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Designing IPV Risk Assessments with Deaf Communities: *Initial Considerations*

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Introduction

It is well known that CCRsⁱ have had numerous challenges in accommodating the needs of diverse survivors from various marginalized communities. As part of this project, BWJP focused on two communities: LGBTQ+ and Deafⁱⁱ communities. By using the principles of survivor-centered designⁱⁱⁱ, and listening to survivors from these communities, we hoped that we would offer CCRs and other jurisdictions ways to create programs and designs that were culturally and linguistically responsive.

A Current Scan of Practice and Research Related to Deaf and Hard-of-Hearing Survivors

BWJP started the project with a focus on survivors with disabilities. Given the time required to do justice to understanding all the various facets of the diversities and concerns within the communities, we decided to narrow the focus. As such, the decision was made to focus on deaf^{iv} survivors as a subset of underserved disabled communities. It is known that deaf women are subject to heightened rates of IPV compared with hearing women.^v A national sample including both deaf and hearing participants found lifetime prevalence rates of 27.1% for emotional abuse, 22.2% for physical abuse, and 16.9% for sexual abuse for deaf [women](#).^{vi}

Lifetime prevalence rates for deaf women

Emotional abuse 27.1%

Physical abuse 22.2%

Sexual abuse 16.9%

One consistent problem in conducting research with people with disabilities is assuming that the population is homogenous. Such thinking limits the utility of this research for specific populations.^{vii} Notably, deaf people in the U.S. do not view themselves as people with disabilities. They generally consider themselves to be a distinct cultural and linguistic group.^{viii} The prevalence of IPV within deaf communities is also uncertain because of inconsistency in the definition of IPV across [studies](#).^{ix}

A common theme prevalent when analyzing surveys of deaf people is the lack of questions concerning sign language use and cultural identity.^x The U.S. Census question about languages spoken apart from English does not include American Sign Language (ASL) usage. Despite the continuing efforts of deaf advocates to collect this information,^{xi} the U.S. census fails to collect a precise count of ASL users, unlike its gathering of data on spoken languages. The lack of reliable data hampers the effective provision of services to deaf survivors.

Risk and Lethality Assessments with Deaf Communities

One CCR-specific theme identified in our scan of current practice and research is the lack of knowledge around the use of risk and lethality assessments with deaf communities. The last comprehensive literature review in the subfield of intimate partner violence against deaf women was published in 2011.^{xii} The literature review did not include any studies that examined that validity and effectiveness of risk assessments for deaf survivors. Some have sought to establish the reliability and validity of non-IPV pre-existing risk assessment measures with deaf populations. Important lessons and useful directions can be gleaned in ascertaining the appropriateness of IPV risk and lethality instruments from their work.^{xiii}

The Process

After completing a comprehensive literature review and analysis, BWJP sought the perspective and insight of individuals with direct knowledge of deaf survivors' experiences in CCRs. We reached-out to advocates that worked with deaf survivors around the country. Early on, one deaf advocate pointed-out that because BWJP, like the vast majority of other hearing organizations, had not developed relationships with deaf organizations before this project, it would be difficult to find deaf survivors willing to speak with us – we had not earned that level of trust yet. Following the counsel of this advocate, we pursued conversations with deaf and hard-of-hearing advocates as well as hearing advocates who serve deaf people on a regular basis.



From previous our work on other projects we had a couple contacts for advocates working in deaf communities, including both hearing advocates as well as deaf advocates. We reached-out to these contacts and explained our desire to better document how deaf IPV survivors experience (or don't experience) the interventions of mainstream CCRs, as part of our larger effort to "reimagine" CCRs that worked for everyone. We answered every question we could as precisely as possible and agreed with every condition and term presented to us. Although, in fact, we had a short timeframe beyond our control, we did not rush these initial stages of information-sharing and relationship-building.

Advocates representing marginalized survivors frequently challenge the practice by mainstream organizations to use the knowledge and experiences of marginalized survivors and advocates for their own projects, without fair compensation or credit. BWJP made sure all the individuals and organizations that assisted with this project were fairly compensated them for their time, and given formal credit for their contributions. Every individual to whom we reached-out graciously agreed to share their time and thoughts with us.

Given the focus of our work, eliminating language and communication barriers for purposes of our conversations was obviously a top priority. We asked the deaf



advocates who agreed to speak with us to identify their preferred American Sign Language (ASL) interpreters ahead of time and we arranged for these interpreters to be compensated by us. Interviews in English were held for approximately 60 minutes, and those in English and ASL were held for approximately 120 minutes. We did not interview advocates who spoke languages other than English and/or American Sign Language, only because the shorter timeline of this project abbreviated our outreach. Connecting with advocates who use spoken languages other than English, and signed languages other than American is a goal of ours. A list of the questions posed to the advocates is found in Appendix 4 to this report.



