



**Adult Advocacy
Centers**

Forensic Interviews for Adult Crime Victims with Disabilities

Introduction

Disabled adults are adults, not eternal children. Treating adult crime victims with disabilities the same as child crime victims is undignified, unfair and detrimental to the goal of providing equitable justice and equal access to services. The justice system must change to ensure the provision of necessary and legally required accommodations and accessibility, including a forensic interview process specifically created for adult crime victims with disabilities.

Life Experiences

It is discriminatory to infantilize adult crime victims with disabilities. Adults with disabilities have vastly different lifestyles and experiences compared to most children. Adults with disabilities may live independently, in a group home or in an institutional setting, and often work, have bank accounts and pay taxes. Adults with disabilities may be in a romantic relationship, get married and have children. These differences are not incidental but are often disregarded when we over-focus on developmental age, resulting in infantilization and low expectations. Instead, these qualities create a unique need for a distinct forensic interview process that takes a holistic view of the individual, recognizing life experience while adapting for language and learning differences and other needs.

Victimization Rates

Simply looking at the current victimization rates makes it clear that providing forensic interview protocols specifically created for adult crime victims with disabilities is urgent. The Bureau of Justice Statistics estimates that the rate of violent victimization perpetrated against people with disabilities is almost four times higher than against people without disabilities (Bureau of Justice Statistics, 2021).

Criminal Justice System

Many state and federal laws include specific criminal charges when abuse or neglect is perpetrated against an individual with a disability. However, current practices do not include viable steps to ensure that these cases are prosecuted. Improving prosecution rates is not only warranted from an ethical standpoint but it is also legally required.

Americans with Disabilities Act (ADA)

The ADA requires criminal justice entities to avoid discriminating against people with disabilities. However, justice is often denied to adult crime victims with disabilities. Attitudinal, systemic and organizational barriers frequently block a pathway to justice. One step towards creating a more equitable justice system is a forensic interview process that provides accommodations, accessibility and a protocol that recognizes the spectrum of disabilities and can be specifically tailored to meet the needs of adult crime victims with disabilities.

Conclusion

A concerted effort must be taken to revamp the current criminal justice system to provide adult crime victims with disabilities with needed accommodations and accessibility, as required under the ADA. To this end, the current processes used by the criminal justice system must be supplemented or supplanted to meet the needs of adult crime victims with disabilities using the following recommendations:

- Forensic interview protocols used for adult crime victims with disabilities should not be the same protocols as those used for children and must incorporate needed accommodations and accessibility, including, but not limited to, adaptations for victims with limited or no use of oral communication, interpreting services, incorporating the use of communication boards and interview aids.
- Disability-informed victim services should be provided to adult crime victims with disabilities and include disability-specific resources, such as disability services, support groups and disability advocacy groups.