



**Prosecution Guide
to Effective
Collaboration
on Elder Abuse**



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This guide provides an overview of the prosecutor's use of multidisciplinary collaboration to more effectively identify, prosecute and prevent elder abuse, neglect and exploitation. The guide suggests ways that multidisciplinary partnerships can assist prosecutors in effectively prosecuting individual cases and in improving systemic community responses to elder abuse. Examples of state and local collaboration models and online resources also are provided. The information presented in this guide is intended to complement two companion publications: *Prosecuting Elder Abuse Cases: Basic Tools and Strategies* and *Prosecuting Elder Abuse Cases: Proposed Performance Measures*.



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PROSECUTION GUIDE TO EFFECTIVE COLLABORATION ON ELDER ABUSE

This guide provides an overview of the prosecutor's use of multidisciplinary collaboration to more effectively identify, prosecute and prevent elder abuse, neglect and exploitation. The guide suggests ways that multidisciplinary partnerships can assist prosecutors in effectively prosecuting individual cases and in improving systemic community responses to elder abuse. Examples of state and local collaboration models and online resources also are provided. The information presented in this guide is intended to complement two companion publications: Prosecuting Elder Abuse Cases: Basic Tools and Strategies and Prosecuting Elder Abuse Cases: Proposed Performance Measures.

ELDER ABUSE AND THE CHALLENGE OF PROSECUTION

Crimes of elder abuse, neglect and exploitation historically have been under-prosecuted. A number of factors have contributed to this situation:

- Gaps in criminal justice and social service systems charged with protecting the welfare of older persons (e.g., service availability, reporting mechanisms, information sharing, and lack of coordination between agencies)
- Insufficient knowledge about indicators of abuse, neglect and exploitation and reporting requirements across the criminal justice and social service systems and among professionals in allied disciplines
- Scarcity of expert witnesses with specialized skills or knowledge (e.g., forensic accountants, medical and mental health professionals with geriatric expertise)
- Lack of public awareness and knowledge of elder abuse, neglect and exploitation, and how to respond to it
- Misperception that elder neglect and exploitation are civil matters rather than recognition that they may be criminal conduct
- Isolation of older persons in the community
- Lack of specialized elder abuse detectives and prosecutors who have training and expertise in the investigation and prosecution of these crimes

Collaboration among justice system and community partners can help remedy systemic inadequacies and promote efficiencies in handling growing caseloads as the population ages and more cases are identified and reported. Collaboration increases cooperation and accountability between agencies, and reduces frustration with other agencies for inaction. When partners collaborate, meeting time is spent working toward productive solutions to particular problems rather than on recriminations. The end result is a better-protected older adult population and a stronger and safer community.

THE ROLE OF THE PROSECUTOR

When a prosecutor's office indicates that it is committed to collaborating on and filing criminal charges in elder abuse cases, other disciplines and systems tend to become more motivated to fully engage in the process. Law enforcement becomes more dedicated to investigating the cases, Adult Protective Services improves its process for assisting in investigations and reporting to law enforcement, and the public are encouraged to report incidents of suspected elder abuse. Conversely, when the perception exists that a prosecutor's office is not interested in filing charges on elder abuse cases in general or specific kinds of elder abuse cases

in particular, the entire system can break down. Law enforcement may feel that investigating those cases is futile, Adult Protective Services may hesitate to collaborate and report concerns to law enforcement, and the public may become discouraged to report elder abuse. It is critical that each prosecutor understand his or her pivotal role in preventing elder abuse, neglect and exploitation.

It is the prosecutor's responsibility to seek justice for individual victims of elder abuse by stopping the abuse, restoring to the extent possible what has been taken from him or her, and holding the perpetrator accountable for the harm he or she has caused. Prosecutors will be better prepared to fulfill these responsibilities if they:

- Know their state's laws relating to elder abuse, neglect and exploitation (e.g., elder abuse reporting requirements, elder abuse crimes and penalty enhancements, general crimes that often apply to elder abuse, adult protective services laws, and statutes governing undue influence, joint bank accounts, powers of attorney, guardianships and conservatorships)
- Understand elder abuse dynamics and abuser tactics and their effects on victims
- Recognize underlying issues in elder abuse cases that may impact prosecution (e.g., mental capacity, capacity to consent,



undue influence, health conditions, and accommodation of the victim's cognitive, physical and other needs)

