



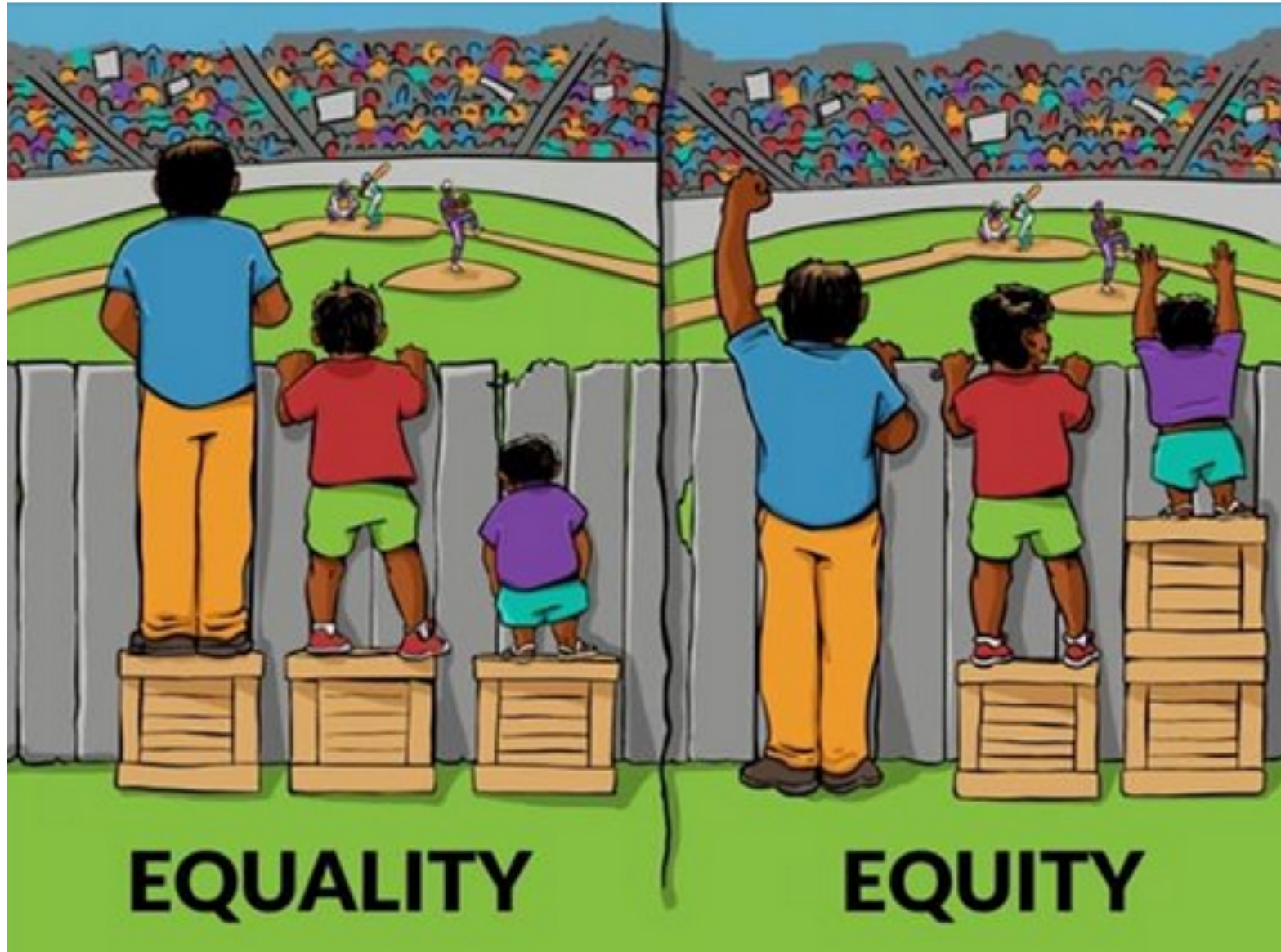
Domestic Violence and Disabilities

September 16, 2020

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EQUALITY

EQUITY



Americans with Disabilities Act of 1990

- ▶ "the Nation's proper goals regarding individuals with disabilities are to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for such individuals."
- ▶ The Promise, "the opportunity for everyone to thrive"
- ▶ Safety and Confidentiality



