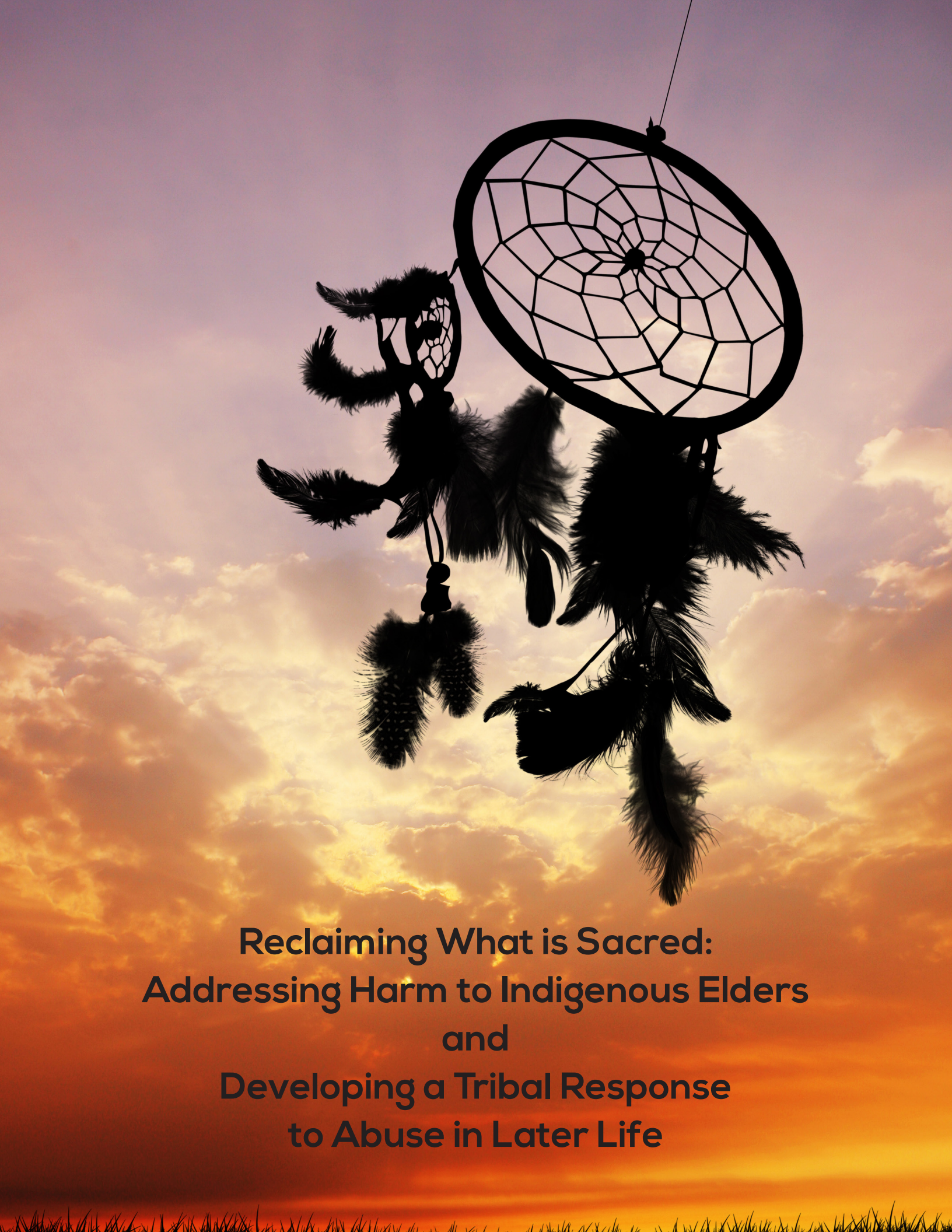

Reclaiming What is Sacred: Addressing Harm to Indigenous Elders and Developing a Tribal Response to Abuse in Later Life

National Clearinghouse on Abuse in Later Life (NCALL)
A project of End Domestic Abuse Wisconsin
1245 E. Washington Ave., Suite 150, Madison, WI 53703
Phone: (608) 255-0539 • Fax/TTY: (608) 255-3560 • www.ncall.us

Reclaiming What is Sacred: Addressing Harm to Indigenous Elders and Developing a Tribal Response to Abuse in Later Life

Authors
Lauren J. Litton, I.S.P. Consulting & Victoria Ybanez, Red Wind Consulting, Inc.
A Project by the National Clearinghouse on Abuse in Later Life

Honor the sacred.
Honor the Earth, our Mother.
Honor the Elders.
Honor all with whom we
share the Earth:
Four-leggeds, two-leggeds,
winged ones,
Swimmers, crawlers,
plant and rock people.
Walk in balance and beauty.

– Anonymous Native American Elder

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* Participant quotes are indicated with an "LS Participant" following the quote.

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For more than 15 years, the National Clearinghouse on Abuse in Later Life (NCALL) has been dedicated to helping communities respond to and eliminate abuse in later life. NCALL has been the trailblazer in the United States in addressing the nexus between domestic violence, sexual assault, and elder abuse, neglect, and exploitation.

Since 2002, NCALL has been the lead technical assistance provider to communities that receive U.S. Department of Justice, Office on Violence Against Women (OVW) Enhanced Training and Services to End Abuse in Later Life Program grants. These grants fund local projects to conduct community assessments and establish multi-disciplinary, collaborative, and informed responses to those in need of protection in later life.

