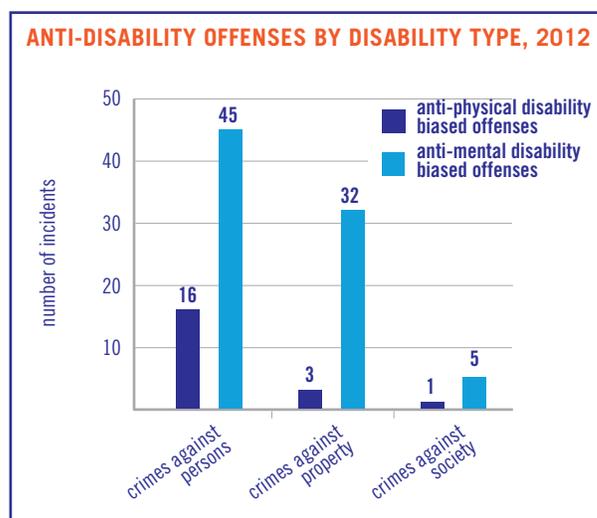
6 Ibid., Table 7.

7 Ibid., Tables 7, 8, and 9.

# Crimes Against Persons with Disabilities

- Between 2009 and 2012, reported instances of rape/sexual assault against persons with a disability increased from 1.7 in 2009 to 3.6 in 2012.<sup>8</sup>
- Intimate partner violence accounted for 13 percent of violence against persons with disabilities in 2010, similar to the percentage of violence against persons without disabilities, which is 14 percent.<sup>9</sup>
- Offenders were strangers to the victim in 33 percent of violent victimizations against persons with disabilities in 2010, compared to 41 percent of violent victimizations against persons without disabilities.<sup>10</sup>
- Among persons with disabilities, the percentage of violence in which the victim faced an armed offender increased from 20 percent in 2008 to 30 percent in 2010.<sup>11</sup> The offender was armed with a firearm in about 14 percent of victimizations involving persons with disabilities, compared to 8 percent of victimizations against those without disabilities in 2010.<sup>12</sup>
- About 41 percent of the violent victimizations against persons with disabilities were reported to police in 2010, compared to about 53 percent of victimizations against persons without disabilities.<sup>13</sup>
- Persons with disabilities reported to the police 39 percent of robberies and 40 percent of aggravated assaults in 2010. Persons without disabilities reported much higher percentages of these crimes: 63 percent of robberies and 65 percent of aggravated assaults.<sup>14</sup>
- Crimes against disabled persons can constitute a form of hate crime. In 2007, about 19 percent of violent crime victims with a disability said they believed they had been victimized because of their disability.<sup>15</sup>

- A total of 92 anti-disability hate crimes were reported to the police in 2012. Of these, 18 were motivated by bias against persons with physical disabilities and 74 by bias against those with mental disabilities.<sup>16</sup>
- In 2012, 52.1 percent of violent crimes against people with a disability were against those with multiple disabilities, down from 56.9 percent in 2010 and up from 41.4 percent in 2009.<sup>17</sup>
- Anti-disability-biased incidents involving 102 total victims were reported to police in 2012. Of the 102 victims, 61 experienced crimes against persons, 35 experienced crimes against property, and 6 experienced a crime against society.<sup>18</sup>



- Of the 20 reported offenses against those with physical disabilities in 2012, 4 were aggravated assault, 9 simple assault, 3 intimidation, 1 larceny/theft, 1 motor vehicle theft, 1 classified as “other” crimes against property, and 1 classified as crimes against society.<sup>19</sup>

<sup>8</sup> Ibid., Table 1.

<sup>9</sup> Ibid.

<sup>10</sup> Harrell, *Crimes Against Persons with Disabilities, 2008-2010*, (Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice, 2011), Table 4, accessed October 6, 2014, <http://www.bjs.gov/content/pub/pdf/capd10st.pdf>.

<sup>11</sup> Harrell, *Crimes Against Persons with Disabilities, 2008-2010*, Table 5.

<sup>12</sup> Ibid.

<sup>13</sup> Ibid., 5.

<sup>14</sup> Ibid., 11.

<sup>15</sup> Michael R. Rand and Erika Harrell, *Crimes Against People with Disabilities, 2007*, (Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice, 2009), 4, accessed October 6, 2014, <http://bjs.ojp.usdoj.gov/content/pub/pdf/capd07.pdf>.

<sup>16</sup> Federal Bureau of Investigation, *Hate Crime Statistics, 2012*, (Washington, DC: U.S. Department of Justice, 2012), Table 1, accessed June 6, 2014, [http://www.fbi.gov/about-us/cjis/ucr/hate-crime/2012/tables-and-data-declarations/1tabledatadecpdf/table\\_1\\_incidents\\_offenses\\_victims\\_and\\_known\\_offenders\\_by\\_bias\\_motivation\\_2012.xls](http://www.fbi.gov/about-us/cjis/ucr/hate-crime/2012/tables-and-data-declarations/1tabledatadecpdf/table_1_incidents_offenses_victims_and_known_offenders_by_bias_motivation_2012.xls).

