Prevalence of disabled people involved in Spanish Civil Guard's police activity

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Abstract

Improving interventions with victims and offenders with disabilities requires analysis

of the degree of prevalence of crimes in which these people are involved. For this purpose,

data regarding interventions made by the Spanish Civil Guard between 2008 and 2010, in

which 2,099 people had some kind of disability, have been collected and analyzed, with

particular regard to criminal offenses (felonies and/or misdemeanors). In this study, the

relationship between the types of disability a person has and other variables like their

connection to the incident, their gender, age, the relationship between victim and perpetrator,

and the time and place of the events were all taken into consideration. The results show that

most of the victims with disabilities served by the Spanish Civil Guard were male. The

interventions were mainly aid and rescues. Criminal offenses were only 20% of the events.

Keywords: prevalence; victims; disability; vulnerability; Civil Guard; crime; police activity;

Spain.

Introduction

Since the adoption of the Convention on the Rights of Persons with Disabilities, approved by the United Nations in December 2006, the legal field has adopted its guidelines. It defines people with disabilities as "those who have long-term physical, mental, intellectual, or sensory impairments which in interaction with various attitudinal and environmental barriers may hinder their full and effective participation in society on an equal basis with others." However, only in recent years have investigations been studied with regard to the vulnerability of people with disabilities involved in police actions, especially for those with an intellectual disability or ID (Berástegui & Gómez-Bengoechea, 2006; Fyson & Cromby, 2010; Recio, Alemany, & Manzanero, 2012; Sullivan & Knutson, 2000; Westcott & Jones, 1999). Data derived from these studies report prevalence rates of up to ten times higher than people without an ID, especially in sexual offenses (Brown, Stein, & Turk, 1995; Harrel, Truman, Curto, Thomas, Quinn, & James, 2012; McCarthy & Thompson, 1997; Sobsey, 1994; Verdugo, Alcedo, Bermejo, & Aguado, 1999, 2002). Horner-Johnson and Drum (2006) reviewed the literature on the prevalence of abuse of people with an ID between 1995 and 2005. They found that (although studies were few and the methodologically was poor) studies confirmed that this was the most vulnerable population. People with disabilities are more likely to be victims of crime are due to their: a) high dependency, b) lack of privacy caused by their need for care from others, c) lack of social skills especially communication skills, and d) ignorance of their rights (Cambridge & Carnaby, 2000; Cooke & Standen, 2002; Sobsey & Varnhagen, 1991; Tharinger, Horton, & Millea, 1990; Verdugo et al., 2002).

However, people with disabilities can also be perpetrators of criminal offenses and they can be sentenced to imprisonment (Barron, Hassiotis, & Banes, 2004; Cockram, 2005; Herrington, 2009; Holland, Clare, & Mukhopadhyay, 2002; Søndenaa, Rasmussen, Palmstierna, & Nøttestad, 2008). Regarding interractions between police and people with an

ID, whether victims or perpetrators, it is agreed that there isn't sufficient training (Bailey, Barr, & Bunting, 2001, Crown Prosecution Service, 2009; Henshaw & Thomas, 2011). This is especially evident when obtaining their witness statements (Cedeborg & Lamb, 2008; Cedeborg, Danielsson, La Rooy & Lamb, 2009; Clare & Gudjonsson, 1995, Stacey, 1999), and the same could be said for the other actors in the criminal proceedings, including lawyers, judges, and prosecutors (Mercier & Crocker, 2010; Vanny, Levy, Greenberg & Hayes, 2009). Therefore, specific guidelines for this necessity are already being produced and distributed (Ministry of Justice, 2011) via the Police Intervention Guide for People with Intellectual Disability which has been developed in Spain (Alemany, Quintana, Recio, Silva, Manzanero, Martorell, & Gonzalez, 2012).