Questioning whether the framework outlined for other grantees would work in tribal communities or if it would need to be tailored for American Indian and Alaskan Native communities, Bonnie Brandl, Director of NCALL, and Janice Green, Senior Grant Program Specialist at OVW, decided it was imperative to gather information that would assist tribes and villages in designing meaningful responses for their own communities. NCALL used its infrastructure to support a Native-led inquiry that helped produce this report. Without Bonnie's leadership and the entire team at NCALL opening their hearts and minds to this journey, this project would not be possible.

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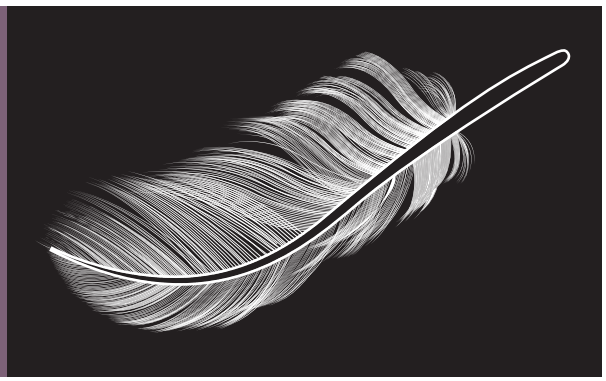
Preface

In many cultures, elders preserve traditions and share wisdom to help ensure community permanency and balance. Indigenous[1] communities often hold elders in a unique and important social position. Elders are mothers, fathers, grandmothers, grandfathers, aunties, uncles, brothers and sisters. They are also advisors, teachers, healers, spiritual leaders and connectors to the past and future.

"Elder respect is part of our culture so there is increased shame when we fail."
– LS participant



Concern over the abuse of older people has been heightened by the dramatic increase in the number of individuals that are considered elderly. Elder abuse is a serious human rights issue. It can include physical, psychological, social, spiritual, or sexual assault, neglect, and financial exploitation. The harm is most often caused by someone in a trusted, ongoing relationship like a spouse, partner, family member, or caregiver.

Despite strong traditions, tribal communities have not been immune from abuse in later life. Education about its existence, and the design of culturally meaningful interventions, remains in its early stages.

In 2015, the National Clearinghouse on Abuse in Later Life (NCALL) and Office on Violence Against Women (OVW) hosted a listening session with representatives from tribal governments and service providers and those that work closely with tribes, tribal domestic violence coalitions and federal responders. The gathering was an opportunity for Native people to inform the field about what abuse in later life looks like in tribal communities and how to address it. Participants shared stories about the harm perpetrated against elders and the impact it has had on their beloved communities.

1. For the purposes of this document, the terms Native, indigenous, and Native Americans are used interchangeably to apply to Native Indians and Alaska Natives.

Several guiding philosophies serve as a foundation for this report. They are:

- **Sovereignty and autonomy are intertwined and apply to both the tribal government and its individual members.**
- **Every person is entitled to live their life free of harm.**
- **Elders should have a safe and peaceful place to live within their community.**
- **When an elder is deprived of the basic necessities of life, the community must collectively respond to protect him/her.**
- **Elders have the right to make decisions that do not conform with others' expectations or beliefs, as long as they do not harm others.**
- **Due to diversity among people and tribes, a uniform and rigid approach to addressing abuse in later life does not work.**
- **Respect, dignity, and cultural integrity are cornerstones to effective responses to abuse in later life.**
- **Local tribal responses should be Native-led and may involve partnerships with non-Native entities.**

Abuse of elders requires the attention and involvement of the entire community. This report raises awareness of this social ill, so that tribes and villages[2] can develop distinct, local strategies aimed at eradicating harm and restoring balance in their communities.

"Self-determination means one-size-fits-all does not work for a tribe or an individual."
– LS participant

2. Numerous indigenous people live in urban areas. Elder abuse is also a problem for those populations and responses need to be developed for those living outside of geographical jurisdiction of tribal governments. However, this report is written for tribal communities that have the authority to design mechanisms to protect their citizens. The word "tribe" is used in the report to apply to any Native community that holds sovereignty, including pueblos and villages.

Overview

Around the world, people are living longer. By the year 2025, the global population of those 60 years and older is projected to reach 1.2 billion. As people age, they become more vulnerable to different types of violence and harm. Research reveals that six percent of adults over the age of 60 experience at least one form of abuse monthly, leading to an estimate of 36 million cases of abuse in later life.[3] Abuse results in injury, illness, lost productivity, isolation and despair.

Historically, harming elders has been a private family matter. The issue becomes even more complicated when the abuse is committed by someone in a trusted, ongoing relationship like a spouse/partner, family member, or caregiver. This reduces the likelihood of victims reporting abuse or receiving assistance.

Traditional societies considered harmony to be an important factor guiding family relationships. Elders were viewed as valuable members due to their life experience, traditional perspective, spiritual knowledge, and close ties to the ways of tribal ancestors. Thus, abuse of older people was almost unheard of in indigenous communities. Many tribes, villages, and pueblos continue to hold elders in high regard.

Every person should have the fundamental right to live free from violence. Confronting and reducing elder abuse is an important step in reclaiming sacred traditions and restoring dignity, harmony and balance in Native communities. To do so, each tribe and village must seek to understand what is happening to their people and explore a local, multifaceted approach to addressing the problem.

3. The statistics in this paragraph can be found at: World Health Organization, Elder Abuse, Fact Sheet No. 357, Media Centre (Updated Dec. 2014).

