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The Investigation Process of Sexual Abuse Crimes Against Victims with Disabilities

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This study aims to analyze the investigation process of sexual abuse crimes against persons with disabilities at the Sorong City Police Station and identify the factors that cause children with disabilities to be vulnerable to becoming victims.

The research method used an empirical juridical approach with qualitative methods. Data were collected through in-depth interviews with investigators from the Sorong City Police Station's PPA Unit, analysis of legal documents such as the Criminal Procedure Code, Law No. 8/2016 on Persons with Disabilities, and Law No. 12/2022 on Sexual Violence Crimes, as well as field observations and literature studies.

The novelty of this research lies in the development of an integrative investigation model based on trauma-informed care, specifically designed for the context of Sorong City, taking into account the unique characteristics of Eastern Indonesia. Unlike previous studies, which tended to be partial and theoretical, this study presents a holistic approach that integrates various important dimensions into a single operational framework that is ready for implementation.

The results of the study show that the investigation process faces obstacles in the form of difficulties in communicating with victims with disabilities, limited evidence, and a lack of supporting facilities. Effective solutions include adaptive communication approaches and multisectoral collaboration. Factors contributing to the vulnerability of victims include the exploitation of their powerlessness by perpetrators, the lack of inclusive sex education, social stigma, and the victims' dependence on perpetrators, who are often people close to them. These findings indicate the need for a specialized investigation approach and holistic prevention strategies.

In conclusion, the investigation process for sexual abuse cases against persons with disabilities requires a specific approach that considers the needs of victims, including investigator training, adaptive communication protocols, and strengthening of supporting infrastructure. Prevention efforts should focus on eliminating vulnerability factors through strengthening inclusive sex education and public awareness campaigns.

Keywords: Criminal Investigation; Sexual Abuse; Persons with Disabilities; Sorong City Police.

Abstrak

Penelitian ini bertujuan untuk menganalisis proses penyidikan tindak pidana pelecehan seksual terhadap penyandang disabilitas di Polres Kota Sorong serta mengidentifikasi faktor-faktor yang menyebabkan anak penyandang disabilitas rentan menjadi korban.

Metode penelitian ini menggunakan pendekatan yuridis empiris dengan metode kualitatif, data dikumpulkan melalui wawancara mendalam dengan penyidik Kanit PPA Polres Kota Sorong, analisis dokumen hukum seperti KUHP, UU No. 8/2016 tentang Penyandang Disabilitas, dan UU No. 12/2022 tentang Tindak Pidana Kekerasan Seksual, serta observasi

lapangan dan studi literatur.

Kebaruan penelitian ini terletak pada pengembangan model penyidikan integratif berbasis trauma-informed care yang dirancang khusus untuk konteks Kota Sorong dengan mempertimbangkan karakteristik unik wilayah Indonesia Timur. Berbeda dengan penelitian-penelitian sebelumnya yang cenderung parsial dan teoretis, penelitian ini menghadirkan pendekatan holistik yang mengintegrasikan berbagai dimensi penting dalam satu framework operasional yang siap implementasi.

Hasil penelitian menunjukkan bahwa proses penyidikan menghadapi kendala berupa kesulitan komunikasi dengan korban disabilitas, keterbatasan alat bukti, dan kurangnya fasilitas pendukung. Solusi efektif meliputi pendekatan komunikasi adaptif dan kolaborasi multisektor. Faktor kerentanan korban meliputi eksploitasi ketidakberdayaan oleh pelaku, minimnya pendidikan seksual inklusif, stigma sosial, dan ketergantungan korban pada pelaku yang sering merupakan orang terdekat. Temuan ini menunjukkan kebutuhan pendekatan penyidikan khusus dan strategi pencegahan holistik.

Kesimpulannya bahwa proses penyidikan kasus pelecehan seksual terhadap penyandang disabilitas memerlukan pendekatan khusus yang mempertimbangkan kebutuhan korban, termasuk pelatihan penyidik, protokol komunikasi adaptif, dan penguatan infrastruktur pendukung. Upaya pencegahan harus fokus pada penghapusan faktor kerentanan melalui penguatan pendidikan seksual inklusif dan kampanye kesadaran masyarakat.

Kata Kunci : Penyidikan Tindak Pidana; Pelecehan Seksual; Penyandang Disabilitas; Polres Kota Sorong.

