



**Protecting People with DD
from Abuse and Neglect:
A Guide for Family,
Friends, and Guardians**

5025 East Washington St., Suite 202
Phoenix, AZ 85034-7439
602-274-6287
800-927-2260 (toll free)
602-274-6779 (fax)

177 North Church Ave., Ste. 800
Tucson, AZ 85701-1119
520-327-9547
800-922-1447 (toll free)
520-884-0992 (fax)

www.azdisabilitylaw.org
center@azdisabilitylaw.org

You can get this guide in other forms. Just ask us.

DDD-1PL

This Guide Cannot Replace Legal Advice

This guide gives basic facts to people about their rights and laws that protect them. It is not meant to be legal advice. You may need more facts or legal advice. Contact the Arizona Center for Disability Law or talk to a lawyer in your area.

Federal and state laws can change at any time. To make sure facts in this guide are still correct, contact the Arizona Center for Disability Law. Or talk to a lawyer in your area.

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Table of Contents

Introduction.....	1
A Higher Risk of Abuse and Neglect	1
Purpose of this Guide.....	1
Arizona’s Agency for People with DD	2
Warning Signs of Abuse or Neglect	3
Signs of Physical Abuse.....	3
Signs of Sexual Abuse	3
Signs of Verbal Abuse	3
Signs of Neglect.....	3
Signs of Money Being Taken	4
What to Do If You Suspect Abuse or Neglect.....	4
Make Records of Abuse and Neglect.....	4
Learn the Laws about Abuse and Neglect	4
What are the Rights of People with DD?.....	4
What Exactly is Abuse and Neglect?.....	5
How is Abuse Defined?	5
How is Neglect Defined?	5
Reporting Suspected Abuse or Neglect	6
Agencies that Handle Abuse and Neglect Reports	6
Laws about Required Reporting of Abuse and Neglect.....	8
Protecting from More Abuse and Neglect	9
Services Can’t Be Cut Because of Report	9
Filing Lawsuits for Money for Injuries.....	9
Time Limits for Filing Lawsuits	10
How to Find a Lawyer	10
Payment and Costs	10
Tips for Preventing Abuse and Neglect in the First Place	11
Appendix.....	12
Legal Definitions of Abuse and Neglect.....	12
The DDD Statute.....	12
The Adult Protective Services Statute	12
The Child Protective Services Statute.....	13
Resources	14
Laws on Abuse and Neglect	14
Websites.....	14
Publications.....	14
Division of Developmental Disabilities (DDD)	15
Statewide DDD Office	15
Local DDD Offices	15
District I (Maricopa County)	15
District II (Pima County)	15
District III (Apache, Coconino, Navajo and Yavapai Counties)	15
District IV (La Paz, Mohave, and Yuma Counties).....	15
District V (Pinal and Gila Counties).....	15
District VI (Cochise, Graham, Greenlee and Santa Cruz Counties).....	15

DDD Member Facts:.....	16
Facts about Person Filing Request (if different from above):.....	16
Endnotes.....	17

Introduction

Do you have a loved one with DD (a developmental disability)? Are you worried about abuse and neglect? Then this guide is for you. It can help you protect your loved one.

A Higher Risk of Abuse and Neglect

Many people with DD are abused or neglected. Studies show that people with DD have a high risk of abuse and neglect. The risk is high for adults and for children.¹

People with DD have a higher risk for many reasons. They may not have been treated fairly. They may have been kept away from others. They may have had less schooling and life experience. Also, many people have wrong beliefs about people with DD. They may think people with DD:

- are always suffering
- can't decide things
- feel little pain in their bodies
- don't get hurt feelings

Therefore, some people may not treat people with DD as they should. Others may not believe reports of abuse and neglect from the person with DD.²

Also, people with DD often rely on others for care. They may need help with basic tasks like bathing. They are often taught to obey people in charge. Often, they are abused by someone who works in disability services.³ They almost always know and trust their abusers.⁴

Further, people with DD often live in group settings. Abuse can come from other people with DD in these settings. And people with DD may not be able to take action. Or they don't think they can. They may not fight or run from abusers. They may not tell others about the abuse or neglect.⁵

Purpose of this Guide

Your loved one does not have to face abuse or neglect. You can do something about it. Arizona laws protect against abuse and neglect. There are special laws for people with DD.

