

SEXUAL OFFENSE LAWS & INTELLECTUAL DISABILITY DISORDERS

NO LEGAL PROTECTION

Pennsylvania sexual offense laws and criminal justice system take into consideration of individuals with an IDD who are charged with a sexual offense.

3% - 15% OFFENSE RATE

Estimate percentage of individuals with intellectual developmental disabilities who commit sexual crimes.

American Association on Intellectual and Developmental Disabilities (AAIDD). (2010). *Definition of Intellectual Disability: Intellectual Disability: Definition, Classification, and Systems of Supports* (11th ed.).

Emerson, E., Einfeld, S., & Stancliffe, R. J. (2011). The mental health of young children with intellectual disabilities or borderline intellectual functioning. *Social Psychiatry and Psychiatric Epidemiology*, 46(1), 87-96.

Lindsay, W. R., & Taylor, J. L. (2004). *Forensic intellectual disability*. John Wiley & Sons.

REASONS FOR OFFENDING

They over-identify with children, as a result of their own developmental immaturity.

Thompson & Brown, *The Ethics of Research with Men Who Have Learning Disabilities and Abusive Sexual Behaviour: A Minefield in a Vacuum*. 12 *Disability & Soc'y*, 695 (1997).

Some individuals with Autism Spectrum Disorder (ASD) may be unaware of the harm they caused their victims.

Murrie, D. C., Warren, J. I., Kristiansson, M., & Dietz, P. E. (2002). Asperger's syndrome in forensic settings. *International Journal of Forensic Mental Health*, 1(1), 59-70.

Individuals with ASD are impaired impulse control and empathy which can impair the individual's ability to understand the consequences of their action and cause them to act "without thinking".

Haskins, B. G., & Silva, J. A. (2006). Asperger's disorder and criminal behavior: Forensic psychiatric considerations. *Journal of the American Academy of Psychiatry and the Law Online*, 34(3), 374-384.

Ray, F., Marks, C., & Bray-Garretson, H. (2004). Challenges to treating adolescents with Asperger's syndrome who are sexually abusive. *Sexual Addiction and Compulsivity*, 11(4), 265-285.

PRISON POPULATION CONCERN

The over-representation of this group in prison populations appears to be a major current concern of social science researchers.

Lindsay, W. R., Hastings, R. P., Griffiths, D. M., & Hayes, S. C. (2007). Trends and challenges in forensic research on offenders with intellectual disability. *Journal of Intellectual & Developmental Disability*, 32(2), 55-61.

Talbot, J., & Riley, C. (2007). Now one knows: Offenders with learning difficulties and learning disabilities. *British Journal of Learning Disabilities*, 35(3), 154-161.

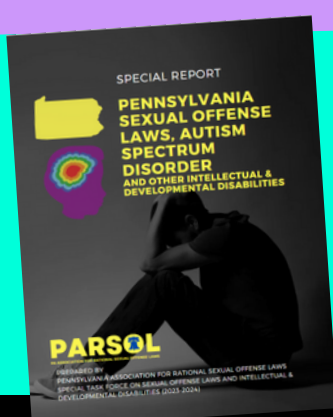
SORNA'S COLLATERAL CONSEQUENCES

"Registration can have particularly devastating effects on autistic people's lives: It further isolates and stigmatizes them, and also limits their access to services and benefits." - Mark Mahoney

Moyer, M., (07/17/2019). When Autistic People Commit Sexual Crimes. *Spectrum News*.

A BROKEN SYSTEM

- Laws do not take disabilities into consideration.
- Lack of community based resources, therapy, etc.
- General lack of education by professionals.
- Lack of organizations being aware of this issue.
- Lack of a thorough screening process in the criminal justice system.



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FIXING THE ISSUE

- Development of Diversion Programs
- Educate judges and DA's, etc.
- Legislation to take into account of said circumstances
- Registry Removal

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