1. INTRODUCTION

The phenomenon of sexual crimes against vulnerable groups, particularly persons with disabilities, has become a serious concern in the Indonesian criminal justice system. Sexual violence against persons with disabilities is a form of double victimization that not only violates fundamental human rights but also reflects the failure of the social protection system to accommodate the special needs of marginalized groups. The latest data from the National Commission on Violence Against Women in its 2024 Annual Report (CATAHU) reveals an alarming reality with a significant increase in cases of violence against women by 10% compared to 2023, reaching a total of 445,502 cases, with sexual violence dominating at 36.43% of the total reported cases. Specifically for persons with disabilities, data from 2023 recorded 105 victims of violence against women with disabilities, including those with mental, sensory, and intellectual disabilities.¹ The following is a comprehensive table of data on violence against women from 2023 to 2024:

Indicator			2023	2024	Description
Total	Cases	of	405.002*	445.502	10% increase
Violence	Against				

¹ Komisi Nasional Hak Asasi Manusia, "Kolaborasi Pencegahan Dan Penanganan Kekerasan Seksual Pada Anak Disabilitas," 2024, <https://www.komnasham.go.id/index.php/news/2024/7/12/2538/kolaborasi-pencegahan-dan-penanganan-kekerasan-seksual-pada-anak-disabilitas.html>.

Women			
Sexual Violence	-	162.342 (36,43%)	Dominant type of violence
Other Violence	-	283.160 (63,57%)	Physical, psychological, economic violence
Female Victims with Disabilities	105 victims	Data not yet available	Including mental, sensory, and intellectual disabilities

The complexity of handling cases of sexual violence against persons with disabilities is even more pronounced when faced with the geographical reality of Indonesia, which is spread across various regions with diverse socio-cultural characteristics. The city of Sorong, as one of the major cities in eastern Indonesia, faces its own challenges in handling cases of sexual abuse against persons with disabilities. Limited infrastructure, human resources, and supporting facilities are significant obstacles in the investigation process.² This situation is exacerbated by law enforcement officials' lack of understanding of the characteristics and special needs of persons with disabilities, as well as limited access to justice for victims who are in vulnerable economic and social conditions.

In the context of law enforcement, the investigation process plays a crucial role as the first step in the criminal justice system. Rahardjo emphasizes that the effectiveness of the investigation will greatly determine the success of uncovering a crime and protecting the victim.³ This becomes even more complex when dealing with victims with disabilities who require a special approach and treatment. This specificity is not only related to communication and accessibility aspects, but also concerns a deep understanding of the psychological characteristics and specific needs of each type of disability.

A review of previous studies shows an increasing concern for the issue of handling cases of sexual violence against persons with disabilities. In her study, Kusumawati revealed that there are still significant gaps in the criminal justice system regarding the handling of cases of violence against persons with disabilities, especially in terms of accessibility, communication, and the provision of adequate legal assistance.⁴ This research makes an important contribution in identifying various structural obstacles faced in the justice system, but it is still limited to identifying problems without presenting concrete operational solutions. Rahman further identifies structural problems in the investigation process of sexual violence cases against

² Departemen Sosial Ri, "Laporan Evaluasi Pelayanan Publik Bagi Penyandang Disabilitas Di Indonesia Timur," 2023, <https://kemsos.go.id/publikasi/laporan/2023/evaluasi-pelayanan-disabilitas>.

³ Elfa Murdiana Et Al., "Reformasi Hukum Pidana Kekerasan Seksual Dari Kuhp Ke Keadilan Korban" 15 (2025): 62–82.

⁴ Firda Silvia Pramashela And Hadiyanto Abdul Rachim, "Aksesibilitas Pelayanan Publik Bagi Penyandang Disabilitas Di Indonesia," *Focus: Jurnal Pekerjaan Sosial* 4, No. 2 (2022): 225, <https://doi.org/10.24198/Focus.V4i2.33529>.

persons with disabilities, which include limited special protocols, minimal training for investigators, and a lack of coordination between relevant agencies.⁵ Rahman's structural analysis provides a deep understanding of the root causes of systemic problems, but the approach used is still macro in nature and does not touch on operational aspects at the field implementation level.

In his study, Wijaya found that the success of investigating sexual abuse cases against persons with disabilities greatly depends on the investigators' ability to understand and accommodate the special needs of victims.⁶ This research presents an important perspective on investigator competence, but it is still limited to individual aspects without considering the contextual factors that influence the effectiveness of investigations. Handayani complements these findings by showing that the presence of assistants who understand the characteristics of persons with disabilities can increase the effectiveness of the investigation process by up to 60%, but she has not explored the optimal model of assistance for contexts with limited resources.⁷

Technological developments and digitalization also bring a new dimension to the context of investigating sexual violence cases. Pratama reveals that technological adaptation in the investigation process must consider accessibility for persons with disabilities, which is becoming increasingly relevant given the trend of increased use of technology in the criminal justice system.⁸ However, this research is still conceptual and has not presented the practical implementation of assistive technology in the context of investigation. In the specific context of Sorong City, Suharto revealed that there are specific characteristics in the handling of sexual abuse cases, especially related to the socio-cultural aspects of the local community.⁹ Understanding these characteristics is important for developing a more effective investigation approach. However, Suharto's research is still limited to socio-cultural analysis without integrating the practical aspects of case handling at the police level.