"Elders are valuable resources as they are our custodians of tribal history, culture and tradition and they are the best hope of the Tribes to pass on tribal history, culture, and tradition to youth and adults of the Tribes. Thus, it is in the interest of and serves the welfare of the Tribes to protect tribal elders."

– Warm Spring, Chapter 331 – 60, Tribal Elder and Adult Protection Code

Defining and Understanding Abuse in Later Life

What is Abuse?

The Elder Justice Roadmap[4] defines elder abuse as "physical, sexual or psychological abuse, as well as neglect, abandonment, and financial exploitation of an older person by another person or entity, that occurs in any setting (e.g., home, community or facility), either in a relationship where there is an expectation of trust and/or when an older person is targeted based on age or disability." This report focuses on the first half of that definition, when the harm is committed by a spouse, partner, family member, caregiver or person in a position of power or responsibility.

While both men and women can be at risk of elder abuse, research indicates that 2/3 of the victims are female.[5] People at any age can become victims of domestic or sexual violence.[6] The blending of knowledge from the elder abuse and the domestic violence/sexual assault fields has created a more inclusive and comprehensive umbrella of remedies for this public health issue.

"That's not the Dakota way. We take care of each other. We don't hurt each other."

– LS participant

4. Connolly, Marie-Therese, et al., The Elder Justice Roadmap: A Stakeholder Initiative to Responding to an Emerging Health, Justice, Financial, & Social Crisis, U.S. Department of Justice with support from the U.S. Department of Health and Human Services (2014).
5. Lifespan of Greater Rochester, Inc., Weill Cornell Medical Center of Cornell University, & New York City Department for the Aging. Under the Radar: New York State Elder Abuse Prevalence Study. Self-reported prevalence and documented case surveys [Final Report]. New York: William B. Hoyt Memorial New York State Children and Family Trust Fund, and the New York State Office of Children and Family Services. (2011)
6. The term "intimate partner violence" or "domestic violence" describes a pattern of coercive behaviors directed at a current or former partner or spouse with the intention of gaining or maintaining power and control over that person.

Types of Harm

Many forms of abuse are interrelated. Elders may experience more than one type at any given time. Tribes and villages should identify the types of elder abuse occurring in their community.

Physical abuse is the use of force that can result in bodily injury, pain, or impairment. This is usually the easiest to identify because there are often visual signs.

Sexual Assault/Rape is the non-consensual sexual contact of any kind. This includes sexual contact with a person incapable of giving consent or gaining an Elder's consent through intimidation or fraud.

"Elders will tell me "he's bothering me" to indicate they have been sexually assaulted."

– LS participant

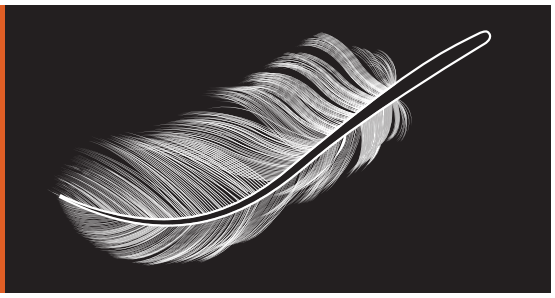
Emotional/Psychological abuse imposes anguish, pain, or distress through verbal or nonverbal acts.

Social abuse encompasses many tactics intended to devalue the individual, isolate him/her from friends, family or regular activities, or take advantage of the person's status.

Spiritual or Cultural abuse occurs when there is disregard for a person's spiritual beliefs, ideals, or practices.

"Many elders have nothing of value left – their jewelry, regalia, and treasured pictures have been stolen or pawned."

– LS participant



Neglect is the refusal or failure to fulfill any part of a person's obligations or duties to an elder, including fiduciary responsibilities.

Financial Exploitation occurs when there is illegal or improper use of a person's money, property, or assets.

When we show our respect for other living things, they respond with respect for us.

– Native American Proverb

Who is Considered an "Elder"?

No single number defines the age when a person becomes "elderly." The concept of old age differs among cultures. In Western societies, the onset is usually associated with the age of retirement – between 60 and 70.[7] For other populations, emphasis is placed on the roles assigned to people during their lifetime.[8]

In tribal communities, "elder" and "elderly" have distinct meanings. In Native communities, the designation of elder is often bestowed on people who are regarded as teachers, mediators, advisors, medicine people, stewards of tribal lands and the keepers of culture. In some tribes, elder refers to respected people in the community irrespective of age. Tribes and villages should assess which age, if any, will be the most useful to determine eligibility for tailored services for elders.

Finding Language to Define Elder Abuse in Your Community

Federal and state laws define elder abuse. Tribes may have developed their own civil or criminal laws adopting the same terminology, although the threshold age is often lower, typically starting at 55 to 60. Another phrase, developed out of the domestic violence field, "abuse in later life"[9] applies to individuals who are age 50 and older and are victims of the willful abuse, neglect, or financial exploitation committed by someone in an ongoing relationship with the victim.[10] Lowering the age to 50+ broadens the coverage to include victims who may have a shorter life expectancy because they experienced trauma, lived in poverty, or lacked access to health care. Individuals age 50 to 65 may experience a gap in attention, services, and response to abuse. For example, most do not have dependent children and therefore are not eligible to receive TANF assistance and too young to receive Social Security.