- Familiarize themselves with community resources
- Establish and maintain strong collaborative partnerships across the justice system, protective and social services, health care and the community

Because prosecutors play a central role in providing justice for elder abuse victims, they are uniquely positioned to exercise leadership in improving their community's response to elder abuse. In the normal course of their work on elder abuse cases, prosecutors interact regularly with law enforcement, Adult Protective Services, probation and parole, state regulatory agencies, victim advocates and the court. These allies are a natural starting point for creating a multidisciplinary approach to addressing and preventing elder abuse, neglect and exploitation.

The framework for a larger collaboration should develop as each partner brings to the process its perspectives, needs and connections to other organizations and disciplines. Think creatively when considering potential partners of a multidisciplinary collaboration; consider other disciplines that often work closely with the

prosecution on certain kinds of cases (e.g., banking and other financial institutions, medical providers, members of existing task forces and coordinating councils that work on domestic violence and sexual assault, and animal welfare organizations). The prosecutor's leadership in this collaboration can help ensure that the group remains focused on reducing elder abuse in the community and providing the best possible outcomes for victims.

When an older adult is being victimized, he or she may be reluctant to speak to the prosecutor or assist in the prosecution for any number of reasons. Some common reasons are:

- Love for the perpetrator
- Mistrust of the system and/or the prosecutor
- Lack of knowledge about the criminal justice process
- Fear of losing independence
- Denial, embarrassment or shame
- Fear of retaliation by the perpetrator

By involving collaborative partners, prosecutors often can obtain more and better information from and about the older adult victim and witnesses.

A MULTIDISCIPLINARY TEAM AT WORK

A prosecutor receives a call from a detective who is investigating a report faxed to him from Adult Protective Services (APS) about an older woman who may be a victim of financial exploitation. The suspect is the victim's neighbor, who allegedly has taken over \$100,000 from the older adult in the past three months. When interviewing the older adult, the detective notes that her home is cluttered and in disarray, and that she appears somewhat confused and forgetful. The alleged victim states that she consented to giving the money to the suspect and asks the detective to leave her alone. Not knowing what to do, the detective calls the prosecutor.

The prosecutor convenes a meeting of the local Multidisciplinary Team (MDT). In attendance are APS, law enforcement, Senior Services, a community-based victim advocate, and the prosecutor. APS reports having received several calls alleging financial exploitation and self-neglect of this woman over the past two years, but each time she has refused their offer for services. Senior Services reports that the woman's daughter, who lives out of state, has called with worries that her mother was running out of money and not eating well. At the daughter's request, Senior Services has been delivering meals to the woman through Meals on Wheels the past couple of months. Senior Services has concerns that she may not have sufficient funds for medical care and to pay her other bills.

Based on the new information provided by law enforcement and Senior Services, APS agrees to have a geriatric psychologist evaluate the elder to determine whether a guardianship is appropriate. The detective agrees to interview the suspect, conduct an in-depth interview of the alleged victim, and obtain a search warrant for her bank records and those of the suspect to determine whether there is evidence that financial exploitation has occurred. The victim advocate agrees to provide support and advocacy to the woman during her upcoming interviews and to find assistance for her in sorting out her finances.

Several weeks later, the MDT meets again. The older adult has been found to be incapable of handling her finances and APS has filed for guardianship. APS has arranged in-home care for her. The prosecutor's office has filed theft charges against the neighbor on the theory that the victim did not have capacity to consent to give money to him. The victim advocate has developed a relationship with the victim, and will accompany her to court and any interviews that may be required for the criminal case.



MULTIDISCIPLINARY COLLABORATION

This document discusses two common types of multidisciplinary groups: case-based and systemic review. Of course, there will be hybrid collaborations, and each community must structure its collaborations to make them as constructive as possible. For example, a collaboration that focuses on individual case review can develop into one that addresses systemic gaps. However, these two ends of the spectrum are good starting points for a community's planning of its response to elder abuse, neglect and exploitation.

