



**House Judiciary  
HB 1537  
February 7, 2023**

Rep Klemin and committee members. I am Kirsten Dvorak, Executive Director of The Arc of North Dakota.

The Arc and its six chapters throughout the state advocate for and with people with intellectual and developmental disabilities (IDD) to protect and advance their human rights and ensure their full participation as citizens of safe and inclusive communities. Like all citizens, people with IDD have a right to justice and fair treatment in all areas of the criminal justice system, including when they become victims of hate crimes.

The Arc of the United States reports that “individuals with IDD are significantly more likely to be victimized (at least two times more likely for violent crimes and four to ten times more likely for abuse and other crimes), yet their cases are rarely investigated or prosecuted because of discrimination, devaluation, the prejudice that they are not worthy of protection, and false stereotypes that none can be competent witnesses. Their victimization comes in many forms, including violence, oppression, financial exploitation, sexual exploitation, and human trafficking.”

People with disabilities have been isolated, marginalized, and dehumanized throughout history. And while significant work has been done to improve the lives and treatment of people with disabilities, hatred towards people with disabilities still exists. In 2019, the Federal Bureau of Investigation reported 170 hate crime incidents based on disability. And the number of victims was likely much higher than what is reported

Because violence against people with disabilities is under-reported, these individuals are considered invisible victims – we cannot see what is not reported. Crimes are underreported for a variety of reasons. Barriers to reporting include communication challenges, being taught to be compliant and not cause a problem, fear of retaliation, negative interactions with law enforcement or the justice system, and lack of support and accommodations when reporting.

There is significant work in criminal justice to make justice and fair treatment a reality for people with IDD and other disabilities. Today we can take one step towards that goal. By voting yes, you are giving people with disabilities the power to speak up for themselves and the ability to seek justice. Thank you.

Kirsten Dvorak

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