Americans with Disabilities Act of 1990

- The Americans with Disabilities Act (ADA), provides protection from discrimination for people with disabilities. The ADA defines disability as “a physical or mental impairment that substantially limits one or more of the major life activities.”
- It's important to note that under Title II of the ADA, social services such as domestic violence shelters must be accessible for people with disabilities. Title III of the ADA covers public accommodations, which generally includes all places open to the public, such as offices for counseling services, legal services, translation services, doctors' offices and shelters.



Disabilities

- ▶ A **disability** is any condition that makes it more difficult for a person to do certain activities or interact with the world around them. These conditions, or impairments, may be cognitive, developmental, intellectual, mental, physical, sensory, or a combination of multiple factors.
- ▶ The term "disability" encompasses many forms and degrees of impairments, including physical, developmental and psychological disabilities.
- ▶ Risk of violent victimization is even higher for some people with disabilities. This includes: women with disabilities, people with cognitive or developmental disabilities, people with psychiatric disabilities, and people with multiple disabilities.



People with Disabilities and Victimization


People with disabilities are at greater risk of being victimized.

- 3 times more likely to experience violent victimization as adolescents and adults
- 3 times more likely to experience rape, sexual assault, aggravated assault, and robbery
- 3 times more likely to be sexually abused as children
- 1.6 times more likely to experience abuse or neglect as children
- 1.5 times more likely to experience repeated abuse or neglect as children



Disabilities and Violence

- Women with disabilities are vulnerable to all forms of violence, including domestic violence
- Men with disabilities are also more likely to experience violence and abuse
- There is limited focus or attention on people with disabilities who are experiencing domestic violence
- Barriers to service and resources further compound the issue(s)



How Domestic Violence Intersects with Disability

- Domestic violence can cause temporary or permanent disability;
- People with disabilities experience higher rates of domestic violence, sexual assault and abuse;
- Violence, assault and abuse against a person with a disability often take on non-“traditional” forms; and
- People with disabilities face additional barriers when seeking help.



Domestic Violence and Disabilities

Violence against women with disabilities happens because of attitudes towards women together with vulnerability from the conditions that result from the disability itself, such as:

- ▶ Being physically less capable of defending themselves
- ▶ Difficulty in reporting maltreatment due to the lack of accessible forms of communication
- ▶ Inaccessibility of information and counseling services due to barriers in the physical environment and due to the lack of accessible forms of communication (this is particularly concerning for women who are blind or visually impaired)
- ▶ Lower self-esteem due to not being seen as a woman but only as a person with a disability or even worse—only as her disability
- ▶ A greater amount of dependence on other people for care
- ▶ Fear of reporting the abuse, as it might result in the breaking of bonds and loss of the care they may require



Domestic Violence and Disabilities

Women with disabilities may experience unique forms of abuse that are difficult to recognize — making it even harder to get the kind of help they need. Such abuse may include:

- ▶ Removing or destroying a person's mobility devices (e.g., wheelchairs, scooters, walkers).
- ▶ Denying access to and/or taking prescribed medication from someone.
- ▶ Forcing someone to take medication against her will.
- ▶ Forcing someone to lie in soiled undergarments.
- ▶ Preventing access to food/water.
- ▶ Isolating from possible sources of help.
- ▶ Inappropriately touching a person while assisting with bathing and/or dressing.
- ▶ Denying access to disability-related resources in the community and/or to health care appointments.