<sup>17</sup> Harrell, *Crimes Against Persons with Disabilities, 2009-2013*, Table 6.

<sup>18</sup> Federal Bureau of Investigation, *2012 Hate Crime Statistics*, Table 7, accessed June 6, 2014, [http://www.fbi.gov/about-us/cjis/ucr/hate-crime/2012/tables-and-data-declarations/7tabledatadecpdf/table\\_7\\_victims\\_offense\\_type\\_by\\_bias\\_motivation\\_2012.xls](http://www.fbi.gov/about-us/cjis/ucr/hate-crime/2012/tables-and-data-declarations/7tabledatadecpdf/table_7_victims_offense_type_by_bias_motivation_2012.xls). Crimes against society include drug-related offenses, prostitution, and animal cruelty.

<sup>19</sup> Ibid., Table 7.

- Of the 82 offenses against those with mental disabilities, 15 were aggravated assault, 24 simple assault, 5 intimidation, 1 classified as “other” crimes against persons, 1 robbery, 3 burglary, 12 larceny/theft, 11 destruction of property/vandalism, 5 classified as “other” crimes against property, and 5 crimes against society.<sup>20</sup>
- Between 2004 and 2012, victims identified disability as the perceived offender motivation in hate crimes 11 percent of the time, down from 22 percent in 2011, and the same as 2004 (11 percent).<sup>21</sup>
- In a national survey of over 1,300 people with disabilities and their family members in 2012, over 70 percent reported being victims of abuse. Types of abuse included verbal-emotional (87.2 percent), physical (50.6 percent), sexual (41.6 percent), neglect (37.3 percent), and financial (31.5 percent).<sup>22</sup>
- In the same survey, 62.7 percent who reported being victims of abuse did not report the abuse to authorities. When looking at families of victims and victims, 43.3 percent of incidents were not reported to authorities.<sup>23</sup>
- In 2012, 3.2 percent of child victims of abuse and neglect had reported a behavioral problem disability, 2.5 percent had an emotional disturbance disability, 1.1 percent reported a learning disability, 1.0 percent a visual or hearing impairment, 0.7 percent a physical disability, 0.5 percent an intellectual disability, and 4.3 percent other medical disability.<sup>25</sup>
- In a review of the literature, it was estimated approximately 1 in 4 or 26.7 percent of disabled children will be a victim of violence. Of those, 20.4 percent will be victims of physical violence and 13.7 percent victims of sexual violence.<sup>26</sup>
- In the same study, it was observed that children with psychological or intellectual disabilities are significantly more likely to be victims of sexual assault, compared to children with physical disabilities.<sup>27</sup>
- In a study of 4,155 students in special education, children with attention deficient hyperactive disorder (ADHD) experienced the greatest risk of victimization compared to children with other disabilities. Children with emotional disturbance were the second group of disabled children most likely to experience bully victimization.<sup>28</sup> ★

## Crimes Against Children with Disabilities

- In 2012, 13.3 percent of child victims of abuse or neglect had a reported disability based on data collected by the Department of Health and Human Services.<sup>24</sup>

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<sup>20</sup> Ibid.

<sup>21</sup> Meagan Meuchel, *Hate Crime Victimization, 2004-2012--Statistical Tables*, (Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice, 2014), Table 2, accessed June 8, 2014, <http://www.bjs.gov/content/pub/pdf/hcv0412st.pdf>.

<sup>22</sup> Nora J. Baladerian, Thomas F. Colemand, and Jim Stream, *Findings from the 2012 Survey on Abuse of People with Disabilities*, (Los Angeles, CA: Spectrum Institute, Disability and Abuse Project, 2013), accessed October 6, 2014, <http://www.disabilityandabuse.org/survey/findings.pdf>.

<sup>23</sup> Ibid.

<sup>24</sup> *Child Maltreatment 2012*, (U.S. Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau), Table 3-9, accessed October 6, 2014, <http://www.acf.hhs.gov/programs/cb/resource/child-maltreatment-2012>.

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<sup>25</sup> Ibid., Table 3-9.

<sup>26</sup> Lisa Jones et al., “Prevalence and Risk of Violence against Children with Disabilities: A Systematic Review and Meta-analysis of Observational Studies,” *Lancet* 380, no. 9845 (2012): 899.

<sup>27</sup> Ibid.

<sup>28</sup> Jamilia J. Blake et al., “Predictors of Bully Victimization in Student with Disabilities: A Longitudinal Examination Using a National Data Set,” *Journal of Disability Policy Studies* (2014): accessed October 19, 2014, <http://dps.sagepub.com/content/early/2014/05/30/1044207314539012.abstract>.