

105TH CONGRESS
2D SESSION

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To increase public awareness of the plight of victims of crime with developmental disabilities, to collect data to measure the magnitude of the problem, and to develop strategies to address the safety and justice needs of victims of crime with developmental disabilities.

IN THE SENATE OF THE UNITED STATES

APRIL 23, 1998

Mr. DEWINE (for himself and Mr. LEAHY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To increase public awareness of the plight of victims of crime with developmental disabilities, to collect data to measure the magnitude of the problem, and to develop strategies to address the safety and justice needs of victims of crime with developmental disabilities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Crime Victims With
5 Disabilities Awareness Act”.

6 **SEC. 2. FINDINGS; PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

1 (1) although research conducted abroad dem-
2 onstrates that individuals with developmental dis-
3 abilities are at a 4 to 10 times higher risk of becom-
4 ing crime victims than those without disabilities,
5 there have been no significant studies on this subject
6 conducted in the United States;

7 (2) in fact, the National Crime Victim's Survey,
8 conducted annually by the Bureau of Justice Statis-
9 tics of the Department of Justice, does not specifi-
10 cally collect data relating to crimes against individ-
11 uals with developmental disabilities;

12 (3) studies in Canada, Australia, and Great
13 Britain consistently show that victims with develop-
14 mental disabilities suffer repeated victimization be-
15 cause so few of the crimes against them are re-
16 ported, and even when they are, there is sometimes
17 a reluctance by justice officials to rely on the testi-
18 mony of a disabled individual, making individuals
19 with developmental disabilities a target for criminal
20 predators; and

21 (4) research in the United States needs to be
22 done to—

23 (A) understand the nature and extent of
24 crimes against individuals with developmental
25 disabilities;

1 (B) describe how the justice system re-
2 sponds to crimes against the developmentally
3 disabled; and

4 (C) identify programs, policies, or laws
5 that hold promises for making the justice sys-
6 tem more responsive to crimes against individ-
7 uals with developmental disabilities.

8 (b) PURPOSES.—The purposes of this Act are—

9 (1) to increase public awareness of the plight of
10 victims of crime who are individuals with develop-
11 mental disabilities;

12 (2) to collect data to measure the extent of the
13 problem of crimes against individuals with develop-
14 mental disabilities; and

15 (3) to develop strategies to address the safety
16 and justice needs of victims of crime who are indi-
17 viduals with developmental disabilities.

18 **SEC. 3. DEFINITION OF DEVELOPMENTAL DISABILITY.**

19 In this Act, the term “developmental disability” has
20 the meaning given the term in section 102 of the Develop-
21 mental Disabilities Assistance and Bill of Rights Act (42
22 U.S.C. 6001).

23 **SEC. 4. RESEARCH AGENDA.**

24 (a) REQUEST FOR CONTRACT.—Not later than 90
25 days after the date of enactment of this Act, the Attorney

1 General shall submit a request to the National Research
 2 Council, that the Committee on Law and Justice of the
 3 National Academy of Sciences, acting through the Na-
 4 tional Research Council, enter into a contract with the At-
 5 torney General to develop a research agenda to increase
 6 public awareness of crimes against individuals with devel-
 7 opmental disabilities and to reduce the incidence of crimes
 8 against those individuals.

9 (b) RESEARCH AGENDA.—The research agenda de-
 10 veloped under this section shall—

11 (1) address such issues as—

12 (A) the nature and extent of crimes
 13 against individuals with developmental disabil-
 14 ities;

15 (B) the risk factors associated with victim-
 16 ization of the developmentally disabled;

17 (C) strategies to reduce crimes against in-
 18 dividuals with developmental disabilities;

19 (D) the manner in which the justice and
 20 social service systems respond to crimes against
 21 the developmentally disabled, and the means by
 22 which that response can be improved;

23 (E) the personal and social consequences
 24 of victimization;

1 (F) the importance of place and context in
2 understanding crimes against the develop-
3 mentally disabled; and

4 (G) the means by which to achieve a better
5 understanding of the interaction between care-
6 giver, victim, and other circumstances in im-
7 proving public safety; and