Red Flags of Abuse

- ▶ Tells them that they are “not allowed” to have a pain flare up
- ▶ Steals or withholds their Social Security Disability check
- ▶ Tells them that they are a bad parent or could never be a parent because they have a disability
- ▶ Uses gaslighting to invalidate their disability (for example: “You’re faking it” or “It’s all in your head”)
- ▶ Uses their disability to shame or humiliate them
- ▶ Refuses to help them use the bathroom or complete necessary life tasks
- ▶ Withholds or threatens to withhold medication; purposefully over-medicates them or mixes medications in a dangerous/non-prescribed way
- ▶ Instigates sexual activity when they know their partner is not capable of consenting
- ▶ Withholds, damages or breaks assistive devices
- ▶ Does not allow them to see a doctor
- ▶ Threatens to “out” their disability to others (for example, someone who is HIV-positive may not wish to disclose their status, and their abusive partner will use their status to control them)
- ▶ Threatens to harm or harms their service animal
- ▶ Uses a disability as an excuse for the abuse; tells them that they “deserve” abuse because of their disability



Domestic Violence Shelters

Per the ADA, to be accessible to people with disabilities, shelters and offices are required to:

- ▶ **ADMIT PEOPLE WITH DISABILITIES INTO THE SHELTER**

People with disabilities must have an equal opportunity to benefit from programs, services and activities. People with disabilities must be treated equally and may not be excluded from shelters on the basis of having a disability.

For example, it is not permissible to deny admittance to an individual because he or she has a mental health disability or HIV.

- ▶ **PROVIDE REASONABLE ACCOMMODATIONS**

'Reasonable accommodations' – alterations to policies, practices and procedures – allow a program or shelter to provide the same services to people with disabilities as people without disabilities. Reasonable accommodations must be made unless they entail significant difficulty or expense.

For example, if a shelter has a no pet policy, that policy may need to be altered to admit an individual who has a service dog.

- ▶ **ELIMINATE STRUCTURAL BARRIERS TO ACCESS**


A building must be free of structural barriers to people with disabilities. Although people with mobility disabilities are the most affected by structural barriers, people with a range of disabilities can benefit from the removal of structural barriers or modifications of physical attributes.



Basics of Universal Design

- Provide one no-step entrance with beveled threshold. This may be at the front, side, or back of the house or garage entrance.
- Make doorways throughout the home at least 32 inches wide; hallways at least 36 inches clear width.
- Reinforce walls around the toilet, bathtub, and shower stall so that grab bars may be added later, if needed.
- Install light switches and electrical controls no higher than 48 inches and electrical plugs no lower than 15 inches above the floor.
- Install lever handles on exterior and interior doors and on sinks.

(City of San Antonio, 2002)



Barriers to Service for Tribal Domestic Violence Programs and Shelters

- Building/modification costs
- Limited program funding
- Activity unallowable with some federal funds
- Limited awareness of universal design feasibility



American Indians and Alaska Natives and Disabilities

- 19-20% of all Americans have some type of disability
- 24-26% of Native Americans/Alaska Natives have a significant disability
- More than 94,000 Native Americans/Alaska Natives have a mobility or self-care limitation

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Disabilities and Domestic Violence