Knowledge Gleaned from Advocates

This report focuses on removing barriers for deaf IPV survivors who are critically underserved and marginalized by legal systems, advocacy programs, and hearing communities generally. By utilizing survivor-centered design and the tools of institutional analysis, CCRs can be “reimagined” for deaf survivors of IPV. And the barriers are plentiful for these communities. For example, domestic violence programs themselves are inaccessible or unavailable to many deaf survivors. One study of 598 battered women’s programs found that, of all disability categories, women with hearing or vision impairment are least likely to be served by battered women’s shelters.^{xiv} As one advocate described:

“Deaf people are turned away, but many can’t even make the first contact. Staff turnover is high at places like shelters or other service providers and when they get a call from the relay service, they don’t know what that is so they hang up the phone on the interpreter thinking it’s a spam call or a recording. Many others know what a videophone or TTY is and may even have one, but don’t know how to use it! This is pretty much the equivalent to having nothing at all.”^{xv}

By utilizing survivor-centered design and the tools of institutional analysis, CCRs can be “reimagined” for deaf survivors of IPV.



There are numerous other barriers as well. Language access in the legal systems is a ubiquitous barrier for deaf survivors, and the burden of this falls heavily on survivors. One advocate shared that

“systems are always relying on deaf survivors to communicate with them.”^{xvi}

Another advocate described the court’s downplaying of the role of ASL interpreters, and the importance of using the right interpreter.

“For example, if I say this interpreter is not a good fit for this particular person the court will push back on that. I’m not advocating for fun but because this case will not go well if you don’t get the right interpreter.”^{xvii}

Relatedly, an advocate pointed out that individuals that identify as deaf might need different communication accommodations. She states,

“Deafness is a spectrum. [Hearing] people tend to jump to a [false] conclusion that deafness means that someone needs an ASL interpreter. That may not be the accommodation they need in order to effectively communicate. It’s always important to ask the individual directly what works best for them.”^{xviii}

Law enforcement presents specific issues for deaf individuals. According to advocates, law enforcement pays particular notice or regard to the issues and barriers of deaf communities. One advocate made the following observation:

“We deaf people all know someone that has spent days in jail without access to a videophone, without access to communication, or access to anyone on the outside. Or very serious harm from the police and the system. There’s fear and misunderstanding about what you can get from

the system anyway. It's frustrating because they're not getting what they need. And that's most white deaf people, never mind deaf survivors of color."^{xix}

Another advocate pointed out that *"When a deaf person is arrested and their hands are cuffed behind their backs, that's like putting tape over someone's mouth. A deaf person can't talk without the use of their hands."*^{xx}

No distinction is made by law enforcement of the disparate impact standard responses have on these communities. Deaf IPV survivors feel very disinclined to rely on law enforcement because stories and experiences like this pervade deaf communities.

The advocates BWJP interviewed identified distinct deaf cultural values important to consider when reimagining

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CCRs that respond appropriately to deaf individuals. One advocate noted,

"Deaf support deaf. If deaf people know that deaf people are being served, they'll come. Word of mouth is everything in the deaf community."

This suggests more intimate and distinct communication channels than in much of the hearing community.

Another cultural consideration is that some deaf people have less information about how systems work generally. Systems accommodate deaf and hard-of-hearing individuals poorly and take for granted that there is information that is generally "known" through exposure to institutions, media, public events, and even overheard conversations. Much of this "background noise" that shapes and informs hearing people's knowledge and understanding, is not available to deaf individuals. A lack of information regarding IPV and lack of access to specialized IPV



services are pervasive problems affecting deaf survivors. Many deaf people do not label their experiences as abuse.^{xxii} It is common for deaf victims to receive services or information about IPV from providers who are generalists and who do not specialize in gender-based violence.^{xxiii} One deaf advocate/survivor shared the following:

"I never received information about domestic violence, even having worked in social services...When we talk about services it has to be deaf people leading, because we are well-trained to do that outreach. The relationship of deaf women to other deaf women is very important. Being a Deaf woman, I was (and am) able to provide advocacy directly to other deaf women directly in their native language. We would have loved to have a dedicated domestic violence advocate, but often hearing organizations get the funding to serve deaf people instead."^{xxiv}

Several advocates noted that the close-knit culture of deaf communities can sometimes be a barrier to discussions of gender-based violence, and also to accessing information and support.^{xxv} Survivors may avoid treatment due to valid concerns about confidentiality—reduced anonymity within deaf communities, fears about confidentiality among sign language interpreters, and unease about



deaf providers and ASL interpreters who belong to the same social circles as their clients.^{xxvi} On the other hand, deaf communities are strengthened by their internal diversity.