7. For example, in the United States, the Older Americans Act uses age 60 and Medicare uses age 65.
8. In this report the terms elder, older adult, and in later life are used interchangeably.
9. Abuse in later life focuses explicitly on situations where the abuse is perpetrated by someone in an ongoing relationship with the victim (e.g. spouse, partner, family member or caregiver). Sexual abuse and stalking are also included in the definition.
10. Traditional domestic violence core services are rarely developed to respond to the distinct needs of this age group, which may partially explain the significant decrease in the number of older survivors accessing services from domestic violence and sexual assault programs. OVW's Abuse in Later Life Grant Program began using age 50 as a way to help remedy this problem.

Word choice can influence how individuals may understand and react to complex situations. Some words can be off-putting having a negative or judgmental connotation, while others may be confusing or misunderstood. For example, elder adults may use phrases such as 'lack of respect' rather than specifically using the word 'abuse'. Participants in the 2015 OVW/NCALL Tribal Listening Session agreed with this sentiment and also suggested using the words "harm" and "mistreatment" as alternative terms for "abuse" when discussing this topic with Native elders.

"Some elders talk about being "misused.""

– LS participant

Every tribe and village should undertake its own assessment to determine which words and phrases help people become open to talking about abuse in later life. Consider using words and concepts valued by the community. No matter which words are chosen, avoid minimizing the seriousness of the violence and harm some elders are experiencing.

Snapshot of Native Communities

While many Native populations share similar core values, tribes are heterogeneous not homogenous.[11] Tribes possess their own history, beliefs, culture, traditions, forms of government and laws, language, resources, and spiritual/religious practices. According to the U.S. Census Bureau's 2010 data[12] roughly 5.2 million indigenous people live in the U.S., representing approximately 2% of the total population. The population is estimated to more than double by 2060. A snapshot of indigenous people from the 2010 Census reveals:

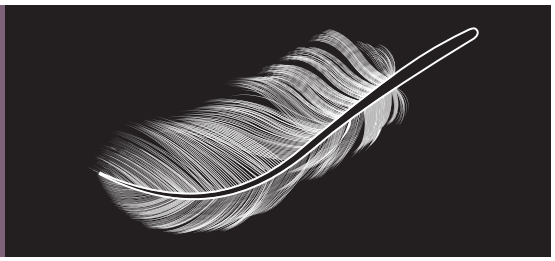
- 432,343 people are age 65 and older.
- 22% live on reservations or on other trust lands, with reservations ranging in size from 1.32 acres to 16 million acres.
- 29.2% live in poverty, the highest rate of any racial or ethnic group in the U.S.
- 26.9% lacked health insurance, as compared to 14.5%.[13]
- 53.9% owned a home, as compared to 64%.
- The median household income for Native families is $36,252, as compared to $52,176 for the nation as a whole.

11. Currently there are 566 federally recognized tribes, including at least 220 Alaskan village groups, and more than 100 state recognized tribes. Additionally, there are tribes that are not state or federally recognized.
12. The statistics cited in this section are from the 2010 U.S. Census unless otherwise noted. See, U.S. Census Bureau, Facts for Features: American Indian and Alaska Native Heritage Month, Release Number: CB14-FF.26 (Nov. 2014) and Centers for Disease Control and Prevention, American Indian & Alaska Native Populations, Webpage of the Office of Minority Health & Health Equity (updated 2013).
13. The compared percentages refer to the percentages in the same category for all other populations on which the U.S. Census gathers information.

Prevalence data of elder abuse in tribes are practically nonexistent. The emerging literature and accounts from families, social service providers, and domestic violence advocates suggest that abuse in later life is serious and pervasive.[14]

Even though abuse in later life exists in all cultures, unique factors contribute to this phenomenon in indigenous communities. Listening session participants identified the loss of cultural values and historic trauma.[15] Legacies of exclusion, cultural oppression, and racism continue to erode the environmental, psychological, social, and cultural health of Native Americans. Structural inequalities and poverty have led to deplorable housing and public health conditions. Lack of electricity, clean water, and unsafe roads contribute to extreme isolation. Public transportation often does not exist. Some people do not have electricity, or cannot afford phone service. Cell phone reception or internet access on rural reservations can be difficult or impossible to obtain. Some tribes have closed enrollment as a way to try to control the allotment of resources, causing overcrowding of housing and additional financial burden on the enrolled older adults. Young people have left their tribes in search of educational and employment opportunities in urban environments, resulting in a shortage of qualified caregivers.

"We have 2 million acres and 1 person per square mile."
– LS participant



Communities must explore the connection between domestic violence, sexual assault, stalking, and elder abuse. Creating comprehensive and victim-centered services can assist in ending harm across the lifespan and prevent interpersonal violence in future generations.

Reasons Abuse in Later Life Might Go Unreported

Elder abuse is regularly overlooked for a host of reasons. Older adults may not see themselves as victims or may not understand what constitutes abuse or neglect. Elders may desire to protect the loved ones who are hurting them, may be afraid about starting gossip in the community, or being characterized as a "victim." Terror may also keep the elder from reporting. Older victims may believe if they tell someone about the abuse they will be institutionalized, abandoned, or killed. Many older adults worry about the loss of independence or being sent to live outside of their tribal community. Additionally, a person may be unable to report abuse due to a lack of mental capacity, physical limitations, or extreme isolation.

14. For example, in 2005, the New Mexico Indian Elders Forum passed a resolution to submit to the White House Conference on Aging that called for the need to "address the growing issue of elder abuse."
15. Historical trauma is discussed more in depth later in this report.