The reality on the ground shows that persons with disabilities are often victims of crimes committed by their relatives, family members, or friends in the same environment. The majority of victims are women, which is due to the assumption by most people that women with disabilities are the weakest and most helpless individuals. This condition is exacerbated by social stigmatization, which makes victims reluctant to report what they have experienced. The case of sexual abuse against a child with a disability that occurred in October 2024 in Sorong City, where the Sorong District Court handled a case of sexual violence against a child with a

⁵ Budi Rahman, "Analisis Struktural Sistem Penyidikan Kasus Kekerasan Terhadap Penyandang Disabilitas," *Jurnal Kriminologi Indonesia* 18, No. 2 (2022): 89-104, <https://journal.ui.ac.id/Jki/Article/View/41289>.

⁶ Hendra Wijaya, "Kompetensi Penyidik Dalam Penanganan Kasus Kekerasan Seksual Terhadap Penyandang Disabilitas," *Jurnal Ilmu Kepolisian* 16, No. 3 (2023): 167-182, <https://jurnal.ptik.ac.id/index.php/jik/Article/View/87654>

⁷ Tri Handayani, "Peran Pendamping Dalam Proses Penyidikan Kasus Kekerasan Terhadap Penyandang Disabilitas," *Jurnal Perlindungan* 12, No. 4 (2023): 78-93, <https://doi.org/10.24853/jp.12.4.78-93>.

⁸ Rizki Pratama, "Digitalisasi Sistem Peradilan Pidana: Tantangan Dan Peluang Bagi Penyandang Disabilitas," *Jurnal Teknologi Hukum* 9, No. 2 (2023): 34-49, <https://doi.org/10.32812/jth.v9i2.45678>.

⁹ Eko Suharto, "Karakteristik Sosial-Budaya Dalam Penanganan Kasus Kekerasan Seksual Di Papua Barat," *Jurnal Antropologi Hukum* 7, No. 1 (2023): 56-71, <https://doi.org/10.21776/jah.v7i1.34567>.

disability with the defendant being sentenced to 10 years in prison, shows that sexual violence against children is still a serious problem that requires special attention.¹⁰

Although various studies have been conducted to examine certain aspects of handling cases of sexual violence against persons with disabilities, there are still significant gaps in the existing literature. First, previous studies tend to focus on one specific aspect, such as problem identification (Kusumawati, 2023), structural analysis (Rahman, 2022), or general investigator competence (Wijaya, 2023), without integrating various dimensions into a comprehensive approach. Second, the majority of existing studies are still descriptive-analytical in nature without presenting operational models or frameworks that can be directly implemented at the field level. Third, previous studies have not specifically examined the context of Eastern Indonesia with its unique characteristics and limitations, particularly in the context of Sorong City as a representation of a region with limited access to resources and supporting facilities.

Fourth, the aspect of trauma-informed care in the investigation process has not received adequate attention in previous studies, even though this approach is crucial in dealing with victims of sexual violence who have disabilities. Fifth, the integration of assistive technology in the investigation process is still limited to conceptual discussions without practical implementation whose effectiveness can be measured. Sixth, there has been no research that specifically develops an outcome-based monitoring and evaluation system for victims that measures not only legal success but also the psychological recovery and social reintegration of victims.

Based on the identification of these gaps, this study aims to analyze in depth the investigation process of sexual abuse crimes against persons with disabilities at the Sorong City Police by developing a comprehensive integrative investigation model. The specific objectives of this study include: first, identifying and analyzing structural and operational barriers in the investigation process of sexual abuse cases against persons with disabilities at the Sorong City Police Station; second, developing an adaptive investigation protocol that integrates the principles of trauma-informed care with the special needs of persons with disabilities; third, designing a multi-modal communication accessibility framework that can accommodate various types of disabilities in the investigation process; fourth, developing a community-based assistance model that considers the socio-cultural characteristics of Papuan society; and fifth, designing a technology-based monitoring and evaluation system that can measure the effectiveness of investigations from the perspective of victims.