Case-based multidisciplinary groups ask participants to focus specifically on a particular elder abuse victim or case to determine the best way to proceed for that victim at that time. A case-based group is generally staffed by front line workers from the various disciplines, at least some of whom are working on the case being discussed. In systemic review multidisciplinary groups, participants look at the entire set of services relating to elder abuse, neglect and exploitation in the community and determine how to create a seamless network for victims of all these crimes. A systemic review group

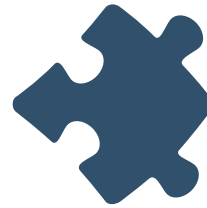
is generally staffed by supervisors and others capable of making policy changes from the various disciplines. However, each group needs to determine how to select its core members to achieve the best results for the community.

Whether the initial goals of the group are case-based or relate to systemic review, the end result should be an improved response to individual elder abuse victims, increased awareness of the problem of elder abuse by agencies represented in the group, and more effective communication between agencies and individuals participating in the group. Ultimately, these improvements should result in greater societal awareness of the problem of elder abuse and, consequently, better identification, reporting, investigation and prosecution of elder abuse, neglect and exploitation.

Flexibility in the structure, membership and maintenance of either type of group is important. The needs of the community or individual agencies may change over time and the context in which the collaboration operates may evolve as issues are resolved or new ones emerge. For instance, a group may initially set a once-a-month meeting schedule that it changes to once-a-week because the need for responsiveness or communication becomes more acute. A group

may have a formal meeting structure that it abandons in favor of a more ad hoc approach to getting the critical partners together to staff an individual case. The reverse also may apply; some communities may start with a small number of partners communicating informally about elder abuse or specific cases, and later expand the number of partners and formalize the meetings in order to accomplish new goals.

Collaborative efforts can be carried out informally or through formal agreements. Formal agreements are likely to include protocols that spell out the roles, obligations, and duties of the stakeholders, and they may address issues such as mandated reporting, confidentiality and information sharing, and procedures for joint investigations and interviews. Informal collaborations work best when formal agreements have not been established across agencies, would risk becoming overly bureaucratic, or may deter potential stakeholders from participating. Prosecutors in smaller jurisdictions with more intimate relationships with stakeholders may find informal agreements to be adequate. It is critical that each group be honest and open in its assessment of the needs of its members and the community in order to make the group as effective as possible, no matter which approach it takes.



CASE-BASED MULTIDISCIPLINARY GROUPS

A variety of collaboration models have been implemented in communities across the country with the goal of improving the handling of specific elder abuse, neglect and exploitation cases. These case-based multidisciplinary groups typically meet once or twice a month to review the cases that have arisen during that

Cases involving abuse or neglect occurring in a facility may involve issues that typically do not arise in non-facility cases. Because they may be subject to civil liability for crimes occurring on the premises, facilities serving older adults may not wish to participate in case-based teams. Furthermore, some criminal justice partners may not be comfortable with facility workers hearing the direction of the investigation and prosecution. The facility also may have a conflict of interest if it is defending itself against claims of negligence or abuse pursued by the victim or the facility's employees. Case-based multidisciplinary groups that include facility staff members should consider these issues on a case-by-case basis when discussing facility-based crimes against older adults. However, each community must take these issues into account in assessing its facility cases.



time period. The group shares information as to the alleged abuse, neglect or exploitation, decides which agency or agencies should respond, and determines how to best protect and provide services to the victim. This guide describes three types of case-based multidisciplinary groups: Case-staffing multidisciplinary teams, Elder Fatality Review Teams, and Financial Abuse Specialist Teams.

CASE-STAFFING MULTIDISCIPLINARY TEAMS (MDTs)

Case-staffing MDTs are collaborative efforts between key agencies and disciplines for the primary purpose of staffing difficult cases of elder abuse, neglect and exploitation. MDTs most often discuss cases designated for prosecution, but it is not unusual to discuss situations not yet ready for prosecution in an effort to stop the problem before it becomes criminal or to lay the foundation for a stronger criminal case later.