In Spain, with the exceptions of the work of Verdugo, Bermejo and Fuertes (1995), and Verdugo et al. (2002), there are no academic studies nor government studies that quantify the involvement of disabled people in police actions. Better statistics are needed (Huete & Quezada, 2011). Today, the most recent study conducted in Spain on disabilities (which does not mention police work) is the Survey on Disability, Personal Autonomy and Dependency Situations (EDAD) of the National Statistics Institute (INE, 2008). Just as its two preceding surveys EDDM-1986 and EDDES-1999, EDAD-2008 has a broad-based sample. This makes it one of the most relevant worldwide statistical surveys on disability, following in the footsteps of the two predecessors. Unlike previous work which only assessed the situation of people living in family homes, EDAD-2008 was conducted in two phases: the first one, called EDAD-homes, was addressed to family housing comprising of 96,000 households and approximately 260,000 people. The second phase, called EDAD-centers, was addressed to 800 permanent residences for people with disabilities (homes for the elderly, disabled centers, psychiatric hospitals and geriatric hospitals), which provided an additional sample of 11,000 people.

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From the integrated results of EDAD-home and EDAD-centers it can be estimated that in 2008 there were a total of 4.1 million people with disabilities in Spain. This represented a prevalence of disability for the entire Spanish population of 8.99 percent, 7.66 percent being men and 10.27 percent being women (nearly 2.5 million women, compared to 1.6 million men).

The National Observatory on Disability or OED (Olivenza Report, 2011) explores these numbers, and other detailed studies regarding the territorial distribution (Gispert, Clot-Razquin, March, Freitas, Busquets, Ramos, & Ruiz-Rivero, 2009) and problems of other particularly vulnerable groups such as the elderly (Graciani, Banegas, López-García, & Rodríguez-Artalejo, 2004). However, as mentioned before, no police studies have been conducted on the problems of people with disabilities in Spain. The crime rate in Spain is provided by the Secretary of State for Security of the Department of State through the Crime Statistics System or SEC (INT/2783/2009 Order of 29 September). Since this study began data were available only through 2011 (Ministerio del Interior, 2011a y b, Statistical Yearbook Crime and Balance). However, information regarding the disability could not be found because the system does not have a field to specify whether the people involved in the police intervention have some type of disability or not. The absence of such statistics goes against the mandate of the Convention on the Rights of Persons with Disabilities of 2006. It specified in Paragraph 1 of Article 31 that the States Parties must undertake collection of appropriate information (including statistical studies and general research), which enable them to formulate and implement appropriate policies.

Precisely knowing the extent of the presence of people with disabilities involved in police actions according to their type of disability, their territorial distribution, their age and sex can help make decisions about the adaptations that police officers could incorporate in order to provide better care to this collective. This would effect other mandates of the

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Convention as set out in Articles 13 (Access to justice¹) and 16 (Freedom from exploitation, violence and abuse). In turn, better police attention could help reduce the "dark rate" that covers cases in which a disabled person is a victim of some kind of abuse and it goes unreported. When specialized care services or police are informed of an alleged crime it is normally done by a third party (usually a family member or professional near the victim) who witnessed it. Unfortunately, it is suspected that there are many cases in which these witnesses decide that it is better not to report the alleged crime due to the lack of the victim's credibility (Henry, Ridley, Perry, & Crane, 2011; Manzanero, Alemany, Quintana, & Recio, submitted; Peled, Iarocci, & Connolly, 2004). The inability of the welfare system and/or police to properly accommodate this complaint and provide the necessary support during the process are also a problem (Manzanero, Contreras, Recio, Alemany, & Martorell, 2012). Furthermore, the lack of information, lack of awareness campaigns and scarce resources to integrate people with disabilities, among other things, cause most people to not know their reality and they form their attitudes based on myths and false beliefs. Moreover, the victim often experiences a serious emotional impact sometimes aggravated by contact with the unknown legal framework in addition to physical, economic, psychological and social damage after the crime is committed. Victims with disabilities are rarely explained the framework, nor are they asked if they want to participate in it. This must be added to the system's inability to properly accommodate disabled victims once a complaint is filed. This greatly contributes to the vulnerability of these people and their likelihood to suffer from revictimization phenomena (Recio et al., 2012). For these reasons, the Civil Guard (one of the two Security Forces in Spain, with jurisdiction throughout the country) echoed these needs,

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¹ Article 13 - Access to justice

^{1.} States Parties shall ensure effective access to justice for persons with disabilities on an equal basis with others, including through the provision of procedural and age-appropriate accommodations, in order to facilitate their effective role as direct and indirect participants, including as witnesses, in all legal proceedings, including at investigative and other preliminary stages.