In Arizona, certain state agencies protect people with DD. You can report abuse or neglect to them. The agencies will look into your report. They can take action to protect your loved one from more abuse or neglect.

In some cases, the abuse or neglect is a crime. People guilty of abuse or neglect can be punished. Sometimes, abuse and neglect lead to injuries or death. In that case, you may be able to file a lawsuit for money.

This guide will help you watch for abuse and neglect. It tells you what to do to stop it. It also gives tips to keep it from happening again. It will tell you:

- how to keep records of any abuse
- the laws about abuse and neglect
- where to report abuse and neglect
- how to file a lawsuit for harm done to your loved one
- how to keep abuse from happening again

Arizona's Agency for People with DD

This guide is mainly aimed at abuse and neglect in services provided by the Arizona DDD. The DDD is the Division of Developmental Disabilities. It is a state agency **that provides** services for people with developmental disabilities **who qualify**. These services include:

- group homes
- foster homes (development homes)
- programs where people with DD live on their own (independent living arrangements)
- day programs
- programs that teach daily living skills (habilitation programs)
- short-term care programs (respite services)

This guide is aimed at abuse and neglect in these settings. It teaches to watch for abuse or neglect by staff. It also warns about abuse by other people with DD in these settings. This abuse may be due to staff not watching carefully.

This guide may be helpful in other settings. But it is not aimed at these types of abuse or neglect:

- by parents
- by guardians
- by neighbors
- by police
- in schools

Warning Signs of Abuse or Neglect

Do you have a loved one in a DDD program? Do you want to protect him or her against abuse or neglect? You should visit your loved one often. Watch people caring for your loved one. See how other people with DD treat your loved one.

Always look for the warning signs listed below. They are some of the most common signs of abuse and neglect. See page 5 for a more detailed list.

Signs of Physical Abuse

- Bruises, rashes, or wounds (welts, cuts, scrapes)
- Injuries or broken bones in different stages of healing
- Burns of any kind
- Any injury that doesn't fit with the way it is explained
- An injury which has not been well cared for or is hidden

Signs of Sexual Abuse

- Bleeding, bruises, scars, pain, or itching on a person's genitals (sexual body parts), rectum, mouth or breasts
- Diseases passed by having sex
- Torn, stained or bloody underwear
- Feeling depressed, staying away from others, crying a lot
- Suddenly avoiding or being afraid of specific people, places, or one gender

Signs of Verbal Abuse

- Others talk to person in a way that shames, insults, or threatens
- Person acts helpless, withdrawn, very sad, or in denial
- Person is afraid, upset, angry, or confused
- Person does not want to talk openly
- Person will not obey or obeys too readily.

Signs of Neglect

- Bedsore (sores from being in bed too much)
- Being dirty, smelling, or having feces on the body **or on bedding**
- Wearing the wrong clothes for the weather
- Fleas and/or lice
- Dirty, smelly, or unsafe living area

Signs of Money Being Taken

Going to the bank with someone who wants the person with DD to take out lots of cash or make other banking decisions
Someone else speaks for or makes decisions for the person with DD
Unlikely reasons for what they are doing with their money
Concerned or confused about "missing" funds in their accounts
Isolated from others, even family members

What to Do If You Suspect Abuse or Neglect

Have you seen some of these signs of abuse or neglect? Do you think your loved one is being abused or neglected? What should you do?

Make Records of Abuse and Neglect

First, you need to record what is going on. This is called "documenting." There is a form for you to use at the end of this Guide. Keeping records will help you prove the abuse or neglect. You will need these records in your reports to agencies. Take these steps: Write down what happened. Note the date and place. Record anything you said to staff about your concerns. Write down what they told you.