Team members may include a variety of professionals such as Adult Protective Services staff, law enforcement officers or detectives, prosecutors, mental health professionals, geriatricians, medical examiners/coroners, victim services providers, clergy, financial institution staff, professional fiduciaries, civil attorneys, and members of the Long-Term Care Ombudsman Program. Case-staffing MDTs should have memoranda of understanding or protocols that address confidentiality and information-sharing.

Case-staffing MDTs usually focus on the needs of the older adult victim in addition to the potential for prosecution of a specific crime. This focus is important for two reasons: first, different types of elder abuse crimes often co-occur in a case (e.g., caregiver neglect and financial abuse of the same victim or physical abuse and financial abuse of the same victim); and second, a major outcome of the discussion should be a plan to address the needs of the victim. Topics of an MDT's discussion might include safety planning; the expressed desires of the victim as to restitution, contact with the perpetrator, and sanctions for the perpetrator; an assessment of the victim's ability to be a willing and/or competent witness; and the evidence that can be obtained from each participating agency.

Case-staffing MDTs can help prosecutors improve their ability to work with older victims. For example, prosecutors can work with victim services providers to ensure that accommodations and advocacy are available for

victims who require some level of assistance. In addition, information-sharing protocols between agencies can minimize the number of times a victim is interviewed about a traumatic incident. These strategies provide support for the victim,

SEXUAL ASSAULT CASES

While every case of sexual assault is difficult and traumatic for the victim, the effects of this crime can be even greater when the victim is an older adult. These cases can be particularly challenging to prosecute. Such challenges may include the victim's reluctance to testify, the victim's cognitive impairment that makes it difficult or impossible for him or her to testify, reluctance on the part of the medical community to conduct forensic medical examinations on older adults, unwillingness of the older adult to submit to such an exam, and ageist stereotypes that may make it difficult for a judge or jury to believe that such abuse occurred. Prosecutors should form collaborative relationships with a local SANE (Sexual Assault Nurse Examiner) or similar type of program. Particular attention should be given to confidentiality laws and the use of informed consent to secure records from counselors and therapists. The purpose of collaboration on sexual abuse cases is to assist prosecutors in determining and understanding what evidence exists that such abuse occurred, explaining causation and impact of the abuse to the judge or jury, and providing effective and meaningful services to the victim.

ONLINE RESOURCES

International Association of Forensic Nurses
iafn.org/

Sexual Assault Forensic Examiner Technical Assistance (SAFE TA)
safeta.org/index.cfm

National Protocol for Sexual Assault Medical Forensic Examinations of Adults and Adolescents
bit.ly/oR79AB

National District Attorneys Association
The Role of the Sexual Assault Nurse Examiner in the Prosecution of Domestic Violence Cases
bit.ly/qtBYQ



may encourage an otherwise reluctant victim to participate in the prosecution, and may improve the strength of the prosecutor's case.

Examples of activities and outcomes of case-staffing MDTs:

- Improving the likelihood of a positive outcome for each older adult victim whether or not the case goes to court
- Increasing the likelihood of a conviction on an appropriate charge with an appropriate sentence if the case does go to court
- Increasing the likelihood that forensic medical procedures are employed, information is correctly interpreted, and counterintuitive findings are understood and explained
- Clarifying the roles and responsibilities of each agency employee involved in identifying and responding to specific elder abuse cases
- Improving victim assistance services before, during and after the prosecution process

ELDER FATALITY REVIEW TEAMS (EFRTs)

As is generally true for multidisciplinary collaborations on crimes against elders, EFRTs may concentrate on systemic review, focus on individual cases, or engage in some variation of the two functions. Case-based EFRTs primarily look at individual cases to determine if the

In 1999, Dane County, Wisconsin, created the Elder Abuse Coordinated Community Response Project, led by the Area Agency on Aging. Initially, these efforts created a multidisciplinary collaboration between the District Attorney, Sheriff, Domestic Abuse Program Director, Human Services Department Managers, head of the Area Agency on Aging's Elder Abuse and Neglect Office, and Senior Centers and Coalitions. Today a system of community resources focused upon protecting older adults includes the Fiduciary Abuse Specialist Team and three local multidisciplinary teams modeled after the original Dane County Multi-Disciplinary Team on Abuse of Elders and Vulnerable Adults.