^{2.} In order to help to ensure effective access to justice for persons with disabilities, States Parties shall promote appropriate training for those working in the field of administration of justice, including police and prison staff.

participating in activities to incorporate the best practices in caring for people with disabilities. One of those activities was through a collaboration agreement with the Victims Support Unit for People with Intellectual Disabilities (UAVDI) of the Carmen Pardo-Valcarce Foundation (Madrid, project No More Abuse) and a *Police Intervention Guide for People with Intellectual Disability* that has been developed (Alemany et. al., 2012). Likewise, a study to explore the prevalence of people with disabilities in the proceedings of the Civil Guard was also performed, and is discussed in detail below.

METHOD

Data in this study were collected using an *ad hoc* query and the Integrated System for Operations Management (SIGO), a database in which the civil guards have been recording their performances since it began operating in mid-2006. This system connected tens of thousands of agents every day managing millions of recordings of events that took place within the demarcation of the Civil Guard. This demarcation includes all towns that have less than 50,000 inhabitants which is the case for 85% of the country to which they provide assistance to 40% of the overall Spanish population. During the holidays however, the Civil Guard has jurisdiction over a total of 60% of the population (Cosidó, 2003). Mainly due to the the dates on which the SIGO was in operation in the year 2006, and the poor quality of the first data recorded in 2007, it was decided to explore the years 2008-2010 for this study. During this period there were about 15.1 million recorded events classified into 1060 different types. These recordings, involved about 5.6 million people whose relationship to the events were made up of 47 different types. Although there is a field in the SIGO where agents can indicate whether the person attended to has some sort of disability, usually this field is not filled in with sufficient reliability. Therefore, to select the events and people covered by this study, a special consultation had to be performed by looking in other fields searching for

key words related to disabilities in general. Some of those key words include: handicapped, mental disorder, mental illness, Alzheimer, dementia, schizophrenia, and their derivatives. Information is extracted from both the incidents and the people involved. Given these characteristics it was assumed that not all cases in which disabled people were involved in the SIGO's contents would be collected and that some cases may not have been recorded in the system. For this reason the statistics of this study will be considered a reliable estimate but will not necessarily accurately reflect the reality of the situation.

The aformentioned inquiry allowed the finding 10,045 records that corresponded to 4,055 events (identified by their unique file number) of 201 different types, in which 5,637 people were involved (also identified by their unique file). However, some records were duplicated since one event could have different or repeated information in certain fields or rows. Also, more than one person could be involved in the same event (one person per row) and the same person could have different information in certain fields (and then also repeated in rows) or appear in different events. Faced with such a mixture of incidents and people, it was decided that the study would focus on the analysis on 5,637 people and the first event in which they appeared.

In these 5,637 cases, we proceeded to check to see whether they were events and interventions in which a disabled person was really involved. This required a group of five assistants that examined each case one by one. They read the two fields: "subject" and "description", in which police briefly explained what happened, discarding those that are clearly not cases involving people with disabilities (e.g., disabled workers centers, scammers simulating a disability, non-disabled people who reported the loss of documents related to illness or disability, etc.). This process reduced the sample to 2,099 cases of people with disabilities who actually had been involved in interventions carried out by the Civil Guard. This task of purification was used to generate two new variables in the SIGO (unobtainable

by a direct route): the type and the degree of a person's disability. The file extracted from SIGO, once refined, was imported into the data analysis program called SPSS which recoded eleven variables analyzed in this study, two temporal (year and month of the incident), two territorial (State and Community), three criminal (type of event, type of intervention, and the link between the person and each incident) and four sociodemographic traits (gender, disabilities, degree of disability, and age). Special attention was paid to the analysis of data related to the involvement of people with disabilities with regard to the activities of criminal investigation: criminal offenses (felonies and/or misdemeanors).