Deaf communities include all genders, ethnicities, races, classes, disabilities, ages, nationalities, religions, geographies, and other cultural identities.^{xxvii} The advocates we interviewed pointed out that some of the collective strengths of deaf communities are mirrored in other tight-knit communities, for example, people living in immigrant communities and small towns across the U.S. These cultural considerations are critical in devising CCRs that eliminate barriers to IPV services for deaf people. Utilizing survivor-centered design ensures that the knowledge and experiences of the impacted community – in this case, deaf communities – inform every aspect of how CCRs should operate to serve the considerations of these communities. Below are recommendations for reimagining CCRs for deaf communities using survivor-centered design.



Recommended Best Practices

Using survivor-centered design (from the principles of human centered design) and the tools of institutional analysis as described earlier, BWJP has five initial recommendations for Coordinated Community Responses to recognize and eliminate barriers for deaf survivors of intimate partner violence.

Address the cultural considerations of deaf survivors

Design risk assessments for deaf survivors with deaf survivors

Develop alternatives to standard criminal system responses so deaf survivors have a range of options from which to choose

Begin data collection on accommodations, service provision and outcomes for deaf survivors

Include deaf survivors in the Coordinated Community Response



Address the cultural considerations of deaf survivors

CCR teams can include training for all legal system practitioners on deaf culture and language. Advocates shared stories of situations in which deaf survivors were arrested and handcuffed for being “aggressive” because they used animated signing, which is one way which deaf people express distress through ASL. Training can offer legal system practitioners a better understanding of how sign languages function differently as languages, and how they differ from spoken languages. For example, one sign in ASL can mean several different English words and this has significant consequences for interpretation and mutual understanding between deaf survivors and legal system practitioners.

To further bridge the cultural chasms created by language barriers, CCR teams can utilize Certified Deaf Interpreters (CDIs) at more frequent intervention points in legal systems, as well as in social service and advocacy systems. CDIs can help balance the power dynamic between hearing and deaf people in a room. And even though it costs more up-front to use CDIs, they speed up the process, reduce misunderstandings and ultimately save both time and money. And crucially, deaf survivors are less likely to be screened out of domestic violence services. Language and cultural barriers are also reduced when intakes and interviews are conducted with CDIs and over video conference, since so much deaf communication relies much more on physical and facial expression. It is important that legal system practitioners understand other aspects of deaf culture

too, such as collectivism in deaf communities. The strong group affinity and loyalty in the deaf community create particular challenges for deaf survivors, deaf witnesses, as well as deaf defendants. Deaf people deeply care about other deaf people—even if they cause harm—and there are strong incentives to keep deaf people out of prison. Related to this collectivism in the deaf community, referrals are much more likely to be successful if someone within the deaf community endorses a referral. Many deaf people have had negative experiences with hearing people, and less likely to rely on their referrals or recommendations for services. “Warm handoffs” are very important, especially when working with the criminal justice system.

A final way to redesign a CCR to better account for deaf culture is by making more comprehensive, thorough information available to deaf individuals because they are less likely than hearing people to be absorbing contextual information passively. Although access to the Internet is changing this, many deaf people still experience an information deficit as compared to hearing people. Legal systems can accessibly provide richer contextual information about how courts work, who is involved, and the rights of both victims and the accused. Service organizations can offer fuller information about domestic violence, and conversely, healthy relationships to survivors. Organizations can dedicate extra staff time to providing information on all resources, options and possible ramifications to deaf survivors who are making decisions about their lives and safety.



