



HB 16-1072—Removes Statute of Limitations on Sexual Assault

The Arc of Colorado has no position on this bill—for or against. We acknowledge the complexity and seriousness of changing criminal law and the potential risks of expanding or eliminating the statute of limitations for certain crimes.

We ask that as this bill is considered, that legislators think about these facts:

- Adults with intellectual and developmental disabilities are sexually victimized more often than others who do not have a disability.
- Sexual violence must be reported in order to be stopped—and for adults with IDD reporting is a challenge.
- Even when reported, the credibility of victims with IDD is often challenged.
- Perpetrators of sexual violence against people with IDD are often those who are known by the victim—research suggests that in 32% of cases, abusers are family members or acquaintances and 44% had a relationship with the victim specifically related to the disability (e.g. residential care staff, personal attendants, and transportation staff)
- It often takes years for a person with IDD to understand and be willing to talk about abuse.

Prevalence

One study reported that 25 percent of girls and women with intellectual disability who were referred for birth control had a history of sexual violence (Sobsey, 1994). Other studies suggest that 49 percent of people with intellectual disability will experience 10 or more sexually abusive incidents (Sobsey & Doe, 1991).

Sobsey estimates that between 15,000 and 19,000 individuals with intellectual disabilities experience rape each year.

It is believed by some that 20% of females and 10% of males are sexually abused in the US every year. The percentage is even higher among people with disabilities. According to research, more than 90% of people with intellectual disabilities will experience some form of sexual abuse at some time in their lives.

Other studies suggest 68% of girls with intellectual disabilities and 30% of boys with intellectual disabilities will be sexually abused before their eighteenth birthday.

Reporting

- ✓ People with severe intellectual disability may not understand what is happening or have a way to communicate the assault to a trusted person.

- ✓ Others with a less severe disability may realize they are being assaulted, but don't know that it's illegal and that they have a right to say no.
- ✓ Due to threats to their well-being or that of their loved ones by the abuser, they may never tell anyone about the abuse, especially if committed by an authority figure whom they learn not to question.
- ✓ In addition, they are rarely educated about sexuality issues or provided assertiveness training.
- ✓ Even when a report is attempted, they face barriers when making statements to police because they may not be viewed as credible due to having a disability (Keilty & Connelly, 2001).

Also, societal attitudes must change to view victims with disabilities as having equal value as victims without disabilities, and giving them equal advocacy. Every sexual assault, regardless of who the victim is, must be taken seriously.

Reporting can be increased by educating individuals with disabilities and service providers about sexual violence, improving the investigation and prosecution of this crime, and creating safe environments that allow victims to disclose.

Marijo Rymer

Executive Director

The Arc of Colorado