

Economic Empowerment Spotlight

Survivors with Disabilities and the ADA

July 26th marks the 25th anniversary of the signing of the [Americans with Disabilities Act](#) (ADA), which prohibits discrimination against those with disabilities in all aspects of life. People with disabilities experience violence and abuse at disproportionately higher rates than those without disabilities. Furthermore, survivors with disabilities face additional unique barriers to safety and economic security. As a result, it is essential to consider survivors when discussing the ADA and the needs of individuals with disabilities.

Survivors and Disability

Disability takes many forms, including physical, developmental, sensory and psychological, and has a range of impacts on one's life and independence. It may have been present since birth, developed over time or occurred later in life. Domestic and sexual violence can [exacerbate an existing condition or cause a new disability](#), such as PTSD, depression and anxiety, or physical impairments. Abuse can also cause survivors with disabilities to [lose "previously gained abilities"](#) that support independent living."

People with disabilities suffer similar forms of abuse as people without disabilities, such as rape, harassment, forced touching, economic abuse and physical violence. However, they may also face [unique forms of abuse](#) related to their disability. For example, abuse can be unwanted exposure during care-giving, neglect of personal care routines, forced abortion or pregnancy, financial exploitation or threats to institutionalize the victim. Unfortunately, [perpetrators of abuse](#) are often a trusted caregiver, whether a partner, family member, friend or paid provider.

Due to the range of disabilities and crimes, it is nearly impossible to quantify the occurrence of sexual assault, domestic violence and stalking among individuals with disabilities. However, some research exists in smaller scope or by disability type.

- A Canadian study found that women with disabilities had a [40% greater risk of violence](#) in the preceding five years.
- Up to [80% of women and 30% of men with developmental disabilities](#) are sexually assaulted in their lifetime.
- Those with physical disabilities face [domestic violence at equal or higher rates](#) than those without. Yet women with disabilities experience more severe violence, longer lasting abuse and a greater number of perpetrators.

Barriers to Safety and Economic Security

Unfortunately, violence against survivors with disabilities goes highly unreported and many lack access to services and justice. Survivors are often isolated from the community, whether in an institution or at home with a caregiver. This isolation often leads to a lack of knowledge or awareness about the abuse itself, their rights and the resources available to them.

Survivors with disabilities may also be limited by an inability to communicate or report abuse, either because of isolation, developmental abilities or a lack of communication devices for Deaf and other survivors. Only [9% of violence programs](#) budgeted for accessibility accommodations and survivors with a vision or hearing disability were the least likely to receive services. Mobility barriers are equally problematic for survivors with disabilities,

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Living Below the Line: Economic Insecurity and Older Americans

With 46% of those with a disability [over age 65](#) in 2013, it is also important to be aware of the needs of and barriers facing older Americans. WOW's latest research found that **49% of all senior women living alone or with a spouse lack the incomes necessary** for economic security.

Women over 65 are more economically insecure than men in all categories and African American and Hispanic women face **economic insecurity rates of 70% or more.**

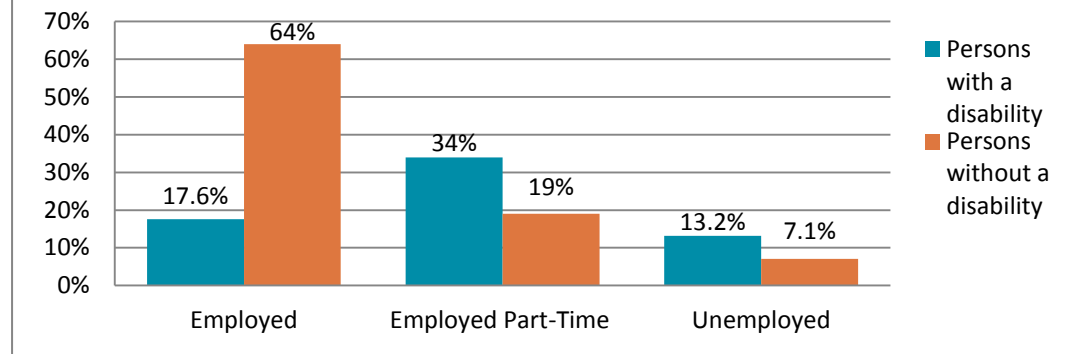
This lack of economic security puts older survivors, especially those with a disability, at greater risk of being unable to leave an abuser, receive the proper services and recover from abuse.