Write down names of people who saw the abuse or neglect. Get their addresses and phone numbers.

Take photos of anything you think is an injury.

Take your loved one to the doctor. Ask the doctor to look at the injury. Keep records of what the doctor writes down or tells you.

Keep copies of any reports you send.

Keep anything you get back from agencies.

Learn the Laws about Abuse and Neglect

Many laws protect people with DD against abuse and neglect. You should know the rights of people with DD. You should also know how the laws define abuse and neglect. This can help you protect your loved one. And this can help you in your reports to agencies.

What are the Rights of People with DD?

Arizona laws give people with DD many rights. They have these rights even if they have a guardian. Below is a simple version of some of these rights⁶:

To get services in a setting with as much freedom as they can have.

To have a review of services every six months. The review makes sure their needs are met by the DDD.

To not be exploited or abused because they have DD

To not be mistreated, neglected, or abused by the people who care for them

To not be given too much medicine

People living in a DDD program have these rights:

To live in a humane and clean place.

To talk and visit with friends, family, and those who are helping them.

To have their own things (personal property).

What Exactly is Abuse and Neglect?

Do you think your loved one is being abused or neglected? You should learn how Arizona's laws **define** abuse and neglect. This can help you make your report. Here are simple versions of how three Arizona laws define abuse and neglect. See page 9 for more detailed versions of these laws.

How is Abuse Defined?

Actions that cause pain or injury to the body. This includes:

- hitting, kicking, pinching, slapping, pulling hair.
- any sexual abuse.
- sexual assault.
- hurting or allowing damage to a child's bodily functions.
- hurting or allowing damage to a child's looks.

Actions that hurt a person's feelings. This includes:

- making fun of the person.
 - treating the person without respect.
 - insulting the person.
 - cursing at the person.
 - making unwanted comments that make the person feel bad or unsafe.
 - threatening to hurt the body or feelings of the person.
 - hurting or allowing extreme hurt to a child's feelings so that child is:
 - very anxious
 - very sad
 - very quiet
 - very hostile
- (A doctor needs to say that the child's feelings are extremely hurt.)

Other actions such as:

- keeping a person away from others, if that is not part of the person's program.
- limiting a person's movement (like tying her up), if that is not part of the person's program.
- not letting a person go where he wants to go for no reason.

How is Neglect Defined?

Not helping a person with bodily needs on purpose. This includes:

- no help using the toilet, bathing, meals, safety.
- not keeping the person cool or warm enough.
- not taking the person to the doctor when needed.
- not reporting health problems to correct staff on purpose.
- sleeping on duty or leaving a work station without enough staff.
- not carrying out a person's treatment plan on purpose.
- not watching over a child well enough.

Reporting Suspected Abuse or Neglect

You've watched your loved one. You think your loved one is being abused or neglected. You've made records of your concerns. You know how laws define abuse and neglect. Now you're ready to report the abuse or neglect. Below is a list of agencies you can contact.

Agencies that Handle Abuse and Neglect Reports

Always report abuse or neglect to the DDD and your case worker. If the abuse or neglect caused major harm, also report it to the police. This might be harm to your loved one's body or feelings. Then report the abuse or neglect to as many other agencies as you can. It's best to make reports to more than one agency. That way there is a record of the abuse in more than one place.

Division of Developmental Disabilities (DDD)

Is your loved one in a setting paid for by DDD? You should make a report to the DDD. The DDD must look into any reports of abuse and neglect in DDD settings. You can speak to a DDD staff member about the abuse or neglect. You should also file a written report with the DDD staff person. You must also file one with the statewide DDD office. A form for this report is on the last page of this guide.

The DDD will look into your report. You have the right to get a copy of their response. It will include any action the DDD will take against the service provider.

Police

Did the abuse and neglect cause major harm to your loved one's body? If so, you should make a report to the police. Arizona's general laws protect all people against abuse and neglect. Special laws also protect people with DD.