RESULTS

Between 2008 and 2010 (inclusive) about 5.57 million people were involved in actions of the Civil Guard of which at least 2,099 had some type of disability, accounting for 0.038%. Of those with disabilities, 1,449 were men (69%) and 650 were women (31%). Regarding the type of involvement with police work (see Table 1), 29.92% of disabled people were involved in aid or rescues, another 21.20% of them were involved in criminal offenses (felonies and/or misdemeanors), 20.25% were involved in disappearances and/or findings, and finally the remaining 28.63% were involved in other police interventions (administrative violations, inspections and records checks and identifications, were of judicial or administrative interest, etc.).

By gender, although it is noted that more than twice as many men were involved in a criminal offense than women, this difference is not statistically significant, nor is it in the case of disappearances/findings. However, the perceived differences with special regard to aid and rescues and "other interventions" the cases were more prevelant with men than women (χ^2 [3, N=2.099]=55.228, p<.000). Figure 1 shows the distribution of people with disabilities

involved in each type of police intervention compared to the percentage of national police activity of the Civil Guard responsible for each of these types of interventions.

(Table 1)

(Figure 1)

Figure 2 shows the distribution of people by age in each type of intervention. In the range of people 0 to 14 years old and 15 to 29 it can be seen that the highest percentages are those related to criminal offenses. In the following two ranges (30-44 and 45-49) the interventions that are most comon are related to assistance or rescue, and the most common police activity involving those age 60 and older are related to disappearances and findings. These differences were statistically significant (χ^2 [15, N=2.011]=107.06, p<.000).

(Figure 2)

Considering the four types of disabilities covered by this study (see Table 2): 46.64% of the people involved had intellectual disabilities and most of them were involved in aid and rescues. 32.1% of them had a mental illness or psychiatric disorder mainly involving disappearances/findings, 7% had a physical or sensory disability and were mainly involved in criminal offenses, and the remaining 14.3% of people had a type of disability that could not be determined but were involved mainly in aid and rescues. The differences between the values of these two variables were statistically significant (χ^2 [9, N=2.099]=221,37; p<,000).

(Table 2)

Of the 2,099 people with disabilities, 445 (21.20%) of them were involved in criminal offenses (the type of police intervention with criminal implications). This amount represents 0.0079% of people recorded in SIGO during the studied time period. 265 people (59.55%)

were involved as victims, 148 people (33.26) were authors, 9 people (2.02) were witnesses or complainants and the remaining 23 people (5.17) had other relationships to the events (relatives, partners, person interested in the matter, complainant, etc.). These percentages are very close to the distribution of people in all criminal offenses in the SIGO system. With respect to the 265 people with disabilities as victims of criminal offenses, the number of women was significantly higher than that of men: 154 versus 111, respectively (χ 2 (3, N = 445) = 37.99, p <, 000). Figure 3 shows how these people were distributed in terms of the crimes and offenses in which they were involved. Those types of injustices include: injuries (21% of total), threats (9%), theft (9%) and minor indignities (5%), crime that includes abuse in the family (7%), sexual abuse and violence (adding up to 11% of the total), and robbery or intimidation (4%). In relation to authorship (see Figure 4) it was found that out of 148 people with disabilities the majority were men (129 men vs. 19 women). The offenses committed were mostly of threats and injuries (34% of total between both types of offenses), and crimes of abuse in the family (15%, to which must be added 7% more when taking into account the intra-familial abuse).

(Figure 3)

(Figure 4)

