

Addressing Human Trafficking of People with Disabilities: Collaboration and Activism

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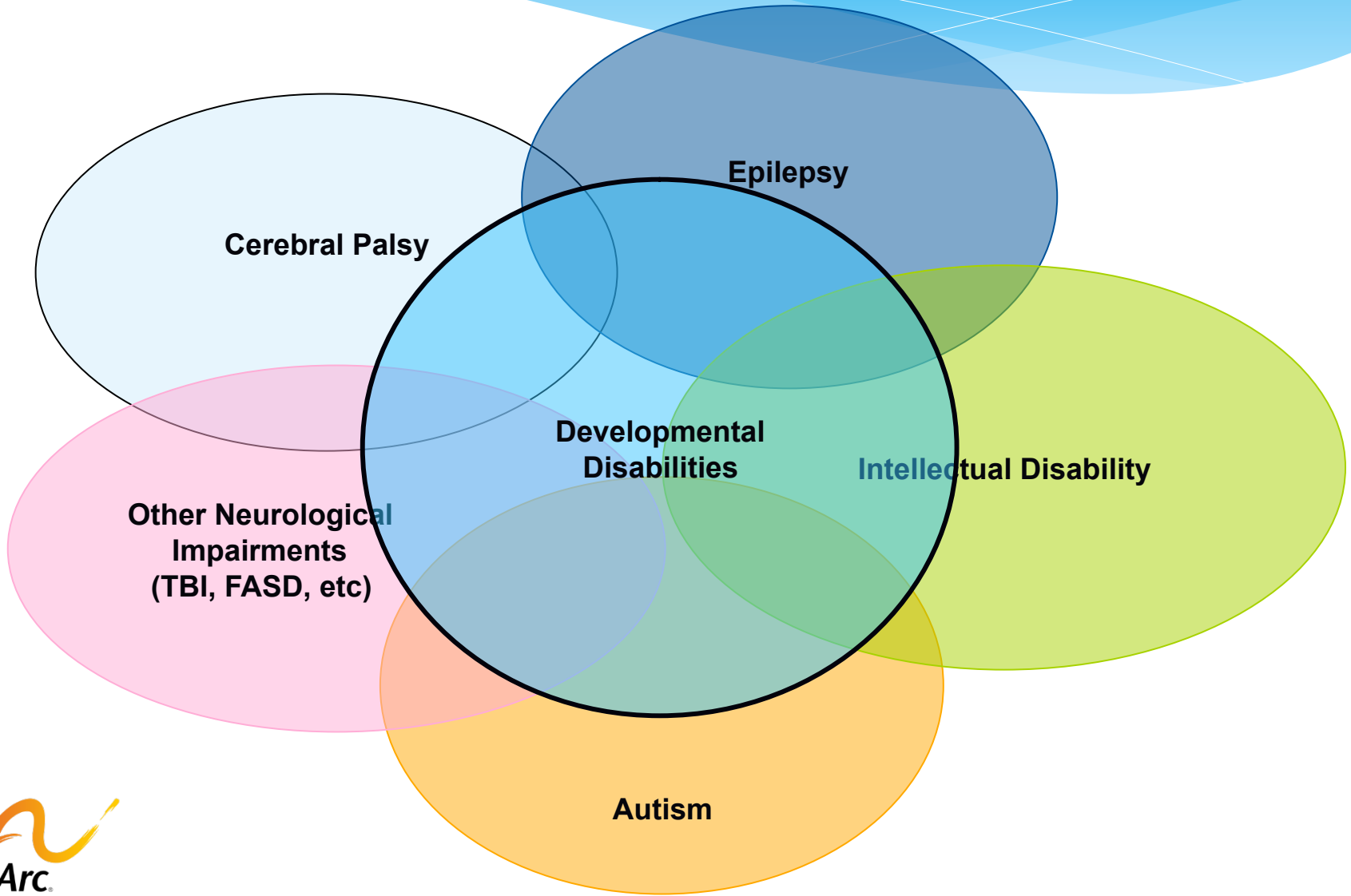
Criminal Justice Advocacy Program