"We need to be treated as who we are, not as a label."

– LS participant

Some explanations more specific to indigenous communities are:

- Fear of retaliation. Heightened by geographic isolation from police and social services, a perpetrator or his/her family may hear about the abuse report before the authorities respond, placing the victim at greater risk.
- Confidentiality. Maintaining confidentiality is challenging in small, tribal communities. First responders are most likely known, if not related, to the victim or to the perpetrator of the abuse.
- Access to services. Elders often need to travel away from their tribal community to access services that are not locally available. They may worry about leaving their nation for medical treatment and potentially dying away from family and friends in a setting where their culture and language is not known or honored.
- Protective services. Many tribes have no specialized elder adult protective services of their own. There may be no one to report the abuse to, or insufficient resources for a response if a report is made. Consequently, a coordinated system of prevention, protection and support is not easy for elders to find in their tribal community.[16]
- Historical trauma. A large proportion of indigenous elders have experienced the impacts of past U.S. federal government policies and fear further institutional abuse through contact with government agencies and authorities. Many distrust authorities and are scared that their loved ones will enter the justice system.

16. A study conducted by the National Resource Center on Native American Aging found that more than 13% of the 18,000 seniors surveyed would use a caregiver, financial and legal assistance, or transportation programs if offered by their respective tribes. See, California Courts, Judicial Branch of California, Elder Abuse in Tribal Communities: A Guide for California State Judges (2014).

- Shame. Some older tribal members carry shame for the harm they inflicted on their loved ones and see their exploitation, neglect, and abuse as payback.
- Spiritual. Elders may believe abuse is a result of insufficient prayer or bad medicine, the effects of which cannot be remedied through services or interventions.

Indian people live on Mother Earth with the clear understanding that no one will assure the coming generations except ourselves....Self-determination must be the goal of all work. Solidarity must be the first and only defense of the members.

– Native American Proverb

Complexities and Considerations

Historical Trauma

Current problems plaguing indigenous communities may be directly linked to chronic trauma and unresolved grief produced by the legacy of abuse committed by the dominant culture. The principal characteristic of historical trauma is that the suffering is transferred to subsequent generations, resulting in a cross-generational cycle of trauma.[17] Historical trauma affects all aspects of an individual's life including identity, personal relationships, collective memory, and cultural and spiritual worldviews. This report cannot give proper regard to the oppression and dispossession that indigenous people suffered, aimed at assimilation and termination.[18] To survive and cope with these unimaginable losses, many people have suppressed their feelings of grief and anguish, leading to severe psychological, economic, social, environmental and physical distress. The destructive behaviors[19] that are now too common in tribes and villages were foreign concepts before colonization.

17. Author Kathleen Brown-Rice outlines the Sotero (2006) framework for historical trauma as follows: "The conceptual framework for historical trauma has three consecutive phases. The first involves the dominant culture perpetrating mass traumas on a population, resulting in devastation. The second phase occurs when the original generation of the population responds to the trauma showing biological, societal, and psychological symptoms. The final phase is when the initial responses to trauma are conveyed to successive generations through environmental and psychological factors, and prejudice and discrimination." Kathleen Brown-Rice, "Examining the Theory of Historical Trauma Among Native Americans", The Professional Counselor (October 2014).
18. This included genocide, ecocide, forced sterilization and labor, removal of children through court systems and boarding schools, the development of reservations, and arcane medical testing.
19. These include intimate partner violence, child abuse, alcohol and drug addiction, and suicide.

"Historical trauma should be used to inform your advocacy but not to excuse elder abuse."

– LS participant

Many indigenous populations are reclaiming their cultures and traditions in order to heal and restore harmony and balance. Any approach to elder abuse should incorporate an understanding and validation of grief and loss associated with historical trauma.

Sovereignty and Jurisdiction

As sovereign nations, tribes have the inherent authority to formulate laws governing their lands and their members. Tribes traditionally had their own mechanisms of maintaining peace, law, and order. Tribal governments operate in different ways. Some are democracies and others are theocracies.

"Public safety is a core aspect of sovereignty."

– LS participant

Tribes do not exclusively handle all legal matters that involve their citizens. Tribal, state or federal jurisdiction is determined by assessing the law, the nationalities of the victim and perpetrator, and the type of offense committed.[20] One of main reasons there is complexity is Public Law 83-280 (P.L. 280).[21] P.L. 280 shifted jurisdiction in six states for crimes committed on tribal lands by Native Americans from federal to state courts.[22] Affected tribes and states have faced obstacles, including jurisdictional uncertainty and insufficient funding for law enforcement[23] creating unique challenges, often at the expense of victim safety.

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20. See, California Courts, Judicial Branch of California, Elder Abuse in Tribal Communities: A Guide for California State Judges (2014).

21. P.L. 280, was enacted in 1953 and can be found at 18 U.S.C. §1162.

22. It gave the option to another 10 states to assume jurisdiction. A number of tribes have since had criminal jurisdiction returned back to the federal government.

23. Supra, note 20. "The passage of P.L. 280 meant that the costs of enforcement of criminal laws fell to local governments. Because reservation trust lands are exempt from state and local property taxes, and tribal members living and earning income on reservations are exempt from paying state income and sales taxes, these important sources of funding for local law enforcement and criminal justice on reservations are unavailable."