Click [here](#) to access the full Living Below the Line report on elder women.

Click [here](#) to access the ESS Population Policy Brief: Older Survivors and Economic Security.

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Employment Rates for People with and without Disabilities, 2013



both in terms of reporting abuse and living independently and economically secure.

Survivors with disabilities also face barriers to safety stemming from lower rates of economic security in general. In 2013, [22% of people with a disability](#) did not finish high school, more than twice the rate for those without a disability, and only 16% obtained a college degree or higher, versus 34% of people without a disability. Less education, discrimination and work limitations all contribute to [lower rates of employment](#) as well (see chart), even if the majority of people with a disability are not in the labor force. As a result, the [poverty rate](#) for those with a disability ages 18-64 living in the community was 28% in 2013, compared to 13% of those no disability.

Strategies and Best Practices

To overcome a lack of knowledge of these dual issues and capacity, there needs to be communication and collaboration between survivor-focused and disability-focused organizations, as well as other community stakeholders. Advocates, care-givers and employment counselors all need training to ensure the independence and safety of survivors with disabilities. They would also benefit from disability-representative staff or volunteers and funding for communication technology, transportation and building modifications.

The [ADA Title I](#) helps those with disabilities access the same employment benefits and opportunities by requiring employers to offer reasonable accommodations, which

may be needed for maintaining employment and for survivor safety. It may be leveraged to work with employers to protect and retain survivor employees and modify their policies. Titles II and III refer to public and private services and entities and may encourage justice systems and service providers to also make necessary accommodations to their protocols, policies and spaces.

Resources and Other Recommendations

- [ADA 25th Anniversary Tool Kit](#): access information on resources and events related to the ADA's 25th anniversary.
- [Centers for Independent Living](#): non-residential, community nonprofits that offer information and referrals, independent living skills training, peer counseling, advocacy and transition services to people with disabilities.
- [US Business Leadership Network \(BLN\)](#): improves and leverages disability inclusion in the workplace, supply chain and marketplace.
- [Promising Practices for Serving Crime Victims with Disabilities Toolkit](#): an OVC-developed tool for justice system agencies and service providers.
- Practitioner Guides: [Serving Survivors of Domestic Violence who have a Disability](#) and [Supporting Sexual Assault Survivors With Disabilities](#).

Stay tuned for WOW's upcoming full-length policy brief dedicated to the intersections between victimization, disability and economic security.

Older Americans Act

Created in 1965, the Older Americans Act (OAA) helps seniors live independently and maintain their health and economic security.

Key services related to economic security and safety include:

- Nutrition programs, like Meals on Wheels
- Transportation assistance
- Elder abuse prevention and screening
- Preventive health care
- Referrals, information and counseling for family caregivers
- Part-time employment and training for low-income seniors

Congress is currently considering the reauthorization of the OAA, which expired in 2011. [S.192](#) was reported out of committee in January 2015 and is awaiting deliberation by the Senate.

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Policy Update

Federal Policy Update:

The Honorable Loretta E. Lynch was [confirmed by the Senate](#) 56 to 43 on April 23rd and is the first African-American woman to hold the position of US Attorney General.

President Obama signed the [Justice for Victims of Trafficking Act](#) (S. 178) on May 29th. The [bill creates a fund](#) to aid domestic trafficking victims and establishes block grants to help states develop, improve and expand deterrence programs for child trafficking.



State Policy Update:

Arkansas: Gov. Hutchinson signed three domestic violence bills on April 1st. [HB 1599](#) directs law enforcement to give victims information on protection, compensation and services, and requires public school curricula to discuss domestic violence. [HB 1706](#) requires officers to investigate cases so they may be prosecuted even if the victim declines to testify. [HB 1707](#) requires officers to assess possible lethality and give the assessment to the victim.

Louisiana: Signed July 1st, [SB 174](#) protects domestic abuse victims from housing discrimination and eviction if renting a home or apartment. Signed June 23rd, POSTSECONDARY ED ([SB 255](#)) provides resources on sexual assault on college campuses.