Adult Protective Services (APS)

Is your loved one an adult? Then call APS. APS is a state agency. It's for adults who can't protect themselves. It protects them from being abused, neglected, or exploited. The APS will look into any reports. Call the statewide hotline to make a report. It is open 24 hours a day. Your call is free.

Arizona Adult Abuse Hotline

1-877-SOS-ADULT (1-877-767-2385)

APS can also offer protection services for adults. Services will vary according to needs. The person with DD can accept or reject the services.

To learn more about APS, go to its website: www.azdes.gov/aaa/apsciu/default.asp

Or contact your local APS office:

Maricopa County
1990 W. Camelback, Suite 302
Phoenix, Arizona 85015
(602)255-0996
Fax:(602) 420-9306

Gila County
605 S. 7th Street
Globe, Arizona 85501
(928)425-3101
Fax:(928)425-7950

Pima County
3131 N. Country Club Rd, Suite 206
Tucson, Arizona 85716
(520) 881-4066
Fax:(520)881-8232

Coconino County
397 Malpais Lane
Flagstaff, Arizona 86001
(928)213-3594
Fax:(928)773-1027

Graham County
1938 Thatcher Boulevard
Safford, Arizona 85546
(928)428-7702
Fax:(928)428-6578

Yuma County
1220 S. Fourth Ave.
Yuma, Arizona 85364
(928)782-9255
Fax:(928)343-2251

Child Protective Services (CPS)

Is your loved one a child? Then call CPS. CPS is a state agency. It protects children from abuse and neglect. CPS looks into any reports. Call the statewide hotline to make a report. It is open 24 hours a day. Your call is free.

Arizona Child Abuse Hotline

1-888-SOS-CHILD (1-888-767-2445)

CPS also offers protection services for children. To learn more about CPS, go to their website: www.azdes.gov/dcyf/cmdps/cps/default.asp

DDD Human Rights Committees (HRC)

Do you think your loved one is being abused or neglected? You should report the abuse or neglect to a DDD Human Rights Committee (HRC). HRCs are groups of local people who are not part of the DDD. They protect the rights of people with DD who get help from the DDD. Each DDD district has its own HRC.

HRCs meet once a month to:

- Review reports of neglect, abuse, or denial of rights of people getting DDD help.
- Review programs that might go against the rights of people getting DDD help. An example is programs that use medicine that changes behavior.
- Review research plans involving people getting DDD help.
- Advise the DDD about changes needed to protect the rights of people getting DDD help.

Anyone can make a report to the HRC. The report might be about neglect, abuse, or another rights problem. Sometimes, the HRC is not the best group to handle the report. If so, you will be told who to contact. To make a report to your local HRC, contact your local DDD district office. See the Appendix for a list of local DDD district offices.

Division of Licensing: Group Homes for the Developmentally Disabled

Does your report concern a group home? Is it about a similar place where people with DD live together? Are you concerned about the buildings themselves? Then you should send a report to the Division of Licensing. This agency inspects buildings like group homes. It makes sure that the buildings are safe. It looks at things like fire alarms and water temperature.

If your report concerns a safety issue in a building, contact:

Division of Licensing 602-364-2536

150 N. 18th Avenue, 4th Floor 602-364-4806 Fax

Phoenix, AZ 85007

www.azdhs.gov/als/groupm/index.htm

DES Office of Licensing, Certification, and Regulation (OCR)

Does your report concern a foster home? The DDD calls these *development homes*. You should send a report to the OCR. This agency licenses adult and child foster homes. It may refer the report to another agency. To file a complaint with OCR, call 602-347-6340.

The Arizona Center for Disability Law (ACDL)

Have you sent your report to a state agency like the DDD, APS, or CPS? Are you unhappy with their response? Do you want another agency to look at your report? You can call the ACDL at 800-927-2260. The center is a nonprofit law firm. Its job is to protect the rights of people with disabilities in Arizona.

The ACDL does not have enough staff to look into every problem. So they focus on certain kinds of cases. The center mostly looks into reports already handled by state agencies. It makes sure the agencies did a fair job. It checks that the agencies took the needed action.

