Sexual Violence Against People with Disabilities

Introduction

People with disabilities are sexually assaulted at nearly 3x the rate of people without disabilities. It is important to note that the disability itself is not the reason for individuals to be sexually assaulted. Sexual violence is caused by an individual who is seeking power and control over another. These individuals may target people with disabilities who they see as more vulnerable and easier to control or overpower. Social norms and beliefs also contribute to this vulnerability. People with disabilities may be dependent on others for care, which may make reporting individuals or structures more difficult.

Commonly cited risk factors for sexual victimization for people with disabilities include the following: negative public attitudes towards persons with disabilities; social isolation; lack of accessible transportation; communication barriers; lack of knowledge about healthy intimate relationships; type of disability; lack of resources or lack of knowledge of existing resources; poverty; lack of control of their personal affairs; perceived lack of credibility when they disclose sexual victimization; lack of caregiver support; and alcohol and drug abuse by perpetrators. They may also lack information about their bodies, sexuality, and consent that could help them identify and express experiences of sexual abuse.

Statistics

- 83% of women with disabilities will be sexually assaulted in their lives.²
- Only 3% of sexual abuses involving people with developmental disabilities are reported.³
- 50% of girls and 54% of boys who are deaf have been sexually abused.⁴
- Women with a disability are far more likely to have a history of undesired sex with an intimate partner—19.7% vs. 8.2%.⁵
- Approximately 80% of women and 30% of men with developmental disabilities have been sexually assaulted; half of these women have been assaulted more than 10 times.⁶
- People with intellectual disabilities, both men and women, are victims of sexual assaults at rates more than seven times that of those for people without disabilities.⁷
- Justice Department data on sex crimes shows people with intellectual disabilities (men and women) are the victims of sexual assault at rates more than seven times that of those for people without disabilities.⁸
- Nearly 1 in 4 male victims who experienced sexual violence other than rape had a disability at the time of the victimization.⁹

Maryland Consent Laws

A person cannot consent to a sexual act or vaginal intercourse in circumstances where:

- The person is a “substantially cognitively impaired individual, mentally incapacitated individual, or physically helpless individual”; or
- The person is under the age of 14 years, and the person performing the act is at least 4 years older. Maryland Code, Criminal Law, § 3-304

---

³ ibid.
⁴ ibid.
⁵ ibid.
⁶ ibid.
⁷ NPR News, “The Sexual Assault Epidemic No One Talks About,” January 2018
⁸ ibid.
Disabilities may make it difficult to communicate consent to participate in sexual activity, and perpetrators may take advantage of this.

**Challenges to Reporting Sexual Violence**

- Bias and stereotypes about people with disabilities may result in them not being taken seriously or believed when they report instances of sexual violence.
- People with mental illnesses have been told repeatedly that they lack credibility.
- Survivors may face challenges having their story taken seriously.
- Individuals with disabilities may rely on their perpetrator for care or support which creates additional barriers to reporting and a dangerous power structure.
- Support and resources such as an interpreter, TTY phone, ASL certified interpreter, etc., may be limited or not provided during the reporting process making the process more difficult and time consuming.

**Maryland Mandatory Reporting Laws for Persons with Disabilities**

If you know of or suspect sexual assault or abuse of a vulnerable adult, you can report it. Call your local police station or 911 to contact law enforcement.

Healthcare professionals and police officers are **required** to report suspected abuse of a vulnerable adult by contacting their local Adult Protective Services Department. Maryland Code, Family Law § 14-302

**Resources for Survivors with Disabilities Include:**

- **Sexual Assault Legal Institute** – Provides comprehensive legal services to survivors of sexual violence statewide. Call 301-565-2277 or toll free 1-877-496-SALI
- **Rape, Abuse, & Incest National Network** – The nation's largest anti-sexual violence organization. National Sexual Assault 24/7 Hotline: 1-800-656-4673
- **National Domestic Violence Hotline** – Provides help via video phones by calling 1-855-812-1001 or TTY phones at 1-800-787-3224
- **Deaf DAWN** - Located in Washington DC, provides direct services for Deaf, DeafBlind, Deaf-Disabled, Hard of Hearing, and Listening-Deaf Survivors. Emergency hotline: hotline@deafdawn.org Text: 202-945-9266

---