



Abuse of Individuals with Intellectual Disabilities (ID) and Autism (ASD)

The Facts:

- In a study of 8-17-year-olds, researchers found that children with ASD were more than three times as likely to be bullied than as their peers. (Twyman et al., 2010)
- US Justice Department data between 2011 – 2015: individuals with a cognitive disability were almost 6 times as likely to be victims of violent victimization (physical assault, robbery, or sexual assault) than people without disabilities.
- US Justice Department data show that people with ID are the victims of sexual assaults at rates more than seven times those for people without disabilities.¹
- Predators target people with ID because they know they are easily manipulated and will have difficulty reporting or testifying. The crimes and abuse go mostly unrecognized, unprosecuted, and unpunished. And the abuser is free to abuse again.¹ Police and prosecutors are often reluctant to take these cases because they are difficult to win in court.¹
- Individuals with ID or ASD are more likely than others to be assaulted or abused by someone they know. The incidents happen in places where they are supposed to be protected and safe, often by a person they have been taught to trust and rely upon.¹
- All forms of abuse (verbal, emotional, physical, sexual, or financial) among individuals with ID are underreported. About 60% of individuals with ID have communication and language difficulties², some are non-verbal. Due to the preponderance of poor communication skills, the rate of all forms of abuse to the ID and ASD community is likely much higher than what is reported.

¹ Source NPR Report January 2018

² NIH



Proposed Solutions:

- First, we want Hearings whereby legislators listen to individuals and families experiencing the abuse. Legislators need to understand the extent and seriousness of the problem within their own districts. We want Hearings that lead to legislation or regulations that reduce incidents. Such as:
 - Require mandatory use of technology to reduce neglect and abuse. Currently video monitoring with audio and night vision in licensed or unlicensed settings can greatly reduce incidents of abuse and neglect. Technology will evolve and offer more options over time. The rights of individuals with ID and ASD, including the right to privacy, should be preserved to the greatest extent practical.
 - Emphasize the need to comply with the CMS HCBS Final Rule to implement accommodations and practices that include the person and their family at the center of every consideration and decision that may or does affect them. This includes the individual and their family updating the ISP to request technology or other safeguards without fear of reprisal or loss of services.
 - Ensure everyone has access and support to own their communication. Mandating this, as we do for other aspects of a person's support is critical and should not be left to the provider to assess and approve. If it's in the ISP, Providers must be properly trained and deliver the service.
 - Develop and maintain an Abuse Registry of caregivers who have been terminated for reasons of neglect or abuse, and/or exploitation, similar to the law passed in [Massachusetts](#) in February 2020 with unanimous House, Senate, and Administration support.
 - Increase provider accountability and transparency. Providers currently self-report and investigate incidents under the [6400 Regulations](#), much to the disapproval of self-advocates and families. Investigations should be independent and conflict free.
 - Enact regulations, for the decade old, PA [2010 Adult Protective Services Act. This act](#), put in place to protect adults aged 18-59 with disabilities, needs governing regulations to carry out its protections.