

105TH CONGRESS
2^D SESSION

S. 1976

IN THE HOUSE OF REPRESENTATIVES

JULY 14, 1998

Referred to the Committee on the Judiciary

AN ACT

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”.

1 **SEC. 2. FINDINGS; PURPOSES.**

2 (a) FINDINGS.—Congress finds that—

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

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

14 (3) studies in Canada, Australia, and Great
15 Britain consistently show that victims with develop-
16 mental disabilities suffer repeated victimization be-
17 cause so few of the crimes against them are re-
18 ported, and even when they are, there is sometimes
19 a reluctance by police, prosecutors, and judges to
20 rely on the testimony of a disabled individual, mak-
21 ing individuals with developmental disabilities a tar-
22 get for criminal predators;

23 (4) research in the United States needs to be
24 done to—

1 (A) understand the nature and extent of
2 crimes against individuals with developmental
3 disabilities;

4 (B) describe the manner in which the jus-
5 tice system responds to crimes against individ-
6 uals with developmental disabilities; and

7 (C) identify programs, policies, or laws
8 that hold promises for making the justice sys-
9 tem more responsive to crimes against individ-
10 uals with developmental disabilities; and

11 (5) the National Academy of Science Committee
12 on Law and Justice of the National Research Coun-
13 cil is a premier research institution with unique ex-
14 perience in developing seminal, multidisciplinary
15 studies to establish a strong research base from
16 which to make public policy.

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

18 (1) to increase public awareness of the plight of
19 victims of crime who are individuals with develop-
20 mental disabilities;

21 (2) to collect data to measure the extent of the
22 problem of crimes against individuals with develop-
23 mental disabilities; and

24 (3) to develop a basis to find new strategies to
25 address the safety and justice needs of victims of

1 crime who are individuals with developmental dis-
2 abilities.

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

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

8 **SEC. 4. STUDY.**

9 (a) IN GENERAL.—The Attorney General shall con-
10 duct a study to increase knowledge and information about
11 crimes against individuals with developmental disabilities
12 that will be useful in developing new strategies to reduce
13 the incidence of crimes against those individuals.

14 (b) ISSUES ADDRESSED.—The study conducted
15 under this section shall address such issues as—

16 (1) the nature and extent of crimes against in-
17 dividuals with developmental disabilities;

18 (2) the risk factors associated with victimization
19 of individuals with developmental disabilities;

20 (3) the manner in which the justice system re-
21 sponds to crimes against individuals with develop-
22 mental disabilities; and

23 (4) the means by which States may establish
24 and maintain a centralized computer database on

1 the incidence of crimes against individuals with dis-
2 abilities within a State.

3 (c) NATIONAL ACADEMY OF SCIENCES.—In carrying
4 out this section, the Attorney General shall consider con-
5 tracting with the Committee on Law and Justice of the
6 National Research Council of the National Academy of
7 Sciences to provide research for the study conducted under
8 this section.

9 (d) REPORT.—Not later than 18 months after the
10 date of enactment of this Act, the Attorney General shall
11 submit to the Committees on the Judiciary of the Senate
12 and the House of Representatives a report describing the
13 results of the study conducted under this section.

14 **SEC. 5. NATIONAL CRIME VICTIM'S SURVEY.**

15 Not later than 2 years after the date of enactment
16 of this Act, as part of each National Crime Victim's Sur-
17 vey, the Attorney General shall include statistics relating
18 to—

19 (1) the nature of crimes against individuals
20 with developmental disabilities; and

21 (2) the specific characteristics of the victims of
22 those crimes.

Passed the Senate July 13, 1998.

Attest:

GARY SISCO,
Secretary.