Design risk assessments for deaf survivors with deaf survivors

The advocates we interviewed provided a wealth of recommendations related to how CCRs can assess for risk with deaf survivors. According to the advocates, risk assessments may be useful assuming that “any kind of communication is in plain language, including in ASL, recognizing that ASL is a gestural language not based on English.” This advocate further shared, *“We’re looking at all of our documents in our agency to make sure these are culturally-informed: not using metaphors, analogies, euphemisms.”*^{xxviii}

Standard written risk assessments, however, have not worked well for many deaf survivors. One advocate explained: *“Deaf people contact our agency regularly and ask questions about written documents: What is this? What does it mean? Written assessments aren’t necessarily useful. Explaining things live and in person to deaf survivors is better and trying to gauge their understanding live is more important. Just because they’re reading straight from the page doesn’t mean they understand it. We’ve created our own safety plan that better serves deaf survivors.”*^{xxix}

Importantly, a deaf IPV survivor has different vulnerabilities than hearing IPV survivors, and the forms of abuse they experience are distinct, and the indicators of risk are distinct. One such risk indicator that is overlooked is that of communication abuse. This includes snooping through, confiscating or destroying communication devices, preventing people from communicating with others, and intentionally signing quickly or refusing to sign.^{xxx} Any assessment should include screening for such a form of abuse so that deaf survivors can experience some safety. Deaf survivors, advocates and their communities have the most informed understanding of how danger and risk should be measured in and play a critical role in designing risk assessments that might help save lives.

Develop alternatives to standard criminal system responses so deaf survivors have a range of options from which to choose

Deaf individuals have had a fraught history with legal systems. Many have worked closely within their communities to build alternatives to responding to emergencies and violence to avoid the

risks involved in reaching-out to the legal system. For Black, Indigenous, LGBTQI deaf people, as well as all the deaf individuals with multiple historically marginalized identities, the risks posed by legal system intervention are that much greater. Deaf communities have had to develop other options. One advocate explained:

“Deaf people don’t necessarily want to call the police. If that’s your first or only recommendation, you’re not culturally aware. Deaf individuals often have fear in calling the police. A person-centered approach has to be in place. You have to help people determine who is a safe person in their life and who is not without the police being a go-to response,”^{xxxix}

She continued:

“When two Black deaf people who said they weren’t interested in calling the police called the state domestic violence hotline, they were offered 9-1-1 as a solution. That is not acceptable advice.”^{xxxix}

Every community that is wrestling with designing alternative responses to legal system involvement in crises and conflict would benefit greatly by inviting the wisdom and experience of deaf communities to these discussions. Deaf people need to have numerous options available to them, that allow them to meaningfully weigh risk, when confronting IPV, and other, crises.

Begin data collection on accommodations, service provision and outcomes for deaf survivors

In designing more appropriate responses to deaf communities, CCRs should include more robust data collection as a strategy. Documenting accommodation requests received, types of accommodations made (or not), victim engagement levels and attrition, services offered, and other outcome measurements will provide critical insight into understanding what is and is not effective in existing CCRs for deaf individuals. When accommodations and services are provided, the quality of those accommodations and services should be assessed through surveys or third-party evaluations.^{xxxix}



Include deaf survivors in the Coordinated Community Response

An effective, reimagined Coordinated Community Response (CCR) to IPV must center the needs identified by marginalized survivors in their community. Deaf individuals, advocates (hearing and deaf) that work on behalf of deaf survivors, and experts in deaf languages and cultures need to be involved in these reimagined responses. Time and intention are necessary to conduct real and meaningful outreach to different segments of various deaf communities, and to build foundational trust and relationships with these communities. CCR members must have a genuine desire to build truly equitable CCRs and an openness to new ideas and ways of thinking and doing. Deaf individuals and advocates will likely recognize merely perfunctory or tokenized inclusion and be quick to withdraw their participation. Deaf participants must have actual/formal power to shape CCRs of the future. Like one advocate notes:

“Deaf survivors need to feel connected in a way that helps build trust. There is a huge disconnect between the criminal justice system and deaf individuals understanding laws and receiving services and a lot of fear associated with it. And that is all about relationship-building. In a perfect world there would be a lot of integration and connection between the two.”^{xxxiv}



Concluding Remarks

As CCRs continue to do their reimagining, it would be critical to remember that although deaf survivors share a similar and unifying experience, they are also diverse being.^{xxxv} There are numerous national organizations that can assist in creating space that are deaf responsive.^{xxxvi} Survivors from these communities and the advocates serving them must be given the power to determine their own needs, with funding for deaf advocates to serve deaf survivors.

**“Deaf survivors need to feel connected
in a way that helps build trust.”**



Appendix 1

Questions for Advocates

Questions were developed to guide the conversation with advocates who serve deaf survivors.