Who We Are

- * Largest Single Minority Group in the United States
- * 1 in 5 Adults has a disability
- * May be Cognitive; Physical; Sensory; Mental Health
- * Disability results in substantial functional limitations of activities of daily living

Developmental Disabilities: An “Umbrella” Term

- * May be an intellectual disability- characterized by a limitation in “general mental capacity” and adaptive behavior, related to IQ
- * May be an autism spectrum disorder-characterized by differences in verbal or nonverbal communication and/or social interaction, NOT related to IQ
- * Host of syndromes, i.e., Fetal Alcohol Syndrome, Williams Syndrome, Prader-Willi Syndrome, Down Syndrome
- * May be a physical disability-characterized by differences in mobility and speech, such as cerebral palsy, epilepsy



Hidden Disabilities

- * Developmental Disabilities can be difficult to identify
- * Frequently undiagnosed or misdiagnosed, especially by professionals who lack training in recognizing common characteristics
- * Survival Instinct-can be very adept at hiding their disability
- * Lack of understanding about what a DD looks like

Some Shared Characteristics

- * May be lower on the socio-economic ladder
- * May have less education
- * May be under- or unemployed
- * May be reliant on family or caregivers for daily living

More Characteristics

- * May lead socially isolated lives and yet crave social interaction
- * May feel submissive or fearful of caregivers because they rely on them
- * May have communication difficulties, either physically or cognitively

Results: Increased Vulnerability

- * Unequal Power Dynamic- can make even abusive behavior normalized
- * Isolation opens up opportunities for traffickers to take advantage – harder to report to authorities for example therefore underreport
- * Lack of social skills, desire for connection, poor employment opportunity can persuade performance of sexual acts in return for friendship or money
- * May lack understanding of physical and social barriers

Did You Know the Statistics?

- * People with disabilities are:
 - * Three and half times more likely to be the victim of a sexual assault
 - * Two and a half times more likely to be the victim of a violent crime
 - * In 2013, 96% of victims with disabilities could identify the perpetrator

Statistics

- * 68% of sexual assault victims had multiple types of disability
- * 24% of violent crime victims with disabilities believed they were targeted because of their disability
- * Violent victimization has increased almost 25% since 2009

Abuse of People with Disabilities

2012 National Survey by the Disability and Abuse Project of the Spectrum Institute

Comprehensive Data from individuals with DD, caregivers and professionals



www.disabilityandabuse.org

Survey Data-Key Findings

- *70% of people with disabilities reported abuse
- *63% of parents and family members reported that their loved one with a disability had experienced abuse
- *90% of people with disabilities who had reported abuse said they experienced abuse on multiple occasions.

Barriers

Systemic Barriers:

- * False stereotypes about what people with developmental disabilities can understand or do
- * Lack of understanding on the part of professionals, ie, law enforcement, prosecutors, victim service providers, about ability to report and/or testify
- * Bias and Stigma

Important Priorities for People with Disabilities

- * Community Based Living
- * Least Restrictive Life
- * Work First

Similarities: DV Victims, Sexual Assault Victims, Trafficking Victims with Disabilities

- * Face similar barriers to leaving abusive situations and integrating successfully into the community
- * Have similar needs for basic services, connections to community and safety planning
- * Can experience significant economic and financial abuse and lack financial independence

What We Don't Know

- * Specific statistics about human trafficking of people with disabilities is not known
- * Tracking crime statistics concerning people with disabilities since 2009 and the numbers are clear that this population has higher rates of victimization
- * According to State Dept., persons with disabilities remain one of the groups most at risk of being trafficked

United States v. Kozminski, 487 US 931 (1988)

- * Seminal federal prosecution for violation of 13th A. rights and holding victims in “involuntary servitude”
- * Victims: two men with intellectual disability found laboring on farm in poor health, squalid conditions, unpaid, threatened with physical abuse and return to institution
- * Court reversed the conviction on a narrow reading of “involuntary servitude”.