The center most often looks into abuse or neglect that caused someone serious injury or death. It also looks at cases that point out problems with Arizona's system of protecting people with DD. Fixing these cases can help improve the whole system.

The center may decide a state agency did not do a fair job. If so, the center will often contact that agency. It will ask the agency to look into the report again. Or it will ask the agency to take more actions.

Laws about Required Reporting of Abuse and Neglect

Required Reporting about Adults⁷

Are you in charge of an adult with DD? Do you believe this person has been abused, neglected, or exploited? Arizona law says that you must report it to APS right away.

The law also says you must report it if you are a:

- doctor
- nurse practitioner
- doctor in training at a hospital
- dentist
- psychologist
- social worker

- peace officer

The first report can be made in person or by phone. But a written report must be sent within 48 hours of the first report. Guardians must also tell the Superior Court right away about any reports made to APS.

Required Reporting About Children⁸

Are you in charge of the care of a child under 18 years old? Do you think the child is being abused, neglected, or exploited? Arizona law requires you to report it to CPS.

You Are Protected If You Report Abuse or Neglect

Are you required by law to report what you think may be abuse or neglect? Have you made a report to APS or CPS? You may be worried that someone will file a lawsuit against you for your report. You don't need to worry. You can't be charged with anything because of your report. This is true unless **you** are charged with or suspected of the abuse or neglect in the report.

Protecting from More Abuse and Neglect

Was your loved one abused or neglected in a DDD setting? Do you want to prevent this from happening again?

DDD must provide protective services. The DDD may:

Remove the person named in the report from the care setting. This person would not be allowed to give care again until the report has been fully checked out.

Move the person with DD to another setting. The person and guardian must agree.

Change the company that cares for the person with DD. The person and guardian must agree.

Take steps right away to prevent future abuse or neglect.

Services Can't Be Cut Because of Report

Some people worry about reporting abuse and neglect at a DDD setting. They fear the DDD or the people giving services will be angry. They worry the services might be stopped. They also worry about not getting services in the future.

You don't need to worry. The company that is giving care now has already agreed to provide services. The provider cannot decide to stop services on its own. The DDD must approve any changes.⁹

What if the service provider cuts back the services? Your loved one has the right to be told this in writing. Your loved one also has the right to file an appeal. Does your loved one want to keep the services the way they are now? If so, you must file the appeal within 10 days of when the provider decided to cut back services. Do you need to know more about how to file an appeal? Go to the ACDL website: www.azdisabilitylaw.org or call one of the ACDL offices listed on the front of this Guide.

Filing Lawsuits for Money for Injuries

Did the abuse or neglect cause the injury or death of your loved one? If so, you may have the right

to file a lawsuit for money. You would file the lawsuit against the person, agency, or place that caused the injury or death.

Time Limits for Filing Lawsuits

There may be a time limit for filing a lawsuit. It's called a "statute of limitations." Call a lawyer as soon as you suspect abuse and neglect. Ask how long you have to file a lawsuit. The time frames for filing depend on many different things.

How to Find a Lawyer

Do you need help finding a lawyer? Below is a list of services that can help you. Most services will:

- talk with you about your problem.
- match you with a lawyer who is an expert in your problem.
- charge a small fee for a half-hour meeting.

State Bar of Arizona Statewide 602-252-4804

To find a lawyer based on practice area, go to this website
www.azbar.org/LegalResources/findlawyer.cfm

Maricopa County Bar Association 602-257-4434

www.maricopabar.org/lris/lawyerfinders.shtml

Pima County Bar Association 520-623-4625

www.pimacountybar.org/LRS%20Public.htm

You can also call us at the **Arizona Center for Disability Law**. We keep a list of lawyers who are experts in these cases. Call us at 800-927-2260 or 800-922-1447.

Payment and Costs

You will work out payments with the lawyer you choose. For most injury and death cases, the lawyer gets a percent of the money won (if you win). Be sure to ask your lawyer what other money you will owe for going to court if you lose.