Finally, with respect to the four types of disability and their relation to criminal offenses (see Table 3), we found that out of the 445 people involved in crimes and misdemeanors, 212 of them had an intellectual disability, 65 suffered from a disability caused by mental or psychiatric disorders (such as Alzheimer's, schizophrenia, dementia, or other mental illness), 49 had a physical or sensory disability, and the remaining 119 people had disabilities of which classification was not possible because there was no record of it in the database. When analyzing the percentages, it can be observed that the intellectual and

psychiatric disabilities had a higher proportion of authors than victims of criminal offenses. The opposite trend was found in the other two remaining types of disabilities, having more victims than perpetrators (χ^2 [9, N=445]=73,33; p<,000). In 14 cases, the author and victim had disabilities. The distribution of the people involved in criminal offenses by age shows that 3.5% did not reach the age of 15, 30.6% were between 15 and 29 years, 27.4% were between 30 and 44, 20% were between 45 and 59, 12.4% were between 60 and 74, and 6% were over the age of 75. By gender, 68.31% of people with disabilities involved in criminal offenses were men (304 out of 445 people), and significantly to a much greater proportion were authors (129 men versus 19 women) (χ^2 (3, N = 445) = 37.99, p <, 000). Meanwhile out of the total number of women (141 or 31.69%) a total of 111 of them were grouped in the category of victims.

CONCLUSIONS

As there is no official record of data of people with disabilities relating to the involvement in police activity, in this study the Civil Guard's SIGO system was used to explore this question using an *ad hoc* query. Though it was on a national level it certainly failed to capture all the incidents and all the people involved from the database. This was due to the heterogeneity in the criteria for recording with the SIGO. It was tasked with a large number of variables, categories and a great volume of recorders. However, as the errors are random, the rates obtained could be considered a good estimate of reality, assuming that, although there will be more cases than those reported here, the percentages are still quite informative. Thus, after a process of data extraction and purification, which was considered to be the most rigorous possible it could be said that at least 2,099 people served by the Civil Guard between 2008 and 2010 had some type of disability, representing only 0.038% of

people served in that period, a rate that matches the prevalence of disability in our country, estimated at nearly 9% by the INE.

Confirmation of these percentages is pending further work to be performed. In this study we have described some of the characteristics of that sample, highlighting the increased presence of men (69%) than women. Half of the people with disabilities are involved in activities related to aid or rescue and disappearances or findings, which together represent a very small percentage of the Civil Guard activities (1.35%). That is at least half of the sample that has an intellectual disability (the 46.64%). The degree of the disabilities was not analyzed because the data were only a small percentage of the sample.

Without detracting from other types of situations in which people with disabilities are involved, in this work special attention has been paid to those who were involved in criminal investigations whether a crime or misdemeanor (criminal offenses accounted for 13.4% of the Civil Guard activities), 21.20% of people with disabilities were involved in them but mostly as victims (almost 60% were women). It was also found that many authors (33%; especially males mainly with intellectual and/or psychiatric disability, in accordance with overall crime statistics), find that their involvement in this type of activity declines with age. Also there are hardly any cases where both the perpetrator and victim have disabilities. The most common offenses were crimes against people's lives, integrity and freedom (33.04%), property offenses (15.73%), injuries (18.65%) and theft (6, 29%). The percentages match the usual distribution of criminal offenses since, according to general data from the SIGO and the Ministerio del Interior (Department of State), the most common are crimes against property, while in this sample are crimes against people especially crimes of intra-familial abuse, against sexual freedom and integrity, and injuries. To explain this disparity it can be hypothesized that many people with disabilities, especially those who are legally incapacitated, do not have large amounts of money and/or goods and, therefore, do not

present a profile of victims of crimes against their property while being more vulnerable to crimes against their person. This also applies to cases of authorship: people with disabilities tend to commit crimes against people rather than devise and execute attacks against people's property.

Since the data presented in this exploratory study refer to the Civil Guard's activities in their area (mostly rural), it remains to be seen what might be happening in the other police jurisdictions of our country in case there are significantly different trends. In addition to refining the collection of this type of statistical data it is necessary to to improve its quality not having to resort to extractions and purifications of the types of disabilities recorded. This could be solved by adding a field to indicate whether the person involved in a police intervention has disabilities or not and specifying what kind.

