

Adults with Developmental Disabilities and Interview Techniques

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Disability in Perspective

- 50 million Americans
- Over 3,000 different disabilities
- Do not need to be an expert on every disability
- Generalizable Skills
 - Existing
 - New

Disability in Perspective: Perception

- Historical Perception
 - Commodus
- 1940's
 - "Lebensunwertes Leben"
 - Eugenics
- Federal Law
 - "Medical Treatment"
- 2000's

Realities for Adults with Disabilities

- Privacy and sense of own body
 - ADL support
- Expectations for life and achievement
- Obedience and passivity
- History of maladaptive behavior

Realities for Individuals with Disabilities

- Social isolation
- Difficulty being accepted by peers
- Disproportionately criminally victimized

Disproportionate Victimizations

- People with developmental disabilities are disproportionately at high risk for violent victimization, abuse, and neglect (USDOJ, 2014; Petersilia et al., 2001)
- Among persons with disabilities, the rate of rape and aggravated assault increased from 2009 to 2012.
 - (USDOJ, 2014)

Bureau of Justice Statistics – 2014 Report

Average Annual Rates: 2012

- Violent victimization for persons with disabilities was more than **triple** the rate among persons without disabilities

- Serious violent victimization for persons with disabilities was more than **three times** than that for persons without disabilities

- Rate of violence for males with disabilities was 59 per 1,000 compared to 25 per 1,000 for males without disabilities.
 - More than **double** the rate

- Rate of violence for females with disabilities, was 62 per 1,000 compared to 20 per 1,000 for females without disabilities.
 - More than **triple** the rate

Bureau of Justice Statistics – 2014 Report

Average Annual Rates: 2009 - 2012

- Persons with intellectual disabilities had the **highest rate** of violent victimization from 2009 to 2012.

- Among persons with intellectual disabilities, the average annual rate of serious violent victimization **doubled** from 2009 to 2012.

- The average annual rate of serious violent victimization against persons with self-care disabilities **more than tripled** from 2009 to 2012.

- From 2009 to 2012, the percentage of violent victimization against persons with disabilities in which the victim had multiple disability types **increased** for **rape** or **sexual assault** and **robbery**.

Disproportionate Victimization

- Some offenders specifically seek victims with disabilities because they are perceived (Lang & Frenzel, 1988):
 - To be vulnerable
 - Unable to seek help
 - Cannot or will not report the crime

- Risk of victimization is likely increased if the offender believes the victim will not be able to successfully or credibly tell anyone about the crime (Bryen, Carey, & Frantz, 2003)

- The nature of the persons disability may prevent them defending themselves, escaping from the abusive situation, or reporting the abuse; this may cause potential perpetrators to believe they can "get away with it" (Ammerman & Patz, 1996; Wolcott, 1997).

Women with Disabilities

Domestic violence against women with disabilities:

- Raped and abused at a rate at least twice that of the general population of women (Sobsey, 1994)
- More likely to stay longer in an abusive situation
- More likely than males to be victimized by intimate partner (USDOJ, 2009)
- Have fewer options for safety due to systemic and physical barriers in the community

Reporting, Prosecutions and Convictions

- Underreporting
 - Only 3% of sexual abuse cases involving people with developmental disabilities are ever reported (Valenti-Hein & Schwartz, 1995.)
 - Over 70% of crimes against individuals with severe mental retardation are unreported (Wilson & Brewer, 1992).
- A study in Boston suggested that only 5% of serious crime against people with disabilities were prosecuted compared to 70% general population (Boston Globe, 2001).
- Convictions?

What are we left with?

- Higher Rates of Victimization
- Underreporting
- Less Prosecution
- Less than 100% conviction rate
- Consequence?
- Next question: Why?

Susceptibility to Victimitizations

Susceptibility to Victimitizations: Intellectual Disabilities

- Intellectual Disability
 - Infantilized
 - Lack of understanding of what constitutes abuse
 - Perceptions of:
 - Lack of assertiveness
 - Memory difficulties
 - Restricted vocabulary
 - Fear of retribution
 - Fear of vacancy

Susceptibility to Victimitizations: Autism

Autism

- Perceived Vulnerability
- Deficits in Expressive Communication
- Referential Communication Deficits
 - Referential communication requires a speaker to provide enough specific information to a listener so that the listener knows to what the speaker is referring (i.e., communicating information not already known by the listener)
- Deficits in Detecting Deception
- Attribution of "Autism" Behaviors
 - Assuming behaviors are attributable the child's autism and not some other cause

Autism Distinguishing Features

- **Emotion and expressive/receptive verbal disconnect**
 - "I'm happy."
 - "You make me angry."

 - Expectation of commensurate facial expressions, voice tone, and body language connected to that emotion

 - Passive monotone voice with unusual pronunciations

- **Facial Expressions**
 - Audience Participation

Autism Distinguishing Features

- **Rule Governed**
 - Difference between OCD

- **Sensory Integration Disorder**
 - Auditory, Visual, Kinesthetic
 - Multiple inputs (e.g. conversations) and focus
 - Anxiety

Susceptibility to Victimization: Speech/Language Disorder

- **Communication Disorder**
 - Assumed intellectual deficit*
 - Bias in the U.S.

