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April 10, 2018

Honorable Ricardo Lara
Chair, Appropriations Committee
California State Senate
Capitol Building, Room 5050
Sacramento, CA 95814

RE: SB 1191 (HUESO) – SUPPORT

Dear Senator Lara:

Disability Rights California (DRC), a non-profit advocacy organization that advances and protects the rights of Californians with disabilities, **supports SB 1191**. This bill is scheduled for hearing in the Senate Appropriations Committee on April 16, 2018.

This bill makes an important addition to current law by ensuring that law enforcement and adult protective services agencies have recent and critical information in their policy manuals on understanding the legal definition of abuse and neglect.

Individuals with disabilities are at a disproportionately higher risk for abuse, neglect, and criminal victimization. Estimates are that people with disabilities are at least four to ten times more likely to be victimized than people without disabilities. Individuals with an intellectual impairment are at the highest risk of victimization. Most individuals with disabilities are victimized by people they know; often individuals who have a relationship with them specifically because of the victim's disabilities (e.g., care providers and service attendants).

Abuse and neglect of dependent adults and elders is a crime. Yet studies show that most crimes against people with disabilities go unreported. Victims with disabilities frequently rely on others to identify and report suspected abuse or neglect. Incidents of abuse and neglect are often handled as employment matters rather than crimes and not referred to law enforcement. Prompt reporting and investigation of suspected or alleged abuse or neglect is essential to protect victims and to successfully prosecute and convict perpetrators.

Law enforcement and others in the abuse response system often lack the training and skills to interact with and interview individuals with disabilities. There are often critical delays in the response of investigators to reports of abuse, neglect, and criminal victimization. Criminal investigations are not thorough and often produce insufficient evidence for criminal prosecution. Disability-related bias and stigma may include assumptions that individuals with disabilities are unreliable or not credible and will not make good witnesses, resulting in failure to timely and thoroughly interview the victim or witnesses with disabilities, if at all. Many investigations into instances of abuse and neglect go on for months or years, and some are never completed. Cases that make it into the criminal justice system are not rigorously prosecuted; assailants are frequently given lighter sentences or plead to lesser crimes.

Individuals in the abuse response and criminal justice systems must be trained regarding working with people with disabilities and the identification, reporting, and investigation of incidents of suspected abuse or neglect. SB 1191 supports that principle.

For these reasons, DRC supports this bill. Please contact me if you have any questions about our position or if I can provide any further information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Deb Roth', with a long horizontal flourish extending to the right.

Deb Roth
Senior Legislative Advocate
Disability Rights California

cc: Honorable Ben Hueso, California State Senate
Francisco Quintana, Office of Senator Beall
Honorable Members, Senate Appropriations Committee
Shaun Naidu, Consultant, Senate Appropriations Committee