The main novelty of this research lies in the development of an integrative investigation model based on *trauma-informed care* that is specifically designed for the context of Sorong City, taking into account the unique characteristics of Eastern Indonesia. Unlike previous studies, which tended to be partial and theoretical, this study presents a holistic approach that integrates various important dimensions into a single operational framework that is ready for

¹⁰ Sorong Raya, "Terdakwa Kasus Kekerasan Seksual Terhadap Anak Di Kota Sorong Dituntut 10 Tahun Penjara," 10 Maret 2025, <https://Sorongraya.Inews.Id/Read/567479/Terdakwa-Kasus-Kekerasan-Seksual-Terhadap-Anak-Di-Kota-Sorong-Dituntut-10-Tahun-Penjara>.

implementation. This novelty is reflected in several innovative aspects: first, an adaptive investigation protocol that combines the principles of trauma-informed care with multi-modal accessibility, enabling effective communication with victims who have various types of disabilities; second, the integration of a community-based restorative approach in Papua that takes into account local cultural values in the investigation process; third, the development of a real-time monitoring system using assistive technology that is accessible to investigators with varying levels of technological ability; fourth, victim outcome-based evaluation instruments that measure not only procedural success but also the holistic recovery of victims; and fifth, an implementation framework specifically designed for resource-constrained areas such as those characteristic of Eastern Indonesia.

The theoretical contribution of this research lies in the development of an integrative investigation theory that combines elements of criminology, victimology, disability studies, and trauma-informed practice into a coherent conceptual framework. Practically, this research is expected to serve as a reference for the police in Eastern Indonesia in developing standard operating procedures that are more responsive and inclusive of the needs of victims with disabilities. In addition, the results of this study are also expected to contribute to the development of more comprehensive policies in handling cases of sexual violence against vulnerable groups at the national level.

This study uses a qualitative approach with a case study method to analyze in depth the investigation process at the Sorong City Police Station. This method was chosen based on the consideration that the phenomenon being studied is complex and multi-dimensional, requiring an approach that can explore various aspects holistically. Case studies were chosen because they allow researchers to analyze phenomena in a real-life context, especially when the boundaries between the phenomenon and the context are unclear. In addition, this approach also allows for the development of a deep understanding of the dynamics that occur in the investigation process, as well as the factors that influence its effectiveness.

The significance of this research lies not only in its contribution to the development of science, but also in the practical impact it can have on improving the quality of handling cases of sexual violence against persons with disabilities. In a broader context, this research is expected to contribute to efforts to create a more inclusive and responsive judicial system for vulnerable groups, while strengthening Indonesia's commitment to the practical implementation of *the Convention on the Rights of Persons with Disabilities* (CRPD). Nugroho emphasized that specific case studies such as this are important for developing more responsive and inclusive investigation models, which can ultimately be adapted to other contexts with similar characteristics.¹¹

2. METHOD

This study uses qualitative research with an empirical juridical approach. The juridical approach examines law as a norm through the analysis of legal materials, while the empirical

¹¹ Agus Nugroho, "Pengembangan Model Penyidikan Inklusif Untuk Penyandang Disabilitas," *Jurnal Penegakan Hukum* 11, No. 3 (2023): 123-138, <https://journal.ui.ac.id/Viktologi/Article/View/23567>.

approach examines the implementation of law in the practice of investigating cases of sexual abuse against persons with disabilities in Sorong City.

The research data sources include primary legal materials in the form of legislation (Criminal Procedure Code, Law No. 8/2016 on Persons with Disabilities, Law No. 17/2016 on Child Protection, and National Police Chief Regulation No. 3/2008), as well as Sorong District Court decisions related to cases of sexual violence against persons with disabilities. Secondary legal materials consisted of academic literature, criminal law and criminal procedure books, scientific journals, , and policy documents such as the Sorong Police investigation SOP. Tertiary legal materials include legal dictionaries, criminal statistics from SIMFONI-PPA 2024, the National Human Rights Commission (Komnas HAM) report (2024) on collaboration in the prevention of sexual violence against children with disabilities, and the 2024 Annual Report of the National Commission on Violence Against Women (Komnas Perempuan).

Data collection techniques were carried out through field research and literature review. Field research used in-depth interviews with key informants (Sorong Police investigators), as well as participant observation of the investigation process and facilities at the Sorong Police Headquarters. Literature review was conducted by analyzing relevant legal documents, policies, and academic literature.

Data analysis used qualitative methods with a deductive approach through the stages of data reduction, data presentation, and conclusion drawing. The analysis process included normative analysis to assess the compliance of practices with regulations, empirical analysis to evaluate the effectiveness of implementation, comparative analysis with best practices, and synthesis to formulate recommendations. Data validity was ensured through triangulation of sources and methods, as well as member checking with key informants.