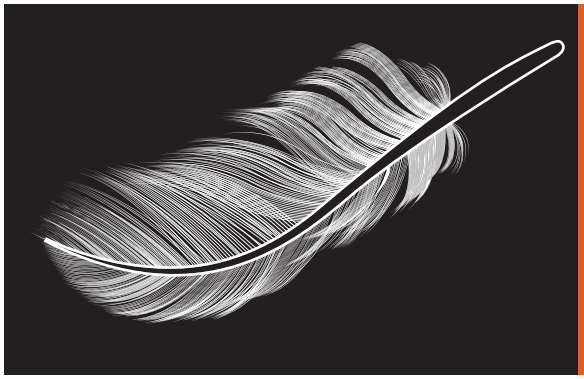
"Oklahoma is home to 38 federally recognized tribes. Each tribe has its own legal code, few of which include Adult Protective Services."

– LS participant

A significant portion of violence against Native women is committed by non-Native men.[24] In 2013, the U.S. Congress reauthorized the Violence Against Women Act (VAWA) and incorporated a provision providing tribes with authority to prosecute non-Natives who commit domestic violence, dating violence, and violations of protection orders on tribal lands.[25] To assume jurisdiction, a tribe must satisfy a series of requirements. Some tribes may decide not to exercise this new power because they do not yet have, or may not want to build, the mandated infrastructure.

Familial Relationships and Values

Some elders are living without the basic necessities and are isolated from family members who could provide care or support. In other cases adult children may live with their older parents because they are unable to live independently. Grandparents may be the primary caregivers of grandchildren. High rates of addiction and the migration of young populations away from tribal lands contribute to these scenarios.



"Some of the old structures of how people used to be supported do not exist anymore. There is not a lot to do where we live. People have left the area."

– LS participant

24. Futures Without Violence, The Facts on Violence Against American Indian/Alaskan Native Women (2010).
25. The VAWA 2013 tribal prosecution provision became effective on March 7, 2015. The new provision is called "Special Domestic Violence Criminal Jurisdiction." It should be noted that VAWA 2013's SDVCJ originally did not apply in Alaska except for Metlakatla, because of an exception provided for in §910 of VAWA 2013. Tribes in Alaska strongly opposed the "Alaska exception," and it was repealed in 2014.

Yet, for many indigenous people, families[26] are the foundation for social and emotional well-being. Families take care of one another. Throughout time, tribes and villages have survived the hardships of daily living by sharing responsibilities and the abundance. These kinship obligations and expectations shape people's worldview about what constitutes abuse and neglect.

Sharing (English version)

"That was our Indian way. If you've got something, you give it to someone in need. We never charged anybody anything. Those were the days, I was taught to welcome anyone that came to my home; anyone that needed a place to sleep, food to eat or a friend to talk to. I would never close the door to anyone wanting this kind of support. It was important to show that you had a good heart."

Nêhiyawêwin (Cree version)

"êkwa ôma kinêhiyâwiwinaw; kîspin kîkway ê-ayâyan, kimiyâw ana awiyak kâ- kwêtamât. namôya wihkâc awiyak kîkway ohci-akihtamawâw. êkosi mâna pêci-nâway ê- kî-wihtamâkawiyâhk. ta-miyo-otôtêmâyâhk awiyak kâ-pê-kiyokêt nîkinâhk. ahpô awiyak kâ-kwêtamât ta-nipât, ta-kapêsihâyâhk, ta-asamâyâhk awiyak, kâ-nohtêkatêt. ta-miyo- pamihâyâhk pikw âna awiyak. miywâsin mistahi ta-nôkohtât awiyak ê-miyotêhêt."

This is one paragraph from a story about the importance of Sharing by Joe Derocher, Flying Dust First Nation. It is from a series called Elders Speak.

From a Native perspective, an elder may be neglected when kinship fails to provide food and housing.[27] And on the flip side, an elder may believe it is his/her duty to share his home, food, and money with younger generations. Depending upon one's viewpoint, the actions of adult children who leave grandchildren to be raised by grandparents who do not have the physical strength or resources to care for them, or cash an elder's check in order to access money to cover their own living expenses, could be considered exploitation.

26. In Native communities when people talk about family this does not necessarily mean blood relations. It can include a broad extended network of individuals within the tribe.
27. See supra note 4.

"What does it look like when people are looking out for each other? I received a phone call from someone in the village that my brother was yelling at my dad. I went to visit for the weekend and found that my dad could not hear my brother so he had to speak real loud for dad to hear him. I took comfort in the fact that everyone was watching out for my parents."

– LS participant

Tribes and villages must determine their own cultural norms before creating policies about abuse in later life. In many cases, including family members in the protection of elders may be vital.

Potential Strategies

Listening session participants described action steps tribes and villages might want to take to begin to address elder abuse. Obtaining greater knowledge about elder abuse and holding community-wide conversations to identify problems and craft effective local remedies, interventions, and policies were listed as priorities.

Addressing issues that make elders vulnerable to harm can improve their health and well-being. For example, emphasizing family and kinship networks, preserving tribal culture, including restoring peace and harmony in the community and upholding spiritual beliefs are ways to break isolation and heighten social involvement. Strategies devised to remedy elder abuse should whenever possible involve elders, promote family unity and cooperation, incorporate traditional values and traditions, and utilize informal community networks. None of this should be done in a way that compromises an elder's safety. Working with family members is a key component to a holistic approach, but communities must prioritize and work collaboratively to promote the elder adult's safety, autonomy and quality of life.