<http://bit.ly/KQDxjd>

person's death is a homicide that should be prosecuted. These EFRTs analyze suspicious older adult deaths that occur in a jurisdiction to determine whether the death occurred as a result of neglect or abuse, and if so, what additional investigation should occur in order to make prosecution possible. These teams operate similarly to case-staffing MDTs, but they typically address only those cases in which a death occurs. Although they are specifically designed to address individual cases, most case-based teams address some aspects of system-wide issues as well (see Systemic Review Multidisciplinary Groups).

EFRTs frequently encounter the fact that different forms of elder abuse are often co-occurring. For example, the cause of death on an older woman's death certificate might be listed as heart failure caused by malnutrition. However, when an EFRT investigates the death, it may find that not only was the older woman not being fed by her caregiver son who lived with her, but also that her son was financially exploiting her. The case-based analysis conducted by the team can lead to the discovery of additional crimes committed by the same perpetrator. The prosecutor might be able to use these crimes as prior bad acts or to establish a motive in support of a homicide charge; or if unable to prove a homicide, the prosecutor might be able to charge the underlying crimes instead.

FINANCIAL ABUSE SPECIALIST TEAMS (FASTs)

Financial abuse cases can be complex and typically require that prosecutors make connections with financial institutions and the civil bar. FASTs are multidisciplinary groups that respond to individual cases of financial abuse; they also may develop or improve systemic responses. Partners may include law enforcement, Adult Protective Services, representatives from the banking industry, forensic accountants, members of the elder law section of the local bar association, probate investigators and mental health professionals.

FAST analysis, like Elder Fatality Review Teams, frequently involves the discovery and investigation of co-occurring forms of abuse. Therefore, it is important that the team be prepared to expand membership at least temporarily if physical or sexual abuse or neglect of an older adult is discovered during the FAST analysis.

Financial abuse cases often require the use of forensic accounting tools as well as assessments of the victim's capacity to consent and the presence of undue influence. Case-specific issues that the team may need to address include prior allegations against the suspect, warnings given to the suspect, cognitive status of the victim, statements made by the suspect and victim, fiduciary duty, standard of practice, accounting principles, accounting of victim's and suspect's assets and expenditures, victim's capacity to consent and make informed decisions, victim's susceptibility to undue influence, and prior proceedings and evidence presented in probate matters (especially conservatorships).





LOCAL EXAMPLES

California has been a leader in the development of FASTs. Following are several local examples.

Improving California's Response to Elder Abuse, Neglect, and Exploitation: A Blueprint

(Executive Summary) California Elder Justice Workgroup

<http://bit.ly/obrljS>

MARIN COUNTY DISTRICT ATTORNEY'S OFFICE

The Marin County District Attorney's Office collaborates with community-based organizations to address elder abuse and is a member of an MDT composed of law enforcement, prosecution, and public sector agencies charged with protecting and safeguarding seniors. The District Attorney coordinates the Rapid Response Team, an offshoot of the MDT that renders immediate assistance when needed. The District Attorney also participates on the Marin County Financial Abuse Specialist Team (FAST), coordinated by the Elder Financial Protection Network (EFPN), which consists of public agency representatives and private professionals from the financial services industry.

Marin County Elder Abuse Prevention Efforts

<http://bit.ly/qtkB5c>

Marin County FAST

<http://bit.ly/JQF74T>

SANTA CLARA COUNTY FAST

The Santa Clara FAST is composed of representatives from Adult Protective Services, the Office of the Public Guardian, the District Attorney's Office and the County Counsel's Office. The FAST endeavors to identify, investigate and prevent financial abuse of elders and dependent adults in an efficient and expedited manner. As part of FAST, County Counsel initiates civil protective proceedings for incompetent elderly individuals and brings civil actions on behalf of the Public Guardian to recover estates taken from these individuals.

Santa Clara County Financial Abuse Specialist Team

<http://bit.ly/lmc2lz>

LOS ANGELES COUNTY AREA AGENCY ON AGING FAST

The Los Angeles FAST team draws on the expertise of professionals from diverse disciplines, including members of the Los Angeles District Attorney's Office, estate planning attorneys, gerontologists, and financial planners. FAST brings many benefits both to the individuals victimized by elder abuse and to the community at large, including: recovery of victim's assets, prevention of further losses and improvement of the victim's quality of life, whenever possible; leveraging community resources and fostering collaborative working relationships between different organizations and professions involved in elder abuse prevention; and serving as a foundation and catalyst to identify and respond to legislative issues and loopholes regarding elder issues.