National Indigenous Women's Resource Center

Cj Doxtater, Aging & Tribal Outreach Director for EDAW

9-16-2020

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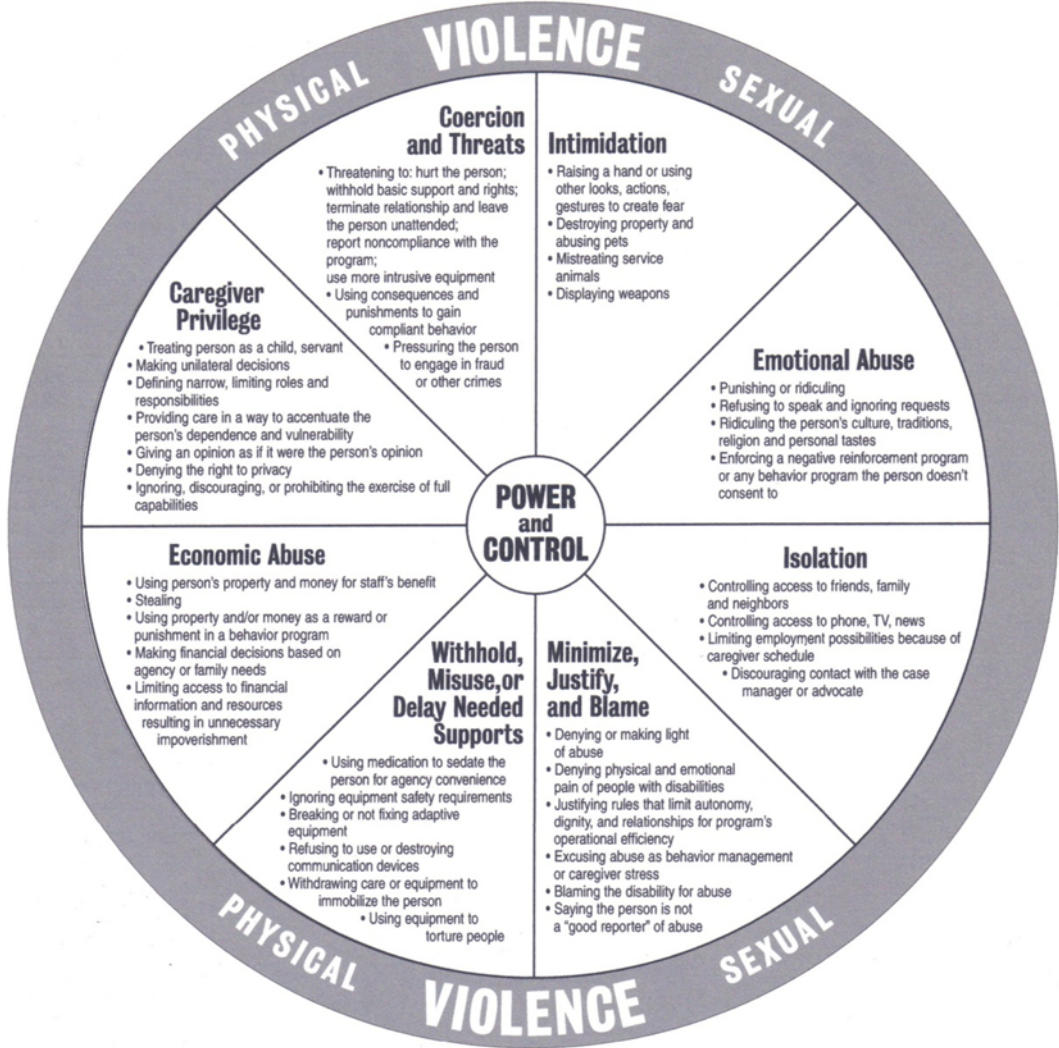
- My apology for speaking before my elders and those more experienced than I. What will be shared is my understanding and experience.
- It is my profound hope that you may find value to this sharing and you are free to correct and adjust this information for your communities. Yaw'ko

Disabilities

- An overreaching term for approx. 25% of native people according to 2010 U.S. census
- WHO (World Health Organization) identifies
 - Impairment of body function or structure
 - Activity limits of a task or action
 - Participation restrictions is a problem of involvement in life's situations

As **disabilities**. Not just a health problem but a complex phenomenon between an individual and the society we live in

Abuse of People with Developmental Disabilities by a Caregiver



DV and Women with Disabilities

- Perpetrators may include partners, family members with a longer duration of abuse
- More likely to experience abuse from attendants, health care providers and strangers
- More intense experiences including combination of abuses & multiple perpetrators at a single event.

Unique Abuser Dynamics

- Becoming a primary caregiver before initiating abuse (getting her trust, first)
- Holding her captive by removing adapting or assistive equipment
- Exploiting the fact that L.E. and Social Workers may not believe her, whether a report or in court.
- Controlling access to her medications

The DRW, WCASA, End Abuse VAWA Project with Vera Institute Guidance

- Needs Assessment
- Team Commitments
- Supporting Community Projects
- Tribal Projects
- Shelter Accessibility Reviews
- Parent Training for parents of children with disabilities

The DRW, WCASA, End Abuse VAWA Project with Vera Institute Guidance

- Trauma Informed Care Training for providers
- Training on use and care of Service Animals
- Peer Support Groups
- Leadership Training
- Legal Services especially regarding accessibility

My Auntie's Story



Yaw'Ko


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RESOURCES



Q & A



THANK YOU!

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