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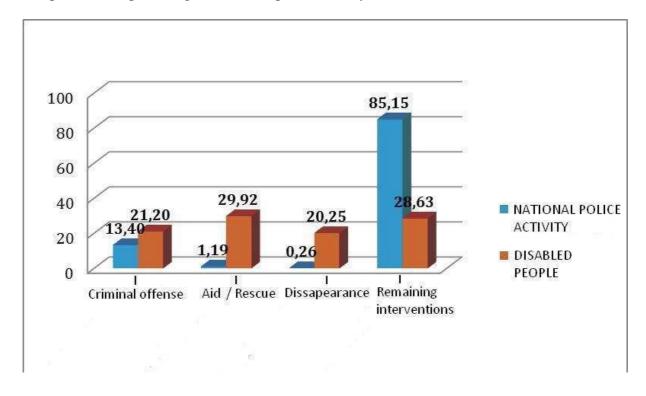
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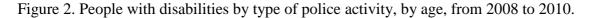


Table 1. People with disabilities involved in different types of police activity, by gender, from 2008 to 2010 year.

Gender					
	Aid / Rescue	Criminal offense	Desappearance	Remaining interventions	Total
Male	501	304	278	366	1.449
Female	127	141	147	235	650
Total	628	445	425	601	2.099

Figure 1. Percentage of people with disabilities involved in each type of police intervention, compared to the percentage of national police activity.





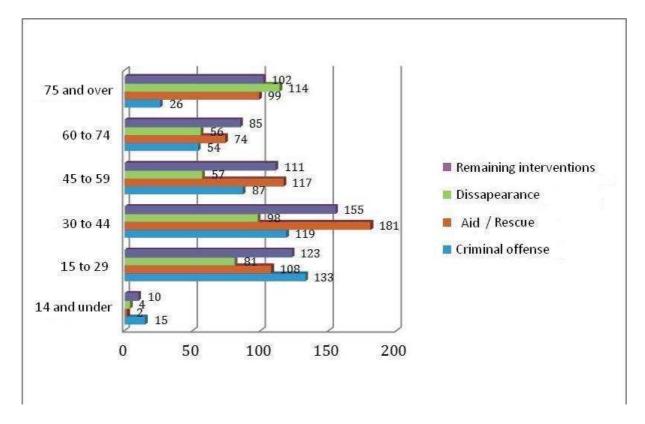


Table 2. People with disability involved in different types of police activity, by type of disability, from 2008 to 2010.

Type of	Type of police activity					
disability	Aid / Rescue	Criminal offense	Desappearance	Remaining interventions		
Intellectual	351	212	177	239	979	
Physical / sensory	37	49	7	54	147	
Mental / psychic	198	65	207	203	673	
Unspecified	42	119	34	105	300	
Total	628	445	425	601	2.099	

Table 3. People with disabilities, by type of disability and link to the incident, involved in criminal offenses investigated by the Civil Guard between 2008 and 2010.

Type of	Link to the incident				
disability	Victim / assisted	Perpetrator	Witness / complainant	Other links	Total
Intellectual	110	87	3	12	212
Physical / sensory	37	8	1	3	49
Mental / psychic	21	42	1	1	65
Unspecified	97	11	4	7	119
Total	265	148	9	23	445

Figure 3. Distribution of people with disabilities were found to be victims of criminal offenses, by type of crime.

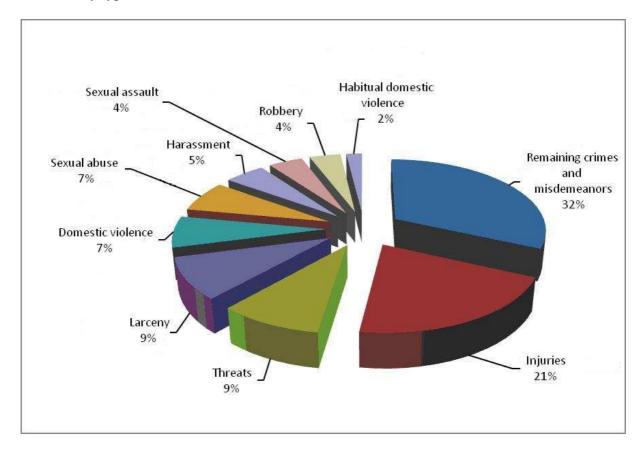


Figure 4. Distribution of people with disabilities were found to be responsible for criminal offenses, by type of crime.