8 (2) include an analysis of various methodologies
9 for addressing the issues described in paragraph (1),
10 which may include—

11 (A) appropriate longitudinal designs to in-
12 crease understanding of its causes;

13 (B) rigorous evaluation research designs to
14 inform and improve prevention, intervention,
15 and control efforts;

16 (C) a multidisciplinary approach to meas-
17 uring the nature and frequency of crimes
18 against the developmentally disabled, and the
19 personal and social consequences of those
20 crimes;

21 (D) survey data and analysis efforts that
22 better describe the victimization experiences of
23 the developmentally disabled, the context in
24 which victimization occurs, and the social and
25 institutional responses to these experiences; and

1 (E) the development of a Federal research
 2 response and a coordinated research strategy by
 3 Federal agencies.

4 (c) PANEL OF EXPERTS.—In developing the research
 5 agenda under this section, the Committee on Law and
 6 Justice shall—

7 (1) convene and consult with a panel, which
 8 shall be composed of—

9 (A) nationally recognized experts on vic-
 10 tims of crime who are individuals with disabil-
 11 ities, in the fields of—

12 (i) law;

13 (ii) services to individuals with disabil-
 14 ities;

15 (iii) criminology;

16 (iv) education;

17 (v) direct services to victims of crime;

18 and

19 (vi) the social sciences; and

20 (B) crime victims with disabilities who are
 21 members of diverse ethnic, social, and religious
 22 communities; and

23 (2) focus primarily on preventive, educative, so-
 24 cial, and legal strategies, including addressing the
 25 needs of underserved populations.

1 (d) REPORT.—

2 (1) IN GENERAL.—Not later than 2 years after
3 the date of enactment of this Act, the Attorney Gen-
4 eral shall submit to the Committees on the Judiciary
5 of the Senate and the House of Representatives a
6 report describing the research agenda developed
7 under this section.

8 (2) REPORT.—The Attorney General shall en-
9 sure that—

10 (A) the report submitted under paragraph
11 (1) is disseminated widely in governmental,
12 nonprofit, and academic arenas, including by
13 seminars, briefings, and the Internet; and

14 (B) shall make not less than 100 copies of
15 the report available upon request to nonprofit
16 organizations free of charge.

17 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
18 authorized to be appropriated to carry out this section
19 \$375,000 for each of fiscal years 1999 and 2000.

20 **SEC. 5. NATIONAL CRIME VICTIMS SURVEY.**

21 (a) SURVEY.—As part of each National Crime Vic-
22 tims Survey, the Attorney General shall include statistics
23 relating to the nature and characteristics of victims of
24 crime who are individuals with developmental disabilities.

1 (b) CONSULTATION.—In carrying out subsection (a),
2 the Attorney General shall use a methodology developed
3 in consultation with experts in the collection of criminal
4 justice data, statistics, services to individuals with disabili-
5 ties, and victims of crime.

6 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
7 authorized to be appropriated to carry out this section
8 \$100,000 for fiscal year 1999.

9 **SEC. 6. STATE DATABASES.**

10 (a) IN GENERAL.—The Attorney General shall con-
11 duct a study and submit to Congress and to each State
12 a report on the means by which each State may establish
13 and maintain a centralized computer database on the inci-
14 dence of crimes against individuals with disabilities within
15 the State.

16 (b) CONSULTATION.—In conducting the study under
17 subsection (a), the Attorney General shall consult with—

- 18 (1) individuals who are experts in the collection
19 of criminal justice data;
20 (2) State statistical administrators;
21 (3) law enforcement personnel;
22 (4) nonprofit nongovernmental agencies that
23 provide direct services to victims of crime who are
24 individuals with disabilities; and

1 (5) such other individuals and entities as the
2 Attorney General considers to be appropriate.

3 (c) REPORT.—Not later than 2 years after the date
4 of enactment of this Act, the Attorney General shall sub-
5 mit to the Committees on the Judiciary of the Senate and
6 the House of Representatives, a report describing the re-
7 sults of the study under subsection (a), which report shall
8 include the views of the individuals and agencies consulted
9 under subsection (b).

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