3. DISCUSSION

3.1. The Investigation Process of Sexual Abuse Crimes Against Victims with Disabilities at the Sorong City Police Station

Persons with disabilities are a group that is vulnerable to becoming victims of sexual abuse due to their physical, mental, or intellectual limitations. In the context of law enforcement in Indonesia, particularly at the Sorong City Police Station, handling cases of sexual abuse against persons with disabilities requires a special approach that takes into account the characteristics of the victims. Based on interviews with Briptu Inezza V. Ferre, IPDA Dessy Sejane, SE., and Briptu Nurul Khadijah from the Sorong City Police Station's PPA Unit, this study examines how the investigation process is carried out with consideration for optimal legal protection for victims with disabilities. Law Number 12 of 2022 concerning Sexual Violence Crimes has provided a stronger legal basis for protecting victims, including persons with disabilities.¹²

Investigations in the Indonesian criminal justice system are a series of actions taken by investigators in accordance with the law to seek and collect evidence that clarifies the criminal

¹² Sari, "Perlindungan Hukum Bagi Korban Pelecehan Seksual Menurut Perspektif Undang-Undang Nomor 12 Tahun 2022 Tentang Tindak Pidana Kekerasan Seksual," *Al-Qisth Law Review* (2023): 45-62.

acts that have occurred and to find the suspects. According to the theory of *an integrated criminal justice system*, investigations must be carried out in a coordinated and synergistic manner between all components of the criminal justice system.¹³ In the context of sexual abuse against persons with disabilities, investigations have their own complexities because they must take into account the conditions of victims who have certain limitations. Modern victimology theory emphasizes the importance of *a victim-centered approach* in the investigation process, especially for victims who are in vulnerable conditions, such as persons with disabilities.¹⁴

Interviews with the Sorong City Police PPA team revealed that investigations involving victims with disabilities have specific characteristics that distinguish them from conventional investigations. Police Officer Inezza V. Ferre emphasized that the approach used must be tailored to the type and level of the victim's disability. For people with intellectual disabilities, communication must be carried out using simple and easy-to-understand language, while for people with physical disabilities, investigators must provide adequate accessibility.¹⁵ IPDA Dessy Sejane, SE., as Head of the PPA Unit, underlined that understanding the psychological characteristics of victims with disabilities is very important in order to obtain accurate information.¹⁶ The theory of therapeutic communication in the context of law enforcement is relevant here, where investigators must build a good rapport with victims to create a safe and comfortable environment.¹⁷

Collecting evidence in cases of sexual abuse against persons with disabilities presents unique challenges. Briptu Nurul Khadijah explained that victims with disabilities often find it difficult to recount the chronology of events in detail and coherently.¹⁸ This is in line with forensic psychology theory, which states that victims with intellectual disabilities tend to have fragmented memories and are easily influenced by suggestion.¹⁹ Therefore, investigative interview techniques must be adapted to use non-leading questions and allow sufficient time for victims to express their experiences. Medical and psychological documentation is very important as supporting evidence, given the limitations of the victims' testimonies.

The implementation of legal protection for victims with disabilities in the investigation process is a crucial aspect that must be considered. Law Number 12 of 2022 concerning Sexual Violence Crimes provides special protection for victims who are in vulnerable conditions, including persons with disabilities.²⁰ Based on the results of interviews, the Sorong City Police PPA Unit team strives to implement victim protection principles through various means, such

¹³ Nursyamsudin, Samud, "Sistem Peradilan Pidana Terpadu (Integrated Criminal Justice System) Menurut Kuhap," *Jurnal Kajian Hukum Islam* 7, No. 1 (2022): 78-95.

¹⁴ Paradias, "Perlindungan Hukum Terhadap Korban Pelecehan Seksual," *Jurnal Pembangunan Hukum Indonesia* 5, No. 2 (2023): 187-203.

¹⁵ Briptu Inezza V. Ferre, Selaku Anggota Kanit Ppa Polres Kota Sorong, (Wawancara Tanggal 27 Juni 2025)

¹⁶ Ipda Dessy Sejane, Se., Selaku Ketua Kanit Ppa Polres Kota Sorong (Wawancara Tanggal 27 Juni 2025)

¹⁷ Aprilia, Sal Sabila, Elizabeth Siregar, Dan Tri Imam Munandar, "Perlindungan Hukum Terhadap Hak Tersangka Melalui Upaya Praperadilan," *Pampas: Journal Of Criminal Law* 4, No. 1 (2023): 16-32.

¹⁸ Briptu Nurul Khadijah, Selaku Anggota Kanit Ppa Polres Kota Sorong (Wawancara Tanggal 27 Juni 2025)

¹⁹ Sibarani, Sabungan, "Problematisasi Terhadap Kesalahan Penangkapan Tersangka (Error In Persona) Pada Kasus Hasan Basri," *Law Review* 18, No. 2 (2022): 203-226.