Tips for Preventing Abuse and Neglect in the First Place

Is your loved one beginning services at a DDD setting? Here are some tips to prevent abuse and neglect. Do these things before your loved one begins to receive services. First, meet with the service providers. Visit the place your loved one will receive services. It might be a group home. Or it might be a service agency. Talk with the service providers.

These are some things you can ask:

Have they worked with people with DD before? Have they worked with people like your loved one?

How much training do they have in working with people with DD?

How long they have worked with people with DD?

What do they believe about working with people with challenging behaviors? How do they deal with people with challenging behaviors?

Have they called the police to help with a person who is showing challenging behaviors?

Have they called the police to help with a person who is having a mental health crisis? How often? What happened?

On your visit, watch the people who are getting services. Look for any of these signs. These signs may show a high risk of abuse or neglect.

Look closely at the people with DD. Do you see any of these problems?

- They are not clean.
- They have sores from lying in bed.
- They have injuries that are not explained.
- They are tied or strapped into bed or a chair (restrained).
- Not enough food
- Not enough clothing

Look at the people working with your loved one.

- Are there enough staff?
- Is the staff supervised well?

Look at the setting. Do you see or smell these?

- Unsafe items, like tears in carpet or broken furniture.
- Records are not complete.
- Smells of urine.
- Smells of bowel movements.

Appendix

Legal Definitions of Abuse and Neglect

The DDD Statute¹⁰

The DDD statute is the state law that establishes the Division of Developmental Disabilities. It also outlines the duties of DDD and defines the rights of people with developmental disabilities. The law also explains what constitutes abuse or neglect of a person with a developmental disability. Under the DDD statute:

Abusive treatment is:

- (a) Physical abuse by inflicting pain or injury to a client. This includes hitting, kicking, pinching, slapping, pulling hair or any sexual abuses.
- (b) Emotional abuse which includes ridiculing or demeaning a client, making derogatory remarks to a client or cursing directed toward a client.
- (c) Programmatic abuse which is the use of an aversive stimuli technique that has not been approved as a part of such person's individual program plan and which is not contained in the rules and regulations adopted pursuant to subsection B of section 36-561. This includes isolation or restraint of a client.

Neglect is:

- (a) Intentional lack of attention to physical needs of clients such as toileting, bathing, meals and safety.
- (b) Intentional failure to report client health problems or changes in health condition to immediate supervisor or nurse.
- (c) Sleeping on duty or abandoning work station.
- (d) Intentional failure to carry out a prescribed treatment plan for a client.

The Adult Protective Services Statute¹¹

The Adult Protective Services statute establishes Adult Protective Services, a state agency mandated to protect vulnerable adults from abuse and neglect by receiving and investigating incidents of abuse, neglect, or exploitation of incapacitated or vulnerable adults. The statute also establishes certain violations to be criminal, and outlines specific civil remedies for damages caused to the victim. Many, although not all, people with developmental disabilities are vulnerable adults under Arizona law.

Under the APS statute:

A vulnerable adult is:

A person 18 years or older who is unable to protect him/herself from abuse, neglect or exploitation.

Abuse is:

Intentional infliction of physical harm; injury caused by negligent acts or omission; unreasonable confinement; or sexual abuse or sexual assault.

Emotional Abuse is:

A pattern of ridiculing or demeaning the vulnerable adult who is a patient or resident in any setting in which health care, health related services or assistance with one or more of the activities of daily living is provided, making derogatory remarks to the vulnerable adult, verbally harassing the vulnerable adult or threatening to inflict physical or emotional harm on the vulnerable adult.

Neglect is:

A pattern of conduct without the person's informed consent resulting in deprivation of food, water, medicine, medical services, shelter, cooling, heating or other services necessary to maintain minimum physical or mental health.

Exploitation is:

The illegal or improper use of an incapacitated or vulnerable adult or his/her resources for another's profit or advantage.