Immigrants with Hearing Impairment

- * 1997 New York City
- * Dozens of immigrants from Mexico with hearing impairment found to be indentured laborers
- * Begging in the streets and subways
- * Isolated – without language or resources
- * Increased awareness resulting in the Trafficking Victims Protection Act of 2000

Types of Trafficking

- * Victims with Disabilities trafficked for forced labor and forced sex
- * In addition, vulnerable to Financial Exploitation
 - * Theft of Social Security and disability benefits
 - * Added opportunity for exploitation and victimization

Overview of Federal financial exploitation

- * Many people with disabilities have a family member, guardian or caregiver act as their “representative payee”.
- * Affords an opportunity to steal monthly government payments.

Financial Exploitation as Trafficking

- * *US v. Weston*: Pennsylvania, 2013 Linda Weston and 4 co-defendants target people with disabilities. Become “rep payee”, steal SSI benefits and in addition force them into work and sexual servitude for years. Successfully prosecuted.
- * *US v. Callahan*: Ohio 2015, couple held a woman with intellectual disability and child captive for 2 years. Took SSI benefits, forced domestic servitude, sexual servitude, injured her to obtain painkillers. Successfully prosecuted.
- * *US v. Wallace*: Missouri, 2010, two sisters convinced a woman with intellectual disability to move in with them, stole her SSI checks and forced her into prostitution. Successfully prosecuted.

Why People with Disabilities are More Vulnerable to Sexual Exploitation

- * Increased dependency on others for care
- * Denial of human rights that results in perception of powerlessness
- * Less risk of discovery as perceived by perpetrator
- * Difficulty in being believed

Need for Healthy Sexuality

- * Less education about appropriate and healthy sexuality
- * Social isolation
- * Physical helplessness
- * Values and attitudes within the field of disability toward integration
- * without enhancing an individual capacity for self-protection

The Independent Living Research Utilization website

Reducing the Risks

- * **Empowerment!**
- * Recognize the problem-Victims may not recognize abuse
- * Educating people with disabilities about:
 - * What is abuse
 - * How to report
 - * Giving people the ability to say 'no'
- * Reporting
 - * Know agency and state guidelines surrounding reporting
 - * Improve training and identification of the population

What can you do?!

- * Focus on victim
- * Promote victim healing through counseling and emotional support
- * Ensure the victim is informed regarding all processes, options, and resources
- * Protect the victim's integrity and ensure the victim is treated respectfully and compassionately and that all options are being accorded her/him

What can you do?!

- * Believe the victim
- * Remain neutral
- * Be non-judgmental
- * Recognize the victim's unique needs and concerns
- * Provide emotional support throughout the entire healing process
- * Offer information regarding all available services, procedures, and options

Accommodations

- * Need to accommodate for unique needs
 - * Address Practical needs, ie., slow down interactions
 - * Ensure reasonable accommodations re: ADA such as auxiliary aids when needed, remove structural barriers when possible, modify rules or requirements when possible
 - * Person First Language

Making it Safer for People With DD/ ID

- * Recognition of the problem
- * Careful monitoring of caretakers and facilities
- * Appropriate sexuality education for people with DD/ID
- * Teaching that there are situations when noncompliance (say “no”) with caregivers is appropriate
- * Acknowledgement that full responsibility lies with the offender

Therapy/Counseling for the Survivor with DD/ID

- * Crisis intervention
- * Psychoeducation
- * Affect management and stabilization
- * Managing conflicting feelings
- * Cognitive intervention
- * Problem-solving

Tools to end exploitation and trafficking

- * Criminal prosecution
- * Civil lawsuit
- * Empowerment
- * Education
- * Fostering Independence
- * Self Advocacy

Questions?

Thanks for Listening!

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