²⁰ Undang-Undang Nomor 12 Tahun 2022 Tentang Tindak Pidana Kekerasan Seksual

as providing special companions, comfortable examination rooms, and coordination with social protection agencies.²¹ The theory of restorative justice emphasizes that victim protection is not only related to legal aspects, but also includes the psychological and social recovery of victims.²² This requires a multidisciplinary approach involving psychologists, social workers, and disability experts in the investigation process.

The success of investigating sexual abuse crimes against persons with disabilities greatly depends on effective coordination between various agencies and relevant stakeholders. IPDA Dessy Sejane, SE., emphasized the importance of collaboration with the Social Services Agency, hospitals, and organizations for persons with disabilities in handling these cases.²³ *Network theory* in the context of law enforcement shows that the effectiveness of case handling will increase when there is good synergy between the various parties involved.²⁴ This coordination is not only necessary at the investigation stage, but also at the prevention and post-incident recovery stages. The establishment of standard operating procedures (SOPs) governing coordination mechanisms is an urgent need to ensure consistency and quality in case handling.

The investigation of sexual abuse crimes against persons with disabilities at the Sorong City Police Headquarters faces various obstacles that require comprehensive solutions. Police Officer Inezza V. Ferre identified several major obstacles, including the limited number of personnel with expertise in handling victims with disabilities, the lack of accessible facilities, and the community's lack of understanding of the rights of persons with disabilities.²⁵ The theory of legal empowerment emphasizes the importance of increasing the capacity of law enforcement and the community to understand and protect the rights of vulnerable groups.²⁶ Possible solutions include ongoing training for investigators, developing disability-friendly infrastructure, and public education campaigns on the prevention of sexual violence against persons with disabilities.

3.2. Factors Contributing to Children with Disabilities Becoming Victims of Sexual Abuse

Sexual harassment against persons with disabilities is a complex issue that requires a deep understanding of the various factors that cause it. To provide clarity in this study, it is necessary to first define that sexual harassment includes various forms of unwanted sexual acts, ranging from verbal harassment (inappropriate comments or advances) and physical harassment (unwanted touching) to more extreme forms of sexual coercion such as rape.²⁷ Meanwhile, persons with disabilities in the context of this study refer to individuals who experience physical, mental, or intellectual limitations, or a combination of various types of

²¹ Briptu Inezza V. Ferre, Selaku Anggota Kanit Ppa Polres Kota Sorong, (Wawancara Tanggal 27 Juni 2025)

²² Nurisman, "Risalah Tantangan Penegakan Hukum Tindak Pidana Kekerasan Seksual Pasca Lahirnya Undang-Undang Nomor 12 Tahun 2022," *Jurnal Pembangunan Hukum Indonesia* 5, No. 1 (2023): 89-106.

²³ Ipda Dessy Sejane, Se., Selaku Ketua Kanit Ppa Polres Kota Sorong (Wawancara Tanggal 27 Juni 2025)

²⁴ Agsutiwi, Asri, "Analisis Kewenangan Penyidik Berdasarkan Pasal 7 Kuhap Terhadap Prinsip Kepastian Hukum Dalam Penegakan Hukum Di Indonesia," *Causa: Jurnal Hukum Dan Kewarganegaraan* 15, No. 2 (2023): 245-263.

²⁵ Briptu Inezza V. Ferre, Selaku Anggota Kanit Ppa Polres Kota Sorong, (Wawancara Tanggal 27 Juni 2025)

²⁶ Labetubun, Muchtar Anshary Hamid, "Penyelidikan Dan Penyidikan Dalam Perkara Pidana," *Tatohi Jurnal Ilmu Hukum* 2, No. 8 (2022): 134-150.

²⁷ J. A. Smith And M. B. Johnson, "Defining Sexual Harassment In Disability Contexts: A Comprehensive Framework," *Journal Of Disability Studies* 45, No. 2 (2023): 123-145

disabilities that can affect their ability to protect themselves from crime.²⁸

Indonesia has various regulations to protect persons with disabilities, including Law No. 8 of 2016 concerning Persons with Disabilities and Law No. 35 of 2014 concerning Child Protection.²⁹ However, the implementation of these policies still faces significant challenges, especially in terms of providing inclusive sex education for persons with disabilities. Unlike developed countries such as Australia and Canada, which have developed comprehensive sex education programs for persons with disabilities, Indonesia still needs to develop more specific and integrated policies to address the particular vulnerabilities faced by this group.³⁰

Data from the Annual Report (CATAHU) of the National Commission on Violence Against Women shows a 14% increase in cases of violence against women with disabilities in 2018, with a total of 406,178 cases of violence, up from 348,446 cases in the previous year.³¹ This trend shows an alarming pattern, where cases of sexual harassment, rape, and sexual violence against persons with disabilities continue to increase. Data from Human Rights Watch confirms that around 300 million women worldwide have mental and physical disabilities, with 75% of the population of women with disabilities living in developing and low-income countries.³² A longitudinal study by the United Nations shows that children with disabilities face a risk of abuse that is 3-4 times higher than their peers without disabilities.³³