Gather Information and Assess Needs

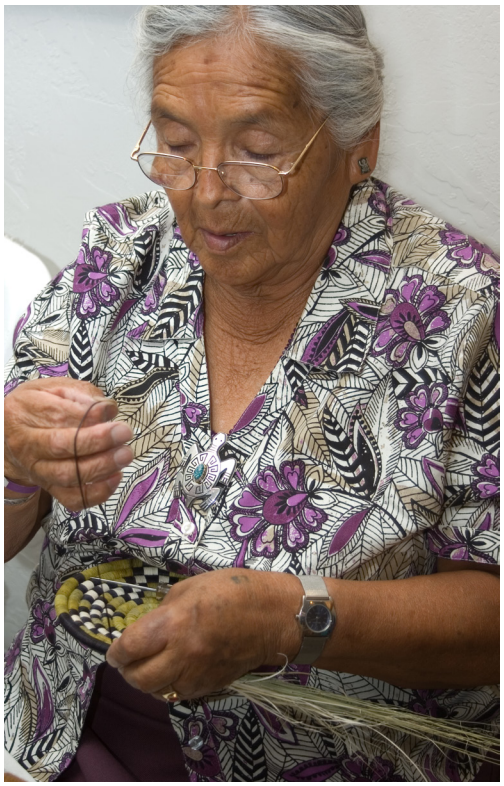
Definitions and potential responses should be determined on the local level. Tribes and villages may want to:

- Explore what forms of elder abuse are occurring;[28]
- Identify what resources already exist;
- Identify gaps and determine if there are needed services that do not exist;
- Determine how resources can be better utilized for a coordinated and comprehensive response.

Some common methods for gathering this data are: collecting statistics, hosting listening sessions,[29] conducting surveys,[30] holding community meetings, engaging in resource mapping, having lunch with elders, and meeting with tribal council members, first responders, and spiritual and cultural leaders. To reduce the risk of re-victimization and protect participant confidentiality, ensure that identifying information about those participating in information gathering efforts be kept confidential. Only the overall themes acquired should be shared.

28. Supplemental materials and resources included at the end of this report can assist tribes and villages in this exploration.
29. Several listening sessions should be conducted with different configurations of people. It will be crucial to hear from elders, from tribal council members, from those who hold the cultural and spiritual history, and from service and system providers that are already responding to elder abuse or intimate partner violence.
30. Surveys can be distributed to consumers of healthcare and nursing facilities, community services, and those who sought assistance through the justice system. Surveys can also be available where people usually gather, such as meal sites, health centers, and community celebrations.

Engage and Empower Elders



Elders must be actively involved in every aspect of this work. As potential consumers,[31] consider ways they can serve as advisors. Even though elders possess wisdom and experience, many older adults find it difficult to connect with social networks and remain purposeful. Supporting elders is about more than ensuring that their basic needs are met, but also building a society where they are productive and valued. Consider the following strategies:

- Ask elders how to address abuse in later in life. Find out what they need to feel safe and respected;
- Create opportunities for elders to convene, support each other, and be connected to younger generations;
- Organize a dedicated elder council that apprises the larger tribal leadership about elder-specific the issues;
- Hold community events where elders can participate;
- Honor elders at local activities;
- Assemble a board of elders to review elder abuse cases and make recommendations for how victims and families can be helped.

"Relationships are extremely important in tribal communities. Elders need to see who you are and that you care about them generally so that when there is a problem they will be more open to talk to you."

– LS participant

31. People are sometimes more willing to share what would work best for them before they need or are mandated to services. Tribes and villages should inquire into whom elders would feel most comfortable talking to if there is a problem (i.e. law enforcement, another elder, an outsider, or an elder abuse or domestic violence advocate).

Enhance Programs and Policies to Empower Elders

Remedies, services and policies should promote safety, self-determination, and respect. Keep in mind that disclosing abuse and neglect is difficult. Victims are often in the best position to understand what will and will not impact their safety. Many older adults want to remain in their own home with their family or caregiver but also want the abuse to end.

Elders, barring any capacity issues, have the right to make independent decisions, even if others do not agree with those choices. To make informed decisions about disclosure, older adults must understand what is defined as abuse or neglect, what will happen if a report is made, what their rights are, and potential outcomes of various actions taken.

> **"An elder may refuse to accept elder protection services (even if there is good cause to believe that the elder has been or is being abused) provided that she/he is able to care for him or herself and has the capacity to understand the nature of the services offered."**
>
> – Section 7-5-11 Rights of elders, their families and caretakers, Pueblo of Laguna, NM

Consider the following strategies:

- Cultivate relationships with elders so they feel more comfortable sharing potential risks to their well-being;
- For tribes that have non-Native partners working with elders and investigating allegations of abuse, determine which professionals or service providers are mandatory reporters;[32]
- Create processes which help protect the privacy and confidentiality of those who experience abuse in later life;
- Employ community elder advocates who are able to deliver culturally sensitive, trauma-informed services;
- Decrease social isolation and providing basic services to elders, including free or reduced-cost meals;
- Construct mechanisms for regular visits of those who might be at risk of elder abuse;
- Offer healing rooms in hospitals for spiritual healers to use;
- Buy a community van to transport seniors to community events and health and wellness programs;
- Create a local network among Alaskan villages to establish emergency and long-term assistance;

32. For more information on general guidelines regarding mandatory reporting, see www.ncall.us.

- Build tribal adult day care centers, respite facilities, and multi-generational housing;
- Fund and develop a local, tribal elder abuse protective services that represent tribal ways;
- Assure ombudsmen[33] are readily available;
- Create a family healing center where elders and family members are given the opportunity to collectively discuss abuse and receive services and counseling to heal as a family. Victim safety must be paramount.