Los Angeles County Area Agency on Aging FAST

<http://bit.ly/qCuFQj>



SYSTEMIC REVIEW MULTIDISCIPLINARY GROUPS

Collaborations intended to produce system change generally parallel the types of case-based multidisciplinary groups presented above. The distinction is that systemic review groups focus on bringing resources to and improving how the criminal justice system and community agencies respond to elder abuse rather than on achieving the best outcome in an individual case. This document describes three types of systemic review groups: systemic review multidisciplinary teams (MDTs), Elder Fatality Review Teams and Financial Abuse Specialist Teams.

Prosecutors may not immediately see the advantage of participating in systemic review efforts because they are not directed specifically toward resolving a particular case. However, systemic review groups typically facilitate outreach, training and improved coordination between agencies. These activities and connections ultimately generate better responses to, and investigation and prosecution of, individual elder abuse cases. While systemic review groups require the time and effort of the participants beyond the demands of their individual workloads, the improved relationships they produce among the agency partners can significantly lessen difficulties in future cases because systemic problems have been reduced or resolved.

SYSTEMIC REVIEW MULTIDISCIPLINARY TEAMS

Systemic review MDTs are collaborations involving key agencies for the primary purposes of addressing specific policy issues and improving responses to general types of elder abuse crimes. Team members may include a variety of professionals, including judicial officers and court staff, Adult Protective Services staff, law enforcement officers, medical examiners/coroners, prosecutors, mental health professionals, geriatricians, victim services providers, clergy, financial institution staff, professional fiduciaries, civil attorneys, and members of the Long-Term Care Ombudsman Program. Unlike case-based MDTs, systemic review MDTs usually can include court staff and judicial officers because specific cases that might appear before the court are not discussed.

The Long-Term Care Ombudsman Program (LTCOP) is a federal advocacy program that investigates elder abuse complaints in long-term care facilities and elderly residential care facilities. Each state operates its LTCOP through the state's Aging Department, area agencies on aging or other qualified organizations.



Prosecutors can work with partners in systemic review MDTs to develop tools for building effective cases, including protocols for information-sharing across agencies, standard evidence documentation forms for different types of abuse, and evidence collection protocols. For example, the Sexual Assault Nurse Examiner program provides specific protocols for the collection and presentation of sexual abuse evidence. Prosecutors may want to collaborate with their partners to determine if such protocols could be modified for use in cases involving older victims.

Systemic review MDTs also can provide the opportunity to develop information-sharing protocols for suspected neglect, which can be particularly difficult to identify and prosecute. Prosecutors can work within the MDT to develop and provide training to first responders and detectives on identification of, proper response to, and investigation of criminal neglect cases.

Examples of activities and outcomes of systemic review MDTs:

- Identifying and addressing system gaps and redundancies
- Implementing cross-disciplinary training to improve the capacity of all professionals who work with older persons to identify and report elder abuse and neglect
- Developing outreach programs and prevention efforts with senior centers, banking institutions, the faith community, business and civic associations and other community organizations
- Clarifying the roles and responsibilities of each agency involved in identifying and responding to elder abuse
- Creating protocols or memoranda of understanding for each agency for reporting elder abuse, information sharing, evidence gathering and preserving victim testimony
- Improving victim assistance services during and after the prosecution process
- Developing strategies for sharing existing resources and cooperating to seek additional resources through federal, state and local grant programs and corporate and private donors



LOCAL EXAMPLES

TRIADS are local partnerships of law enforcement, senior citizens, and community groups. TRIADs have two purposes: 1) promote senior safety and 2) reduce fear of crime in the senior population. TRIADs are formed when key players, including the local police chief and the directors of the county office on aging, the county senior volunteer organization (e.g., AARP, Senior Corps) and county fire department sign a public declaration to support the concept of keeping seniors safe in the community. A SALT committee (Seniors and Law Enforcement Together), made up of TRIAD member organizations and local seniors, is formed to be a “working arm” of the TRIAD. The SALT committee’s purpose is to assess community needs and create programs and local TRIAD events.