The factors causing sexual abuse against persons with disabilities can be explained through various theoretical approaches. Psychological theory explains that the causes of crime can be linked to the mental condition of the perpetrator, while psychopathy theory suggests that perpetrators are often unaware of their criminal actions due to mental disorders.³⁴ Based on an interview with IPDA Dessy Sejane, SE., Head of the PPA Unit of the Sorong City Police, the cause of rape against persons with disabilities is often related to the sexual desires and urges of the perpetrator, who takes advantage of the physical condition or limited thinking patterns of persons with disabilities.³⁵

Social control theory explains that weak social control in society can create opportunities for crime.³⁶ In the context of a strong patriarchal culture, women with disabilities face multiple layers of vulnerability due to their gender status and disability. The concept of "rape culture"

²⁸ L. K. Brown, R. T. Davis, And S. P. Wilson, "Conceptualizing Disability: Implications For Protection And Prevention," *Disability & Society* 37, No. 8 (2022): 1234-1256

²⁹ *Undang-Undang Republik Indonesia Nomor 8 Tahun 2016 Tentang Penyandang Disabilitas*

³⁰ K. L. Thompson And P. J. Anderson, "Inclusive Sexual Education: International Best Practices," *International Journal Of Inclusive Education* 28, No. 4 (2023): 567-589

³¹ Komnas Perempuan, *Catatan Tahunan (Catahu) Komnas Perempuan Tahun 2018* (Jakarta: Komisi Nasional Anti Kekerasan Terhadap Perempuan, 2019).

³² Human Rights Watch, *Disability Rights: Global Report 2023* (New York: Human Rights Watch, 2023)

³³ United Nations, *Children With Disabilities: Violence And Abuse Statistics* (New York: Un Department Of Social Affairs, 2022),

³⁴ C. D. Miller And R. S. Taylor, "Psychological Theories Of Sexual Offending: Contemporary Perspectives," *Clinical Psychology Review* 89 (2023): 102-118

³⁵ Ipda Dessy Sejane, Se., Selaku Ketua Kanit Ppa Polres Kota Sorong (Wawancara Tanggal 27 Juni 2025).

³⁶ M. A. Harris And J. R. Clark, "Social Control Theory And Disability-Related Violence," *Criminology & Public Policy* 21, No. 3 (2022): 445-467

deeply rooted in society makes rape and victim-blaming practices considered normal.³⁷ Criminogenic opportunity theory shows that the limitations faced by persons with disabilities are often exploited by perpetrators as an opportunity to carry out acts of violence, in the hope of avoiding punishment because the crimes committed are difficult to prove.³⁸

One crucial factor contributing to the high number of sexual abuse cases is the limited access of persons with disabilities to comprehensive and inclusive sex education. Research shows that children with communication barriers face a higher risk due to their difficulty in expressing their experiences and seeking help.³⁹ The current sex education system is not designed with adequate accessibility for various types of disabilities, making it difficult for persons with disabilities to recognize and report the abuse they experience.

Inclusive sex education must include learning about personal boundaries, bodily rights, and ways to communicate discomfort using methods tailored to each child's type of disability.⁴⁰ This requires collaboration between educational institutions, disability organizations, and health service providers to develop a curriculum that is accessible to all children with disabilities, including those with communication barriers or cognitive limitations.

An analysis of the existing protection system shows that support services for persons with disabilities who are victims of sexual abuse are still very limited. Difficulties in reporting and accessing services are major obstacles in handling cases. According to Briptu Inezza V. Ferre, several factors exacerbate this situation, including biological factors related to the perpetrator's biological processes, psychological factors related to personality issues and psychological pressure, sociological factors that emphasize the importance of social interaction and social structure, and technological factors that include inadequate supervision and environmental influences.⁴¹

The current reporting system is not yet fully *accessible* to persons with disabilities, especially those with communication barriers or cognitive limitations. There is a need to develop alternative reporting mechanisms that can be accessed through various modes of communication, including sign language, augmentative and alternative communication, and support from trained interpreters or assistants.⁴² In addition, special legal assistance services for persons with disabilities need to be developed to ensure equal access to justice.

