

Hate Crimes Against People with Disabilities

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Crimes and violence against people with disabilities is an invisible epidemic. These are largely violent or personal crimes, rape, assault, and murder, as well as economic crimes. Most experts agree that the rate of violent crime is from 4 to 10 times higher for people with disabilities than for the general population.

The motivation for such crimes are based on deep psychological distortions such as bias, contempt, hate, anger, deep insecurity, the need for dominance, and a discomfort with the different. There are offenders who deliberately target people with disabilities. These are often people who are intensely insecure with a constant need to address their feelings of inadequacy and lack of control over others. They seek authority and control and a sense of superiority over others perceived as inferior and vulnerable. This is a description of a classic bias or hate crime.

Bias or hate crimes against people with disabilities tend to be diffuse and invisible.

They are not usually deliberate, planned crimes by groups that flaunt their hatred of people with disabilities as part of their ideology like neo-Nazis or skinheads, although that does happen. There have been multiple attacks including homicides against people with disabilities by neo-Nazis in Germany. Similar groups in this country share like views and prejudices.

But the vast majority of these crimes of bias or hatred are carried out by scattered individuals. They often feel empowered to murder, rape or assault people with disabilities because of their

hatred and contempt and because they believe that many in our society share that bias and contempt and are less likely to be outraged or to even report the crimes committed.

An exclusive focus on organized hate groups, as important as that is, as a way to address hate crimes will almost assuredly result in overlooking most bias or hate crimes against people with disabilities. We will need to find ways to examine the more generalized pattern of hate or bias crimes committed by individuals if we are to provide equal attention to such crimes against people with disabilities.

This hatred is often invisible to even those who hate. This is because of the ambivalence our society feels for people with disabilities.

Particularly those with cognitive or psychiatric disabilities may be seen at once as angels, innocent and good, while at the same time as potential criminals. Often people are concerned that if a residential facility for adult men with intellectual disabilities moves into the neighborhood, their children will be at risk of sexual molestation. These same people may approach a parent and say how lucky they are to have such a sweet little angel for a child when that child has an intellectual disability. Lenny, from *Of Mice and Men*, combined a naive goodness with criminal behavior. He was a character that most readers found eminently believable and therefore comfortable.

When people feel some positive stereotypes, it often makes it difficult for them to recognize their negative stereotypes as destructive prejudices even when they act on such negative prejudices.

People with disabilities experience very high rates of violent crime. An estimated 31% of all personal crime committed in California is

committed against people with substantial disabilities. Yet this disproportionate concentration of violence is largely invisible to our society. Partly it is because these crimes are severely under reported. Fewer than 5% of personal crime against people with disabilities are reported in California compared to over 42% of such crimes against people without such disabilities. Studies have found that from 83% to 90% of women and 32% of men with intellectual disabilities have been sexually assaulted. Rape is profoundly a hate crime, especially when it is targeted against a devalued population.

Recognizable hate crimes against people with disabilities do occur much more frequently than is generally known.

Many are unaware that the Holocaust began with the systematic execution of over 600,000 people with disabilities in Germany. This mass hate crime began before the Nazis came to power and was conducted by German psychiatrists and hospital administrators. These crimes were based on an intellectual tradition, the Eugenics movement, which had its foundation in the work of American writers. The images of the systematic rounding up of people with substantial disabilities into garages to be gassed or the fatale inoculation of these innocent people fill a section of the first floor of the Holocaust Museum in Washington D.C. Barbara Waxman tells of a saddened woman in a wheel chair leaving that exhibit only to have a non-disabled man follow her out and say, “ I wish they had got you. You people are only trouble.”

These terrible prejudices still are strong in our society. They exist even among respectable scholars. Dick Sobsey reports that modern Bio-ethicists, Joseph Fletcher and Peter Singer writing in the 70's, 80's and 90's have argued that people with severe disabilities are non-persons and therefore have no rights to protection. Dick goes on to state, speaking of Singer's work, that, “while arguing that some non-humane animals should be extended

human rights, he has gone on to suggest that people with severe disabilities have no such rights because they are not persons.”

The widespread forced sterilization of people with disabilities in this country further illustrates the depth and frequency of these prejudices.

“Mercy” killings of children and adults with substantial disabilities by health care professionals or family members continue to occur. They are often not reported as homicides but when they are the sentences are often light. It is almost like society reluctantly recognizes the necessity to punish in some way these “understandable” homicides.

There is also a common belief that people with disabilities are somehow sub-human beings who do not suffer or feel the ravages of violent crime. This implies that it is somehow a less serious offense to commit violent crimes against them. There are reports of many cases where this attitude has resulted in lesser sentences for such perpetrators. Dick Sobsey and others from the University of Alberta and Temple University reviewed over 1000 cases of homicides against people with substantial disabilities. Their preliminary findings include that there are much lower sentences meted out to the murderers of people with disabilities compared to similar cases where the victims did not have a disability.

This tendency for some people not to recognize bias or hate crimes against people with disabilities as hate crimes shows the entrenched and widespread prejudice against people with disabilities embedded in our culture. Dick Sobsey tells of a case where a residential home for people with intellectual disabilities was established in a community in the face of opposition. The house was set afire resulting in two deaths of residents. This arson homicide resulted in no action and little outrage even though many

knew who set the fire. Imagine the outrage today if an African-American family had been burnt out with resulting homicides.

This general devaluation of people with disabilities in our society combined with the lack of public awareness of the epidemic of crime and violence against people with disability provides a fertile environment for bias or hate crimes.

It will be a challenge to us all to fairly address this endemic pattern of bias or hate crimes against people with disabilities.