

## **Sexuality in People Who Have Intellectual Disability: Rights, Behaviors, Responses, and Professionalism**

One of the major areas of historical infringement of rights and freedoms, which often results in significant emotional and behavioral problems for individuals with Intellectual Disability and mental health needs, is sexual freedoms.

Sexuality is a complex and controversial subject when working with people who have Intellectual Disability and mental health needs. Sexuality is not limited to sexual contact, but also includes how people see themselves as either male or female and how they behave in response to these self-perceptions. Sexuality includes dating behavior, grooming, modesty in dress, etc.

Due to the historic denial of rights, privileges, freedoms, needs (and in general, anything) related to sexuality in people who have complex disabilities, there have been serious problems. These include inappropriate expression of sexuality and being victimized by others due to the lack of information of how to protect themselves or what is normal among others.

Unfortunately, in the desire to maintain what many consider moral behavior and to protect people who have complex disabilities from being abused and the risk of the other consequences of sexual behavior, many have been unnecessarily injured – both physically and emotionally.

Further, because most people who have significant disabilities receive little, if any, training related to appropriate sexual behavior, some have exhibited inappropriate sexual behavior.

People who have Intellectual Disability have been seen by many in society (who don't know or understand people who have Intellectual Disability) as perpetual children. By their thinking, if people who have Intellectual Disability are children (or the same as children) they should be prohibited from having sex because we do not allow children to have sex. Thus there is no need for training related to sexuality.

For much of society, it is much easier to impose an external law, rule, or artificial limitation on sexual behavior than it is to mandate and assure responsible and professional training and related behavior among staff that work with people who have Intellectual Disability.

The result of this denial of sexuality is the imposition of sexual standards on people who have significant disabilities that are stricter than they are for the general population. This "super-human standard" results in frustration and confusion for the person who

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has Intellectual Disability as they try to legitimately meet the conditions for intimate adult behavior.

Unfortunately, the unintended result of the artificial rules and the frustration that follows is resistance and oppositional behavior. It also tends to result in what others may consider “abnormal” or deviant behaviors as they attempt to get their physical needs met. This unfortunately proves the statement that “artificial environments tend to produce artificial behavior.” This is similar to the behavior that many have heard reportedly occurs in prisons.

How staff respond to the expression of sexuality by the individuals who have Intellectual Disability and mental health needs could:

- A. Temporarily reduce problems for staff – if they ignore, punish, or in some other way deny or suppress the issues the individual is expressing, or;
- B. Result in long-term problems for the person who has Intellectual Disability – especially if the individual believes that the normal expression of sexuality is bad or wrong.

Even if the person does not have the skills to express their sexuality as others of the same age would, it is important to recognize that it is normal for humans to express their sexuality in a variety of different ways.

It is equally important for staff to assist the individual to learn appropriate ways to express their sexuality. How staff responds to the expression of sexuality could also represent an infringement upon that person’s rights – if a consumer is treated any differently than we would treat others unless there is a legal or approved clinical reason to do otherwise.

Alternatively, if issues of sexuality are not addressed for all the people in a program or agency, this could be determined to be an infringement on the rights of all of the people enrolled in that program. A clear, clinically based plan which restricts certain behavior and which the necessary authorities approve may also be used to justify restrictive behavior for therapeutic reasons.

Staff do not have the right to suppress the normal expression of sexuality on their own. This is true as long as the expression is within the legal boundaries established by society and the expression of sexuality does not constitute a serious risk to the individual or others. There are legal reasons for restrictions, which may include issues around guardianship or previous violations of laws that continue to have legal consequences (such as probation). Staff must follow the laws and rules that relate to

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sexual behavior, and participate in planned training programs as dictated by the individual plan.

How staff responds to the expression of sexuality could damage the individual's personal growth and self-image if staff do not behave in a professional and compassionate manner. Staff should respond with compassion and understanding when counseling and otherwise discussing issues associated with sexuality.

Many staff are uncomfortable discussing sexuality and/or specific sexual issues. If a consumer seeks out a staff person to discuss issues of sexuality with a staff person who is uncomfortable, the staff person must have a professional and caring response prepared and a suggested alternative person or persons. In any case, the supervisor should be notified that there was a "deflection" so they can follow-up and assure that the question the individual had was professionally addressed.

One way to help teach people who have Intellectual Disability and mental health needs to understand what is appropriate in regards to sexuality is called the "CLASP Rules."

The letters of the CLASP Rules stand for:

### **C = Consensual**

Consensual means that the people involved are informed about the potential risks and benefits (consequences), they have both consented to the activity, and both know how to stop the activity. More importantly, both know they have the right to withdraw consent at any time, that "NO" always means "no," and it never means anything else.

They know that "Stop" means to stop everything now. If it is **not** consensual it is considered rape and rape is illegal.

### **L = Legal**

Basically, this means to comply with all of the other letters. It has also been explained that if they believe it is "bad" or "illegal" they should not proceed until they find out if it is legal.

### **A = Adult**

Sexual contact, discussions, and feelings are only acceptable between adults. It is NEVER acceptable for any sexual contact between an adult and a child because sexual

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contact between an adult and a child is illegal. Likewise, sexual contact between children cannot be condoned nor supported in any way.

### **S = Safer**

Safer means that there is no such thing as “safe” sexual contact – but there are things that can make it safer. Safer includes knowing the person you want to be with well. Safer includes learning what you need to know so that you do not put yourself at unreasonable risk to be victimized.

Safer includes the use of a condom for any sexual contact involving a male. To not use a condom puts the individual and others at risk for HIV and other sexually transmitted diseases. Spreading diseases makes the person a public health risk. It is illegal for someone to be a public health risk.

### **P = Private**

“Private” means more than not being where others are. This is a common misunderstanding among people who have Intellectual Disability. Many people who have Intellectual Disability are familiar with people who have “snuck away” to some place private – such as the woods at the end of the block or the bushes in the park.

Specifically, “private” means that sexual behavior of any kind needs to occur where other people are not likely to be – and that it be in a place designed for privacy (alone, not in a public place – where others are allowed to go), etc.

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