



Testimony of Kimberly Shellman  
In Support of SB 918 AN ACT CONCERNING THE  
SEXUAL ASSAULT OF PERSONS WHOSE ABILITY TO  
COMMUNICATE LACK OF CONSENT IS  
SUBSTANTIALLY IMPAIRED  
Judiciary Committee Public Hearing, February 23, 2011

Senator Coleman, Representative Fox, and members of the Judiciary Committee, my name is Kimberly Shellman, and I am the Assistant Director for the New Britain and Hartford Sexual Assault Crisis Service, a program of the YWCA New Britain. I am writing in full support of SB 918 AN ACT CONCERNING THE SEXUAL ASSAULT OF PERSONS WHOSE ABILITY TO COMMUNICATE LACK OF CONSENT IS SUBSTANTIALLY IMPAIRED. The YWCA New Britain provides services to all towns in Hartford County plus Plymouth and part of Tolland County, including responding directly to 14 hospitals throughout the state.

As a former advocate who has counseled and advocated for many survivors of sexual assault, I have seen first hand the emotional devastation that survivors experience. I have worked with a diverse population of survivors, including many survivors with disabilities. Individuals with disabilities are one of the most at risk populations in our society. Up to 83% of women with developmental disabilities and 32% of men have been victims of sexual assault.<sup>1</sup> These are staggering statistics, especially considering that of those who will become victims, 49% of those victims will experience 10 or more abusive incidents.<sup>2</sup> Through the advocacy I have done I found that many survivors blamed themselves for the assault, and this thought was often perpetuated by the greater society. Some survivors have not been believed and when attempting to report the abuse some officers did not deem the survivor credible due to their disability.<sup>3</sup>

Individuals with disabilities deserve protection under Connecticut law. In 2009 a CT Appellate court overturned the verdict of a man who had been found guilty of raping a woman with severe disabilities.<sup>4</sup> The court found that the woman had not communicated her lack of consent. This idea perpetuates the false notion that victims are responsible for their rapes. It has been widely accepted that "no" means "no," however, should this mean that the absence of "no" means "yes"? A clearly communicated affirmation is the only way to confirm sexual consent. Individuals with disabilities may have difficulty communicating, or may be afraid to say no out of fear for their safety. They should not be blamed for their assault.

Sexual assault is a horrific crime, and it is an ordeal that no one should ever have to deal with. Individuals with disabilities are at higher risk for abuse and deserve laws that will protect their safety. I ask that you consider the rights of the individuals who have been victimized and please support strengthening sexual assault laws to protect people with disabilities.

Thank you for your time and consideration. If you would like to discuss this matter any further I can be reached at (860) 241-9217 x13

Regards,

Kimberly Shellman  
Assistant Director  
YWCA New Britain- Sexual Assault Crisis Services

1. Johnson and Sigler. "Forced Sexual Intercourse Among Intimates." *Journal of Interpersonal Violence*. 15.1 (2000)
2. Valenti-Helm and Schwartz. "The Sexual Abuse Interview for Those with Developmental Disabilities." (1995)
3. Kelly and Connelly, "Making a Statement: An exploratory story of barriers facing women with an Intellectual disability when making a statement about sexual assault to police." *Disability and Society*. 16.2 (2001): pp.273-291.
4. State of Connecticut v. Richard Fourtin. AC 29899. CT Appellate Court. Nov. 2009.