 - Communication Difficulties

 - Use of Alternative Communication
 - Limitations
 - Misuse
 - Damage

 - Repeated Victimization

Use of the Term “Function”

- Labeling someone as low or high functioning
- Better to use
 - Level of Independence
 - Support Needs
 - Skill Sets
- Receptive Language versus Expressive Language
 - Bias in the U.S. and all over the World
 - The Story of “Bert”
- Assumptions Pledge
- Use of language
 - Treating People like People

We are not toys...

Interview Techniques

Interview Considerations

- Myth – “I can’t get good information from a person with an intellectual disability”
- Why?
 - Difficulty communicating what happened
 - Remembering the order of events that led to the crime
 - Difficulty naming people, places, and times
 - Providing consistent testimony
- Truth – All witnesses have difficulty with some of the above
 - Do not dismiss a victim because they have difficulty with 1 or more

Special Considerations for Individuals with Disabilities

- Interviewer should have knowledge of:
 - The victim/witness’s memory abilities
 - Victim/witness’s capacity for language
 - Expressive and receptive
 - Intellectual disability across varying levels of intensity and severity
- Uniquely susceptible to the effects of leading questions and to suggestion
- Interview should match developmental level

Special Considerations for Individuals with Disabilities

- Pace of the interview should be set by victim/witness
- Victim/witness must be able to describe events in own words
- Rapport building can be critically important
 - Reducing anxiety
 - Improving trust
 - Provides baseline information about communication skills, memory functioning, etc.

Special Considerations for Individuals with Disabilities

- Allegations of abuse in a facility
 - List of all employees and residents
 - Staffing schedule
 - Floor plan
 - Policy related to discipline, staff/person interaction
 - Continuity of policy vs. practice

- Minimize contamination of memory
 - Susceptibility similar to young children

Specific Considerations for Individuals with Disabilities: “3 P’s”

- Pausing
 - 8 – 10 seconds before repeating or rephrasing

- Prompting Cues (Facilitative Cues)
 - Repeating the end of the last statement
 - “So you just finished cleaning up after dinner...and then what happened?”

- Pain
 - Differences in responding to and describing
 - Does not mean “no pain”

Interview Techniques: Basics

- Communication
 - Pay attention to:
 - Vocal Verbal
 - Non-Vocal Verbal
 - Receptive vs. Expressive Language

- Concrete and Literal
 - “It’s raining cats and dogs outside”

- Conversational punctuations
 - Ex. “Really”, “You do”, “Good”, “I see”

Interview Techniques: Basics

- **Interrogative Statements**
 - “You like Mr. Steve”
- **Questions posed in the Negative**
 - “Do you not like going to the doctor?”
- **Negative Interrogative Statements**
 - “You don’t like Ms. Tammy”
- **“I” and “You” confusion**
 - Use proper names for people, locations and acts

Interview Techniques: Basics

- **Resist temptation to fill in the blanks**
 - Case Example of Observation of Interview (poor)
 - Response: “...hurt....head.....bad”
 - Question back: “You hurt your head bad?”
 - What if the person is describing what happened to someone else?
 - Example of what not to do: Another Case Example
 - Statement: Paul...touch....penis
 - Question: Paul touched your penis?
- **Expect to take more time**
- **Ideally, you would just be able to ask a question and get a response**

Interview Techniques: Adaptations

- However, sometimes an initial question can be too difficult or the person is not oriented to answering questions
- For this, use Reverse Scaffolding
- Ex. Mary

Reverse Scaffolding

Interview Techniques: Adaptations

- **Reverse Scaffolding**
 - Ex. "Pick up the paper"
 - "Raise your hand"
 - "Touch your nose"
 - "Give me a high five"
 - "Go pick up the paper"
- **High Probability (HP) Instructional Sequence**
 - Building momentum and increasing response effort
 - Vocal Verbal Response
 - Non-Vocal Verbal Response
- **HP Sequencing Examples**

Interview Techniques: Adaptations

Echolalia

- Repeating of words spoken by others
- Normal in children as a developmental process
- Not random speech
- Taking his "turn" in the conversation
- Strategies
 - Time
 - Reduction of Anxiety
 - Patience

Interview Techniques: Adaptations

Perseveration

- Hyperfocus on a particular topic or subject unrelated to the topic of discussion
- Strategies
 - Re-direct the victim if they perseverate off topic
 - Re-frame the question if it elicits an off topic discussion
- Example.....

Justin - Perseveration

Interview Techniques: Adaptations

- **Saliency**
 - Emotional “strength or pull” of an experience
 - Helps all people remember things – good or bad
 - Lunch 2 Wednesdays ago?
- The saliency of common events may be greater for individuals with disabilities
- Perceptions of emotional significance
 - Saliency Landscape...

