



BUILDING PARTNERSHIPS FOR THE PROTECTION OF PERSONS WITH DISABILITIES

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"Building Partnerships"
Working Together to Protect
Persons with Disabilities

D.A.

D.P.P.C.

S.P.D.U.

Local Police

E.O.H.H.S.

D.M.R.

D.M.H.

M.R.C.

M.O.V.A.

MASSACHUSETTS AGENCIES PARTNER IN RESPONDING TO CRIME VICTIMS WITH DISABILITIES

Persons with Disabilities

According to the United States Department of Justice, there are 54 million Americans living with disabilities. Persons with disabilities are some of our most vulnerable citizens. The vulnerability of a person with a disability is heightened especially when they are dependent upon a caretaker. Assistance with daily living activities such as bathing, dressing and personal hygiene fosters dependence and requires close personal contact between the caretaker and a person with a disability.

Persons with disabilities may have an impairment of those abilities critical for self-defense and avoidance of violence, including communication or physical challenges. It is a common misperception that persons with disabilities are asexual, incapable of relationships and not able to engage in sexual acts. Consequently when a person discloses that she or he is the victim of sexual violence or abuse, they are frequently not believed. These situations are unique and place persons with disabilities at greater risk of sexual assault and abuse.

The Building Partnerships Initiative

In May of 1999 a partnership was formed in Massachusetts between law enforcement and human service agencies in an effort to effectively and efficiently address abuse, neglect and crimes committed against persons with disabilities. "Building Partnerships for the Protection of Persons with Disabilities," is a unique initiative which affords equal access to the criminal justice system for crime victims with disabilities. This partnership arose in response to the fact that crimes being committed against persons with disabilities were not being recognized or reported to the appropriate authorities.



Courtesy Commonwealth of Massachusetts Art Commission

The "Building Partnerships" initiative, which uses a multidisciplinary approach to address crimes against persons with disabilities, was implemented thanks to the foresight of Elizabeth D. Scheibel, District Attorney of the Northwestern District and Gerald J. Morrissey, Jr., Commissioner of the Department of Mental Retardation (DMR), the commitment of Nancy A. Alterio, Executive Director of the Disabled Persons Protection Commission (DPPC) and through the support of William D. O'Leary, then Secretary of the Executive Office of Health and Human Services (EOHHS) and through the support of Ronald Preston, Secretary of EOHHS.

The Memorandum of Understanding

The "Building Partnerships" initiative, funded through the Executive Office of Public Safety (EOPS) Byrne grant, is housed at the Massachusetts District Attorney's Association (MDAA). This statewide partnership brings together, through formal Memorandums of Understanding (MOU) with each District Attorney, the human service and law enforcement communities in each county.

AGENCIES PARTNER IN RESPONDING TO CRIME VICTIMS WITH DISABILITIES

Goals of the Initiative

The goals of the initiative and the multidisciplinary approach are to:

- provide protection, treatment and continuity of care for persons with disabilities who are victims of a crime
- increase awareness of crimes being committed against persons with disabilities
- increase communication and cooperation between law enforcement and agencies providing services to people with disabilities
- ensure that crimes committed against persons with disabilities are promptly reported, investigated by trained law enforcement personnel and prosecuted by the district attorneys

The Steering Committee

A “Building Partnerships” steering committee, chaired by Northwestern District Attorney Scheibel, was formed to facilitate the grant’s legislative and training activities. Through the efforts of the steering committee, local and state police, civil investigators, victim witness advocates, assistant district attorneys and human service providers have received training in recognizing, reporting, investigating and prosecuting crimes committed against persons with disabilities. Legislation has been filed calling for enhanced penalties for those who commit crimes against persons with disabilities.

In addition, the steering committee, with the Massachusetts Continuing Legal Education (MCLE), developed “A Practical Guide to the Reporting, Investigation and Prosecution of Crimes Committed Against Persons with Disabilities.” The guide was distributed to all the courthouses in Massachusetts.

Reporting Abuse and Neglect

Data collected from fiscal year 1997 to present demonstrates the effectiveness of the initiative's approach. Each year, the Disabled Persons Protection Commission (DPPC) receives thousands of reports of abuse and neglect through its:

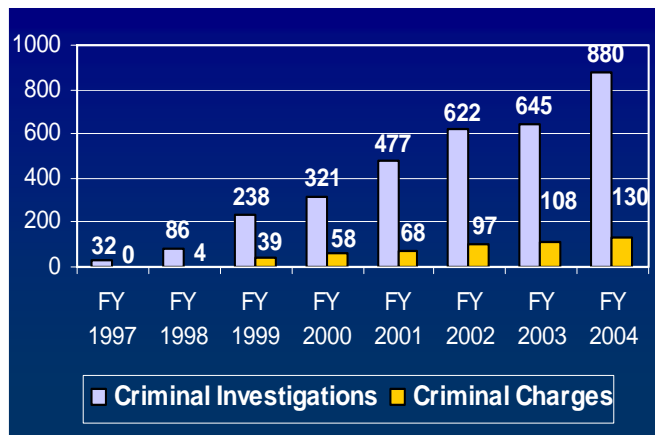
24-hour Hotline at (800) 426-9009

State Police Detective Unit

The State Police Detective Unit (SPDU), assigned to the DPPC, reviews 100% of all complaints received by the DPPC Hotline to determine which ones constitute criminal activity against a person with a disability.

- During fiscal year 1997, prior to the drafting of the MOUs and prior to the implementation of the multidisciplinary approach, the DPPC referred 32 cases to the appropriate district attorneys’ offices statewide for review and action as necessary.
- With the inception of the MOU, in fiscal year 2004, 880 cases were investigated criminally resulting in 130 criminal complaints. Of those 880 criminal cases, 350 were crimes of a sexual nature.

The following graph depicts the increase in abuse reports referred to the district attorneys for criminal investigation and possible prosecution for fiscal years 1997 through 2004.



The “Building Partnerships” initiative continues to enhance the safety and well being of persons with disabilities and provides the groundwork for effective prevention strategies. The initiative has changed the way we, in Massachusetts, address crimes committed against persons with disabilities and it affords victims with disabilities the same protections and rights as the public at large.

If you would like additional information on the “Building Partnerships” initiative, please contact Diane Meehan, Building Partnerships Project Director at (617) 727-6465 x234.