The Child Protective Services Statute¹²

The Child Protective Services (CPS) statute is the state law that establishes the Child Protective Services, a state agency mandated to protect children under 18 from abuse and neglect.

Under the CPS statute:

Abuse is:

the infliction or allowing of physical injury, impairment of bodily function or disfigurement or the infliction of or allowing another person to cause serious emotional damage as evidenced by severe anxiety, depression, withdrawal or untoward aggressive behavior and which emotional damage is diagnosed by a medical doctor or psychologist pursuant to section 8-223 and which is caused by the acts or omissions of an individual having care, custody and control of a child. Abuse shall include inflicting or allowing sexual abuse pursuant to section 13-1404, sexual conduct with a minor pursuant to section 13-1405, sexual assault pursuant to section 13-1406, molestation of a child pursuant to section 13-1410.

Neglect is:

the inability or unwillingness of a parent, guardian or custodian of a child to provide that child with supervision, food, clothing, shelter or medical care if that inability or unwillingness causes substantial risk of harm to the child's health or welfare, except if the inability of a parent, guardian or custodian to provide services to meet the needs of a child with a disability or chronic illness is solely the result of the unavailability of reasonable services.

Resources

Laws on Abuse and Neglect

DDD Statutes, Regulations, Policies & Administrative Directives www.de.state.az.us/ddd/reference.asp

Websites

Arizona Center for Disability Law www.azdisabilitylaw.org

Adult Protective Services www.azdes.gov/aaa/apsciu/default.asp

Child Protective Services www.azdes.gov/dcyf/cps/

Developmental Disabilities Planning Council www.azgovernor.gov/DDPC/

Division of Developmental Disabilities www.de.state.az.us/ddd

DDD Human Rights Committees www.azdes.gov/DDD/faqs/faq_hrc.asp

DD Advisory Council www.azdes.gov/ddd/faqs/faq_ddac.asp

Parent Wise www.parent-wise.org/parent/qa/specialneeds.htm

A project of the Arizona Health Sciences Center in Tucson, Arizona. Offers tips for keeping kids safe from abuse and neglect at home and elsewhere. Tips come from many different sources. One page focuses on protecting kids with disabilities from abuse and neglect.

Can Do! Child Abuse and Neglect Disability Outreach Project

www.disability-abuse.com/cando/

A program of ARC Riverside, California. Website contains a wealth of information about preventing abuse and neglect against children with disabilities. Organization assists with training and conducts yearly conferences.

Publications

In the Name of Treatment: A Parent's Guide to Protecting Your Child from the Use of Restraint, Aversion Interventions and Seclusion

www.tash.org/publications/parentguide/index.htm

Division of Developmental Disabilities (DDD)

Statewide DDD Office

1789 W. Jefferson St.
Phoenix, AZ 85007
Ph: 602-542-0419 / 1-866-229-5553
Fax: 602-542-6870

Local DDD Offices

District I (Maricopa County)

4000 N. Central St., Ste. 900
Phoenix, AZ 85012
Ph: 602-246-0546
Fax: 602-246-0880

District II (Pima County)

400 W. Congress, Ste. 549
Tucson, AZ 85701
Ph: 520-628-6800
Fax: 520-628-6682 (Systems Improvement)

District III (Apache, Coconino, Navajo and Yavapai Counties)

2705 N. 4th St., Ste. A
Flagstaff, AZ 86004
Ph: 928-773-4957
Fax: 928-773-4994 (Quality Assurance)

District IV (La Paz, Mohave, and Yuma Counties)

350 W. 16th St., Ste. 232
Yuma, AZ 85364
Ph: 928-539-3152
Fax: 928-539-3195

District V (Pinal and Gila Counties)

110 S. Idaho Rd., #240
Apache Junction, AZ 85219
Ph: 480-982-0018
Fax: 480-982-7231

District VI (Cochise, Graham, Greenlee and Santa Cruz Counties)

209 Bisbee Rd.
Bisbee, AZ 85603
Ph: 520-432-5703
Fax: 520-432-5642

Request for Looking into Suspected Abuse or Neglect of DDD Member

DDD Member Facts:

Member Name: _____ AHCCCS ID #: _____
Address: _____ Date of Birth: _____
City, State, Zip _____ Phone: _____

Facts about Person Filing Request (if different from above):

Name: _____ Phone: _____
Address: _____ How are you related to member?:
Parent
City, State, Zip _____ Guardian Other _____

Facts about Suspected Abuse or Neglect:

Tell about the suspected abuse or neglect you want us to look into.