Michigan: The eight-bill [bipartisan package](#) focuses on addressing the barriers faced by survivors of domestic violence, sexual assault, and stalking. Specifically, this package aims to alleviate economic hardships, protect survivors' confidential information, prevent discrimination by courts and improve campus sexual assault responses.

Minnesota: Signed in May and taking effect in August, [SF619](#) amends the [Safe at Home Act's](#) address confidentiality program to protect victims' addresses during legal proceedings.

New York: [Broad legislation passed](#) addressing sexual assault, domestic violence and stalking on college campuses, including on school policy and protocol, victim rights and training.

Oregon: The governor signed several bills in June, including [SB-525A](#) which [prohibits possessing guns or ammunition](#) if convicted or under a CPO for domestic violence. [HB 2596](#) makes it illegal to photograph a person's intimate areas without consent and [SB 188](#) makes it a crime to post revenge porn with a "specific intent" to humiliate or ruin one's reputation. [HB 3476](#) strengthens privacy protections for sexual assault victims on campus by making communications with their advocate confidential.

South Carolina: Gov. Haley signed [SB3](#) on June 4th, increasing penalties for repeat domestic violence and banning gun ownership for offenders who are convicted or subject to a CPO.

Texas: [SB1135](#) was signed into law, criminalizing posting or threatening to post revenge porn and making it illegal to share the images or host them as a website operator.

Vermont: Gov. Shumlin signed [H.105](#) into law, criminalizing the distribution of sexually explicit images of someone without their consent, i.e. revenge porn.

Washington: All signed by Gov. Inslee, [SB 5518](#) requires public universities to report sexual assault to the governor and legislature and asks for uniform disciplinary procedures for all students regardless of status; [SB 5719](#) reduces and prevents sexual violence by developing collaboration between campuses and law enforcement; [SB5070](#) requires the department of corrections to supervise convicted domestic violence offenders.

Economic-Related Services by State

States with the highest rates of programs with economic services:

- Nevada – 75%
- Maine - 62%
- Iowa – 61%
- South Carolina – 61%
- Vermont – 61%
- Mississippi – 60%

States with the lowest rates of programs with economic services:

- Alabama – 39%
- Arizona – 38%
- Hawaii – 36%
- Rhode Island – 25%

For additional information or specific results from this analysis, please contact Malore Dusenbery at mdusenbery@wowonline.org.

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Economic-Related Services in Domestic Violence Programs

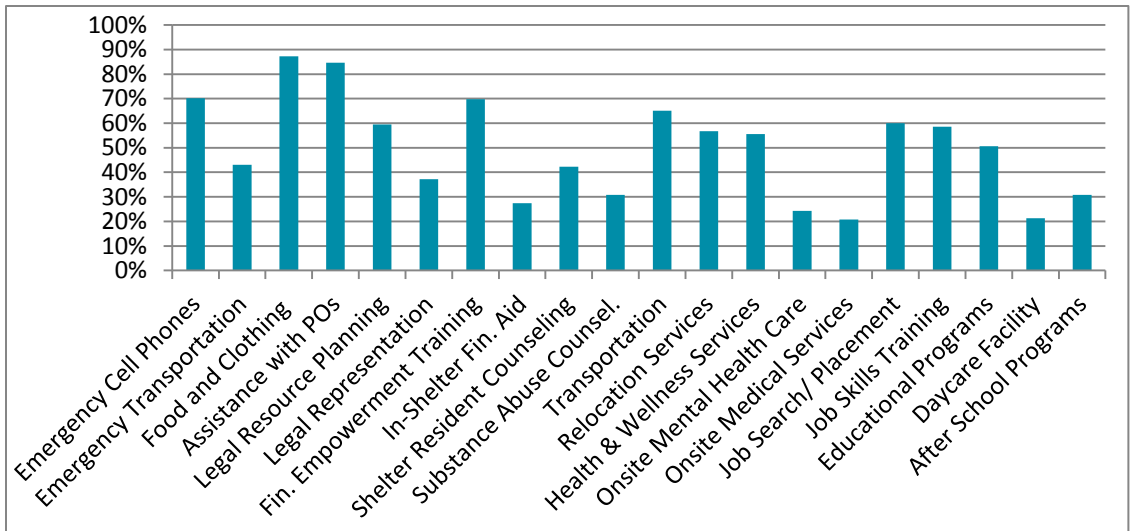
DomesticShelters.org compiled data from 2,073 of 3,361 domestic violence program providers across the country on the number and types of services they offer within categories such as Emergency, Legal and Financial, Counseling, Housing, Support, Children and others. While all of these are important to help survivors of domestic violence, WOW identified and analyzed 20 specific services that are directly or indirectly related to economic security and may be critical in helping survivors achieve long-term safety and independence.