National Association of TRIADS

<http://bit.ly/qaXhyS>

ELDER ABUSE FORENSIC CENTER AT THE UNIVERSITY OF CALIFORNIA (IRVINE)

The Elder Abuse Forensic Center is one of the direct service components of the Center of Excellence on Elder Abuse and Neglect. The Elder Abuse Forensic Center is staffed by professionals from legal, medical, social services, and law enforcement agencies who conduct case reviews; in-home medical and mental status and evidentiary investigation; taped victim interviews; education; consultation and research. The collaboration brings these experts together to better understand, identify and treat elder abuse, determine more efficient ways to successfully prosecute elder abuse cases and support the prevention of elder abuse through greater awareness and education among those professionals who work with older and disabled adults.

Elder Abuse Forensic Center

www.elderabuseforensiccenter.com/

Center of Excellence on Elder Abuse and Neglect

www.centeronelderabuse.org

SAN FRANCISCO ELDER ABUSE FORENSIC CENTER

The San Francisco Elder Abuse Forensic Center works to prevent and combat the abuse, neglect and exploitation of elders and dependent adults in San Francisco. The center has both public and private partnerships between the non-profit Institute on Aging and the following City and County of San Francisco agencies: Department of Aging and Adult Services (Adult Protective Services and the Public Guardian), District Attorney’s Office, City Attorney’s Office and the San Francisco Police Department. The Elder Abuse Forensic Center and its partners work to “improve communication and coordination among the legal, medical, social services professionals who investigate and intervene in cases of elder and dependent adult abuse, increase access to potential remedies and justice for those who have been victimized, and educate policy makers, professionals, caregivers, older adults and their families about preventing, reporting and stopping elder and dependent adult abuse.”

San Francisco Elder Abuse Forensic Center

<http://sfeafc.org/>



ELDER FATALITY REVIEW TEAMS (EFRTs)

EFRTs often expand from case-specific analysis of individual deaths to broader system analysis of how such deaths might be prevented. For example, the Santa Clara County, California fatality review team conducted a statistical analysis of data on domestic violence fatalities. The analysis revealed that a high percentage of the victims were from monolingual Asian communities. Moreover, most of these victims had never received services from community agencies. The team's discovery led the community to increase education, outreach and prevention efforts in the Asian community.

FINANCIAL ABUSE SPECIALIST TEAMS (FASTs)

FASTs may focus on analyzing the evidence in a given financial exploitation case, or they may be designed to take a broader view of elder financial exploitation occurring within the community. Systemic review FASTs determine how community partners can create a more consistent, effective response to preventing and prosecuting financial exploitation and abuse of elders. Members may include policy-level employees of local banks and businesses, as

well as supervisors from law enforcement, Adult Protective Services, and prosecutors' offices. Changes that may occur include improved training and outreach to banks and local businesses regarding recognizing and reporting elder financial exploitation, public awareness campaigns and improved coordination of investigations between APS and law enforcement.

LOCAL EXAMPLE

THE FINANCIAL ABUSE SPECIALIST TEAM OF VENTURA COUNTY (FAST)

The Ventura County FAST assists direct service providers with special expertise, provides continuing education for professionals who serve the elder and dependent adult communities, offers free community education on financial abuse, collaborates with statewide adult abuse prevention teams and advises on legislation pertaining to financial abuse.