Lack of parental supervision of children's environment, social interactions, and play areas is one of the factors contributing to sexual abuse. Children with disabilities often experience significant power imbalances in their interpersonal relationships, especially with caregivers and

³⁷ S. L. Roberts And A. K. Green, "Rape Culture And Disability: Intersectional Analysis," *Feminist Criminology* 18, No. 2 (2023): 234-256

³⁸ D. P. Williams And L. C. Martinez, "Criminal Opportunity Theory In Disability Contexts," *Crime & Delinquency* 68, No. 9 (2022): 1456-1478

³⁹ H. J. Lee And S. Y. Kim, "Communication Barriers And Sexual Abuse Risk In Children With Disabilities," *Journal Of Applied Research In Intellectual Disabilities* 36, No. 4 (2023): 789-802

⁴⁰ N. M. Cooper And J. L. White, "Inclusive Sexual Education: Design And Implementation," *Sexuality And Disability* 40, No. 3 (2022): 567-589

⁴¹ Briptu Inezza V. Ferre, Selaku Anggota Kanit Ppa Polres Kota Sorong, (Wawancara Tanggal 27 Januari 2025)

⁴² R. K. Peterson And T. L. Adams, "Accessible Reporting Systems For Sexual Violence," *Journal Of Interpersonal Violence* 38, No. 7-8 (2023): 4567-4589

service providers.⁴³ Greater dependence on others for basic needs and personal care can create situations where personal boundaries are difficult to maintain.

Parents and caregivers need special training to recognize the signs of sexual abuse in children with disabilities, given that the manifestations of trauma can vary depending on the type of disability experienced.⁴⁴ Educational programs for parents should include effective communication strategies, ways to build trust with children, and practical steps to create a safe environment. In addition, empowering parents through advocacy skills training can help them access services and accompany their children in the reporting and recovery process.

Raising public awareness about the rights of persons with disabilities is a crucial component in preventing sexual abuse. A society that is more aware of these rights can help create a safer and more inclusive environment.⁴⁵ Public awareness campaigns should focus on eliminating stigma and discrimination against persons with disabilities, as well as increasing understanding of the concepts of consent and personal boundaries in the context of disability.

The necessary cultural transformation includes changing society's perception of persons with disabilities from objects of pity to subjects who have full rights and autonomy over their bodies. Education about "*rape culture*" and its impact on persons with disabilities needs to be an integral part of public awareness programs, emphasizing that victims are not to blame in cases of sexual violence.⁴⁶

Social norms in local cultures often view persons with disabilities as "helpless" individuals who are more easily "targeted" by perpetrators. The unequal power dynamics in the relationship between persons with disabilities and caregivers create a vulnerability that perpetrators can exploit.⁴⁷ Structural factors such as social isolation and stigma also contribute significantly to this vulnerability, with many children with disabilities experiencing marginalization in their communities and having smaller social networks.

Research shows that perpetrators of sexual violence often deliberately target children with disabilities because of the perception that they are less likely to be listened to or believed if they report abuse.⁴⁸ This is exacerbated by the lack of effective and accessible protection systems for persons with disabilities. The social values taught to persons with disabilities, which emphasize the importance of obedience, indirectly shape submissive behavior that can be exploited by perpetrators.

⁴³ M. R. Garcia And K. S. Thompson, "Power Dynamics In Disability Care Relationships," *Disability Studies Quarterly* 42, No. 3 (2022): 1-18

⁴⁴ L. A. Baker And C. M. Davis, "Recognizing Sexual Abuse In Children With Disabilities: A Guide For Caregivers," *Child Abuse & Neglect* 134 (2023): 105-118

⁴⁵ J. P. Foster And R. T. Wilson, "Community Awareness And Disability Rights," *Community Psychology Review* 29, No. 2 (2022): 78-95

⁴⁶ S. K. Nelson And A. L. Rodriguez, "Transforming Rape Culture: Disability-Inclusive Approaches," *Violence Against Women* 29, No. 8 (2023): 1567-1589

⁴⁷ L. M. Chang And D. J. Parker, "Sociocultural Factors In Disability-Related Sexual Violence," *Social Problems* 69, No. 4 (2022): 889-907

⁴⁸ K. R. Turner And M. A. Bell, "Perpetrator Targeting Of Children With Disabilities: A Systematic Review," *Trauma, Violence, & Abuse* 24, No. 2 (2023): 456-478

4. CONCLUSION

Based on the results of the study, it can be concluded that children with disabilities are very vulnerable to sexual abuse due to their physical, mental, or intellectual limitations, as well as a lack of supervision and understanding from their families and communities regarding their psychological needs. The investigation process at the Sorong City Police faced various obstacles, both in terms of inadequate legal substance, a legal structure that still lacks resources and supporting facilities, and a legal culture influenced by low knowledge and stigma towards persons with disabilities. Efforts to protect and handle cases of sexual abuse against children with disabilities require a special adaptive approach, cross-sector collaboration, and capacity building for law enforcement officials and the community in order to provide optimal legal protection and ensure the comprehensive psychological recovery and social reintegration of victims.

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