On average, 50% of programs offer economic-related assistance, but there is wide variation across both types and states (see chart and sidebar). Of those most directly linked to employment or finances, about 60-70% help survivors with job training, job searching or financial empowerment, yet only 27% offer in-shelter financial aid. It is encouraging that most programs offer this long-term economic planning and support. However, advocates consistently report that having unrestricted financial aid funds would make the biggest difference in meeting the vast and diverse needs of survivors.

Survivors also benefit from services that indirectly support their short- and long-term economic security. Some services, such as help with protection orders and legal representation, can reduce the economic barriers to justice and open the door to critical economic relief. Others, such as emergency cell phones, transportation, relocation and health services, help survivors address the additional costs incurred from the violence and the economic barriers to breaking free from an abuser. To achieve long-term stability and economic security, survivors also need to overcome barriers to employment through assistance with substance abuse and childcare.

Possible reasons for the variation in services between organizations and states include size, location, state or local policy, and funding. For example, NNEDV found that [69% of state domestic violence coalitions](#) reported reduced funding for their member programs from FY2011 to 2012. As a result, 71% reported that programs had to reduce staff and 66% reported programs having to cut services. While crisis services are obviously vital, survivors also need equal access to economic-related services in order to remain safe, stable and resilient across their lifespan.



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[Click here](#) to access our blog for commentary, updates on events and discussions on our work.

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Highlighting Program and Policy Innovations: Orange County's Elder Abuse Forensic Center

The [Elder Abuse Forensic Center](#) was created in 2003 to improve the prevention, intervention and prosecution of elder abuse cases in Orange County, California. To respond to the complicated, challenging and often hidden nature of these cases, the one-of-a-kind Center brings together the following agencies in a multidisciplinary, collaborative approach:

- UCI College of Medicine's Geriatrics Program
- Adult Protective Services
- Office of the District Attorney
- Orange County Sheriff's Department
- Long-term Care Ombudsman
- Older Adult Services
- Public Administrator/Public Guardian
- Community Services Programs Victim/Witness Assistance Program
- Human Options, a local domestic violence program



The Center provides team case reviews, home health assessments, investigations and interviews, and creates action plans for cases that are referred to the center by one of the member organizations. By co-locating representatives from the legal, medical, social services and justice system fields one a week, they have addressed over 750 cases. In addition, the Center provides education and training to medical, legal and other stakeholders on the local and national level, conducts research and offers consultation to help create similar programs around the country.

The Center is a part of the [University of California, Irvine's Center of Excellence on Elder Abuse and Neglect](#), which created a [manual and companion DVD](#) on creating an Elder Abuser Forensic Center in other communities. The Center was also featured in a National Institute of Justice [innovations assessment](#) in 2007 and received the 2011 [Award for Professional Innovation in Victim Services](#) from the US Department of Justice.

WOW Announcements and Tools

We Need Your Help: Justice System Training Survey

The ESS Project is developing sector-specific training modules for the criminal justice system that can be used and adapted to meet the needs of each state. We ask for state coalitions and STOP Administrators to complete a short survey on how law enforcement, prosecutors and judges are currently trained within your state. This will greatly assist us in crafting resources that are as relevant and useful as possible. Access the survey [here](#).

ESS Project Webinar Materials Available Online

On June 18th, the ESS team partnered with WOW's Elder Initiative for a webinar exploring the economic realities of Americans over age 60 and the implications on older survivors seeking safety and justice. Retrieve the recording and the related resources [here](#).

WOW's Elder Economic Security Initiative Scores Victory in New Jersey

On May 7th, Governor Christie signed a law that requires the Department of Human Services to update and use the [Elder Economic Security Standard](#) Index for New Jersey. Read more about this bill and what it means for seniors in New Jersey [here](#).