<http://bit.ly/qRYFmo>

Participating in Broader Community-Based Coordination Efforts

Prosecutors are members of the communities in which they live and have a vested interest in making their communities the strongest, safest and most vibrant they can be. In addition, community involvement in addressing elder abuse neglect and exploitation can ultimately lessen a prosecutor's workload, because cases are discovered earlier and high risk situations are dealt with out of court before crimes are committed. To broaden community awareness, prosecutors should consider additional efforts at community outreach such as the following:

- Speak at service and civic organization meetings, faith community gatherings and meetings of business associations. The goal is to get the word out that elder abuse is a crime and the criminal justice system will prosecute these cases
- Visit residential care facilities and let residents, their family members and visitors, staff and Long-Term Care Ombudsman Program volunteers know that elder abuse is a crime and the prosecutor cares about stopping it. Educate them on any reporting requirements they may have and how to safely respond if they know about or discover elder abuse, neglect or exploitation (e.g., call their ombudsman, law enforcement, or state licensing agency)
- Attend events specifically designated for older adults (e.g., health fairs and senior center activities) to visibly demonstrate to attendees that the criminal justice system is responding to elder abuse
- Participate in multidisciplinary training on elder abuse to educate professionals in the local community and identify contacts in relevant agencies who may be able to help prosecutors build their cases. Possible training subjects include recognizing and reporting elder abuse, types of crimes that may constitute elder abuse, the physiology of aging, cognitive and mental health issues, the dynamics of elder abuse, and how to work collaboratively with other agencies in the field





STATE EXAMPLES

KENTUCKY ELDER ABUSE COMMITTEE

The Kentucky Elder Abuse Committee informs policymakers of changing trends and future needs with respect to elder maltreatment and provides oversight and recommendations to the Cabinet for Health and Family Services on how to better serve the elder population. In an effort to increase the number of successful prosecutions of perpetrators of maltreatment of elders, the Committee has undertaken an effort to improve communication, coordination and cooperation with prosecutors and the court.

Elder Abuse in Kentucky: 2008 Annual Report

<http://1.usa.gov/oS3OBc>

MAINE ELDER JUSTICE PARTNERS (EJP) was formed in 2006 with funding from the Department of Justice, Office on Violence Against Women. EJP grew out of an earlier collaboration, the Elder Justice Training Partnership. EJP's 17 core partners include the Maine Prosecutor's Association, Maine's Statewide Elder Abuse Task Force, Maine TRIADS, APS, the Department of Professional and Financial Regulation: Office of Securities, and other agencies. EJP's primary goals include improving responses to elder abuse cases through professional trainings and reviewing policies and protocols that impact elder victim safety and offender accountability.

Abuse Against the Elderly and Vulnerable Adults: Potential Legal Remedies

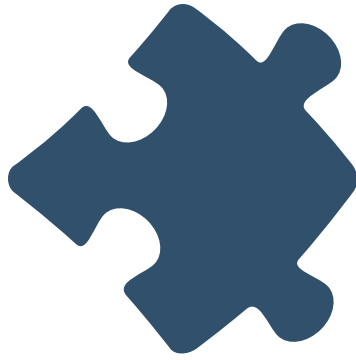
A guide prepared by the Elder Justice Training Partnership

<http://1.usa.gov/pPeNAR>

TEXAS ELDER ABUSE AND MISTREATMENT (TEAM) Established in 1997, TEAM is the first collaboration among a medical school, a public hospital and Adult Protective Services in the United States. TEAM's mission is to improve the lives of mistreated elders through clinical care, education and research. Serving state, national, and local communities, TEAM actively collaborates with healthcare professionals, hospital staff, the medical examiner's office, district attorneys, victim advocates, law enforcement, and others.

Texas Elder Abuse and Mistreatment (TEAM)

<http://bit.ly/nNgqXa>



ADDITIONAL NATIONAL ORGANIZATIONS AND RESOURCES

CENTER FOR ELDER ABUSE AND THE COURTS (CEC)

eldersandcourts.org/

CEC: ELDER ABUSE CURRICULUM FOR STATE JUDICIAL EDUCATORS

eldersandcourts.org/curriculum/index.html

NATIONAL CENTER ON ELDER ABUSE (NCEA)

1.usa.gov/pCO7mK

NCEA: MULTIDISCIPLINARY EFFORTS

1.usa.gov/nxVMF4

NATIONAL CLEARINGHOUSE ON ABUSE IN LATER LIFE

ncall.us/

AMERICAN BAR ASSOCIATION COMMISSION ON LAW AND AGING


americanbar.org/groups/law_aging.html

ELDER ABUSE FATALITY REVIEW TEAMS: A REPLICATION MANUAL

bit.ly/nNPbMM







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National Center for State Courts
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