1. What is your job? How do you (or have you) served Deaf survivors of intimate partner violence?
2. How long have you (did you) been doing this work?
3. What do deaf survivors need from the criminal justice system?
4. I'm interested in the particular needs of deaf survivors, that go beyond language access or linguistic considerations. What do hearing professionals who work with survivors need to know about the culture of deaf people in order to serve them better?
5. What is your experience with how deaf survivors use written documents given them by the police, prosecutors, advocates, and others in the court system? [Display risk assessment instruments, the Danger Assessment and Lethality Assessment Protocol, to the advocates.]
6. Do you think these risk factors make sense for deaf populations? Is there a question missing or a question that doesn't make sense to deaf populations?
7. Is there anything else I should be thinking about? Recommendations for the criminal justice system?
8. Could you describe cultural considerations that are relevant to working with deaf survivors?

- i. See BWJP 2022. Reimagining CCRs and IPVI LGBTQ papers for elucidation.
- ii. There is a vast body of research on the deaf community. In the area of IPV and deaf communities, the Vera Institute of Justice's Securing Equal Justice project has done remarkable work in creating visibility for deaf communities along with other disability concerns.
- iii. op.cit. BWJP 2022
- iv. This report uses the word deaf to refer to all people who may identify as deaf, deafblind, deaf disabled, hard of hearing, late-deafened, and hearing impaired. This definition is consistent with the one offered by the National Deaf Center (2020) and recognizes that many people have an identity that is fluid, changes over time, and fluctuates with the setting. For greater elucidation on the challenges see. Guthmann, D., Lomas, G.I., Goff Paris, D., and Martin, G.A. (Eds.) (2021). *Deaf People in the Criminal Justice System: Selected Topics on Advocacy, Incarceration, and Social Justice* (pp. viii-ix). Gallaudet University Press.
- v. Pollard, R. Q., Sutter, E., & Cerulli, C. (2014). *Journal of Interpersonal Violence*, 29, 948-965.
- vi. Ibid.
- vii. Ibid.
- viii. See, e.g., Pendergrass, K. M., Newman, S. D., Jones, E., & Jenkins, C. H. (2017). Deaf: A Concept Analysis From a Cultural Perspective Using the Wilson Method of Concept Analysis Development. *Clinical Nursing Research*, 28(1), 79–93; Lane, H. (2005). Ethnicity, Ethics, and the Deaf-World. *Journal of Deaf Studies and Deaf Education*, 10(3), 291–310. <https://doi.org/10.1093/deafed/eni030>
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- xiv. Obinna, J.; Krueger, S.; Osterbaan, C.; Sadusky, JM.; DeVore, W. Final report submitted to the National Institute of Justice. Washington, DC: 2006 February. Understanding the Needs of the Victims of Sexual Assault in the Deaf Community. (NCJ 212867), available at www.ncjrs.gov/pdffiles1/nih/grants/212867.pdf
- xv. Brandy Macaluso-Owens, a hearing advocate and Chief Programming Officer at Center for Independent Living Options, a civil rights organization for deaf people and people with disabilities in Florida.

- xvi. Jacqueline Mamorsky, a Deaf advocate and Project Coordinator at My Sisters' Place, a domestic violence and human trafficking program in Westchester County, New York.
- xvii. Steph Ritenour is a Deaf advocate and Director of Programs at ThinkSelf, an agency serving deaf adults seeking full access to options for learning, safety, justice, employment skills, and community in Minnesota.
- xviii. Maria Armstrong is a hard of hearing Child Of Deaf Adults (CODA), an ASL interpreter, and Project Director at HEAL of Tri-County in New Jersey, a collaboration to pioneer in providing full accessibility and support for deaf survivors of domestic and sexual violence.
- xix. Op.cit. Steph Ritenour.
- xx. Op.cit. Jacqueline Mamorsky.
- xxi. Mastrocinque, J. M., Thew, D., Cerulli, C., Raimondi, C., Pollard, R. Q., & Chin, N. P. (2015). Deaf Victims' Experiences with Intimate Partner Violence: The Need for Integration and Innovation. *Journal of Interpersonal Violence*, 32(24), 3753–3777. <https://doi.org/10.1177/0886260515602896>
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- xxiv. Susan Wolf-Downes, a Deaf survivor of intimate partner violence, board chair at Our Deaf Sisters, a deaf-led intimate-partner violence organization in Massachusetts, and retired Executive Director at Northeast Deaf and Hard of Hearing Services, a deaf social services organization in New Hampshire.
- xxv. Ibid.
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- xxviii. Op.cit. Maria Armstrong
- xxix. Op. cit. Brandy Macaluso-Owens..
- xxx. Ibid.
- xxxi. Op cit. Maria Armstrong.
- xxxii. Op.cit. Steph.
- xxxiii. Ibid.
- xxxiv. Op.cit. Maria Armstrong.
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