

Arc of Denver Position on Sexuality and the rights of people with developmental disabilities

The Arc of Denver operates on the premise that people with developmental disabilities have the same human and civil rights as any world citizen. The core of our mission is to respect and protect those rights.

This mission is supported and strengthened by the positions adopted by AAMR and Arc of the United States on HUMAN AND CIVIL RIGHTS, ADVOCACY, SEXUALITY AND CRIMINAL JUSTICE in May and November of 2002.

We reject the validity of tools currently used in Colorado to restrict the rights of people with developmental disabilities prior to legitimate criminal conviction. Plethismographs, polygraphs and Abel are intrusive and not supported by research to be legitimate for use in diagnosis or therapy. Research does not support the reliability or validity of these applications when used on people with cognitive disabilities.

(amendment to the DEPARTMENT OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2000, published in the congressional record)

Our constituents frequently lack access to appropriate sex education in schools and as adults and to training in parenting and child rearing thus, are commonly erroneously suspected of inappropriate sexual behavior

The position paper published by AAMR & Arc United States on advocacy states: “Advocates have an ethical obligation to represent the desires and needs of the person they represent, regardless of their own personal opinions on the matter.” And later in that same position: “Advocates must be careful to recognize and set aside their own needs and desires that may conflict with those of the individual they are advocating for. If there is a conflict of interest, the advocate should withdraw from the decision making.” The Arc of Denver passionately agrees with these statements. When applied to the sexual rights of our constituency, we view this as our primary focus.

We acknowledge that there are people with developmental disabilities who are sexually deviant but, feel strongly that public safety is the role of social services, law enforcement and the courts.

Viewing an act through the person, rather than the person through an act, helps avoid stereotypical reaction, when response to crime threatens to override rational deliberation. Thorough and objective evaluation that has reliable validity, must take place before a person is labeled deviant in any way.

In Summary

Every person has the right to exercise choices regarding sexual expression and social relationships. The presence of mental retardation and related developmental disabilities,

regardless of severity, does not, in itself, justify loss of rights related to sexuality.

Attachments;

AAMR - Arc of the United States position papers

amendment to the 2000 appropriations act

excerpt from CLIENT CHOICE by David Hinsberger