Describe what happened.

Give the date it happened.

Tell where it happened.

Give the name, address and phone number of anyone who saw what happened.

Please include things that show what happened, such as photos. If you need more room, use the back of this form or attach more pages.

Do you want a copy of our report about the suspected abuse or neglect? ___ Yes ___ No

Sign Here: _____ **Date:** _____
___ DDD Member ___ Guardian ___ Parent ___ Other

Filed with: Manager

AND DDD Case Manager:

Office of Compliance & Review Division of Developmental Disabilities
1789 W. Jefferson / P.O. Box 6123 Address: _____
Phoenix, Arizona 85007 _____
FAX: 602-364-2850

Filed by: ___ Certified Mail or Fax (Number _____)
(recommended)

___ US Mail ___ Hand Delivered

Keep a copy of this completed form for your records!

Endnotes

¹Many studies show the high risk of abuse and neglect of people with DD. Following are three studies that show this high risk. The numbers in the studies may be much higher. That's because many cases of abuse and neglect are not reported properly.

Joan Petersillia, "Invisible Victims: Violence Against People with Developmental Disabilities," 27 Human Rights 9 (2000). This study found that nationally, people with DD are four to 10 times more likely to be victims of crime than those without disabilities.

Johnson, I., & Sigler, R, "Forced Sexual Intercourse Among Intimates," 15 Journal of Interpersonal Violence 1 (2000). This study found that among adults who are developmentally disabled, as many as 83% of females and 32% of males are the victims of sexual assault during the course of their lives.

Child Welfare Information Gateway, *The Risk and Prevention of Maltreatment of Children with Disabilities* (2001). This study found that children with disabilities are 1.7 times more likely to be abused or neglected than children without disabilities.

² Tyiska, C., "Working with Victims of Crime with Disabilities" Office of Victims of Crime Bulletin, Department of Justice, Office of Crime (1998); Sobsey, D. and S. Mansell. "The Prevention of Sexual Abuse of people with Developmental Disabilities," 18 Developmental Disabilities Bulletin 2 55-66 (1990).

³ Sobsey, D. et al., *Violence and Disability; An Annotated Bibliography* (1995); Young, M.E., et al., "Prevalence of Abuse of Women with Physical Disabilities." *Archives of Physical Medicine and Rehabilitation Special Issue* 78(12, Suppl. 5) S34-S38. *This study found that 67% of perpetrators who abused individuals with severe cognitive disabilities accessed them through their work in disability services.*

⁴ Balderian, N., *Sexual Abuse of People with Disabilities* (1995). This study found that 97% to 99% of abusers are known and trusted by the victim who has developmental disabilities.

⁵ U.S. Department of Justice, "Working with victims of crimes with disabilities," Office for Victims of Crime Bulletin (2001).

⁶ A complete list of the rights of people with developmental disabilities can be found in the DDD state regulations, A.A.C. R6-6-107, and in the Arizona state statute authorizing the Division of Developmental Disabilities, A.R.S. § 36-551.01

⁷ A.R.S. § 46-454

⁸ A.R.S. §13-3620(B)

⁹ A.A.C. R6-6-2107(O)

¹⁰ A.R.S. § 36-569

¹¹ APS Statute: A.R.S. §§ 46-451 to 457. Statute regarding disclosure of confidential information: A.R.S. § 41-1959; Special Visitation Warrants for APS workers: A.R.S. § 14-5310.01; Criminal statute for abuse of vulnerable adult or child: A.R.S. § 13-3623.

¹² ARS §8-201(2) .