Salience Landscape and Autism

- The limbic system triggers the autonomic nervous system – preparing the body for action
 - Ex. Fear – heart rate increases and body sweats
- The ANS arousal in turn provides the brain with feedback amplifying the emotional response – thus creating an emotional map of the emotional significance of the individual’s environment (Salience Landscape Theory – Ramachandran & Oberman, 2006)
- Individuals with autism may have a distorted salience landscape
- Distorted perceptions of emotional significance may explain:
 - Inappropriate social responses to events
 - Intense preoccupation with ex. train schedules
 - Looking away during normal conversation to reduce stress

Keith: Saliency

Video Clip courtesy of Barbara Wheeler, Ph.D.
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USC University Center for Excellence in DD Research, Education and Service (USC UCEDD)

Interview Techniques: Asking Questions

Ideally, you would be able to ask Open questions

- **Open**
 - Tell me what happened Thursday?
 - What happened in the bedroom?
 - Tell me more about that?
- **Some individuals may only be able to answer YES/NO**
 - Leading vs. Not Leading YES/NO questions
- **Leading Yes/No**
 - Did Mr. Steve touch your penis?
 - (Prior to any previous identification of Mr. Steve)
 - Did Brian hit you?
 - (Same – prior)
- **Not Leading Yes/No**
 - Did someone hit you?
 - Do you know who hit you?

Interview Question Sequence

■ “Funnel” Technique

- Free Narrative
- Open Ended
- Multiple Choice
- Yes / No

Questions: Free Narrative / Open-Ended

- Yield the most valid information but...
 - The individual must generate the response
 - Remember everything that happened
 - Remember the order in which it happened (sequencing events)
- If question is too broad or open:
 - Ex. Tell me what happened, or
 - Ex. Tell me what you know about sex
- May be difficult because:
 - It requires editing important information
 - They may not know what is important
 - May have a difficult time sorting through the details
- Ex. Collin

Richard: Open-Ended Question

Sharon

Communication Disorders

- With difficult to understand speech
 - The more you are around an individual with a speech disorder – the easier it is to understand
- Expect to take more time
- Sometimes you cannot understand what a victim is saying vocal verbally
 - Example

Michael: Unintelligible Speech

Communication Disorders

- What do you do with unintelligible speech?
- Create yes/no communication
- Validation:

Communication Disorders

- If capable, ask to:
 - Write their response
 - Draw their response
 - Show you
 - Ex. "Assa Pa"
- Ask support person how they communicate
 - They may be able interpret victim's speech
 - Can verify with victim for accuracy (yes/no)
 - May not be admissible
- Use of pictures or other AAC
- AAC (Augmentative and Alternative Communication)
 - Processes or devices that augment or replace an individual's method of communication

Augmentative and Alternative Communication (AAC)

- Manual signing, gestures, facial expressions, pantomime, pointing, and/or eye gaze
- American Sign Language (ASL)
 - Use professional interpreter
 - Learning basics for rapport
- Low tech
 - Picture Exchange Communication System (PECS)
 - Ex. Picture board
- High tech
 - iPad
 - Computer

Massachusetts Supreme Court

- Ruby McDonough, sexually assaulted, 10 years earlier stroke
- Verbal Behavior
 - Reliably answer “yes” and “no” questions
 - Point to pictures and objects to make her needs known
- Court Ruled
 - Ruby’s rights had been violated when she was deemed incompetent to testify
 - Established brand new rules to ensure that the rights of all crime victims with disabilities will be better protected
 - Individuals with disabilities not only have a right to physical accessibility (e.g., wheelchair ramps to ensure they get IN to the courthouse), they have a right to accommodations that will enable their “full and equal” testimonial and participatory rights as witnesses in criminal cases

Alternative Communication Testimony

- MA Supreme Court
 - Allowed Ruby to use gestures and answer only “yes” and “no” style questions
- Ohio
 - Ricardo Woods, 35, was convicted of fatally shooting David Chandler
 - Police interviewed Chandler while he was hooked up to a ventilator, paralyzed after being shot in the head and neck as he sat in a car. He was only able to communicate with his eyes and died about two weeks later.
 - Prosecutors showed jurors a videotaped police interview in which they say Chandler blinked three times for “yes” to identify a photo of Woods as his shooter.
 - Judge Myers watched the video and said that she found the identification reliable
 - She noted that Chandler’s identification was made by pronounced, exaggerated movement of the eyes and not by involuntary movements.
 - A doctor who treated Chandler also testified that Chandler was able to communicate clearly about his condition

AAC Summary

- Do not assume people who use AAC have intellectual disabilities
- AAC may be one of several ways a person communicates
- No special training is needed to communicate
- Speak directly to the AAC Device user
- Try not interrupt when they are using their device
- Be comfortable with silence
- “Voice” from Carrie-Lynn

Carrie-Lynn

Final Discussion

- Increase Experience

- Avoid Assumptions
 - Language
 - Appearance
 - Disability Label

- Q & A

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