No person shall be deemed to be abused for the sole reason they are being furnished nonmedical remedial treatment by spiritual means through prayer alone in accordance with a recognized religious method of healing in lieu of medical treatment.

– Oglala Sioux Tribe, Chapter 16, Elder Abuse Code

Obtain Tribal Government Support

Due to the devastating impact of abuse in later life on communities and families, civil, criminal, social service and advocacy responses may be needed. Tribal leaders are responsible for the development of elder abuse laws. Developing tribal programs and policy for abused elders requires the support and involvement of tribal leadership from the onset. A strong coordinated response that can withstand changes in tribal council leadership and turnover in positions will be crucial. Consider the following:

- Meet directly with tribal leadership when possible. When it is not feasible, consider speaking with community members that have a sphere of influence on those serving on the council;
- Engage leaders in elder abuse issues by inviting them to listening sessions and community awareness events and to participate on responder teams;
- Pass resolutions and proclamations that implement codes, allocate resources to fund tribal operated services, and endorse protocols for first responders;
- Create funding streams and apply for state or federal[34] funding to help intervene in and prevent elder abuse.

33. Ombudsman are professionals or volunteers who investigate and attempt to resolve complaints, problems, and allegations of abuse in facility settings.
34. Tribal governments may want to explore funding from the Office on Violence Against Women's Abuse in Later Life program.

"The chiefs of the villages were highly respected and held much authority in their villages. Their authority was very rarely tested. That respect was neutralized when the state took over the system. I believe that we could all benefit from closing that gap between the traditional and cultural way of being and the western way of handling authority."

– LS participant

Increase Community Awareness

Community recognition is crucial. Awareness efforts should be developed in collaboration with key stakeholders. Suggestions include:

- Assess which words and phrases will make people the most open and comfortable when talking about abuse in later life. No matter which words are used, do not minimize the seriousness of the violence and harm that some elders are experiencing;
- Raise public awareness through posters, sharing stories in newspapers and on tribal radio stations, and by developing public service announcements and television advertisements;
- Recruit elders to conduct community trainings in their indigenous language and to distribute tribal elder abuse resolutions to the community and relevant organizations;
- Provide training opportunities for family members, caregivers, and payees about the provision of safe and respectful care of older adults;
- Educate local banks about financial exploitation and establish systems that can reduce the chance of financial exploitation.

A word of caution – when people learn about their rights, some will begin to disclose abuse. It would be detrimental to that individual's safety and to future tribal efforts if an elder sought help and did not receive assistance. A basic response should be in place before a public awareness endeavor is launched.

Consultation and Collaboration with Systems and Service Providers

Native and non-Native people both have a role and obligation in ensuring safety for indigenous seniors. While all efforts must commence and be guided by the voices of Native communities, many tribes and villages do not have the infrastructure or the jurisdiction to develop and maintain their desired community and system response to elder abuse. Some tribal governments might opt or be mandated[35] to partner and collaborate with state and federal entities to create a safety protection network.

"Sovereignty means we have the right to keep our community safe. We need partnerships to do so."

– LS participant

Building a true collaboration based on trust and mutual respect can be challenging given the history of non-Native policies and practices intended to undermine sovereignty and a trail of broken promises. Possible strategies include:

- Identify partners who will honor sovereignty and autonomy;
- Enter into Memorandums of Understanding that outline sovereignty to solidify formal partnerships;
- Form joint jurisdiction state-tribal courts where judges from the two systems share the bench, collaborate over interactive television, and occasionally preside in the other's courtroom.[36]

"We have enacted a very comprehensive domestic violence code where people can access state or the tribal system depending upon where they feel most comfortable."

– LS participant

35. For numerous tribes there may no option to partner, especially due to the fact that they lack criminal justice jurisdiction. Tribal-state relations vary among tribes and states from progressive to non-existent.

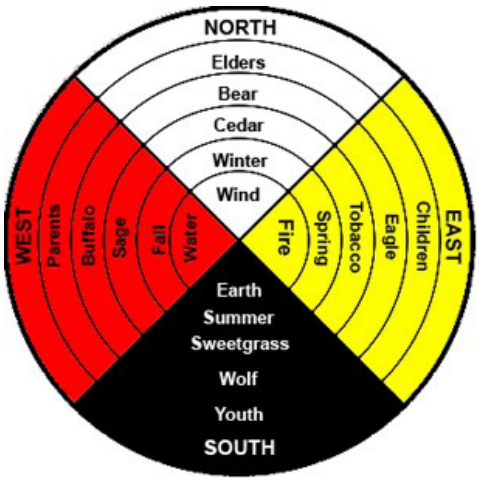
36. See, supra note 20.

Non-Natives are commonly hired to work in tribal institutions and serve as caregivers.[37] Additionally, indigenous people are accessing needed services operated by non-Natives because services do not exist in their tribes and villages. Frequently the belief systems of non-Native caregivers may be different than Native elders. Disregard and disrespect may happen unknowingly, exacerbated by language and cultural barriers.

- Assess how to better educate and prepare non-Native partners to deliver quality and culturally-relevant services;
- If non-Native agencies are providing services or supplementing the system response to tribes, ask them to develop cultural protocols in partnership with indigenous communities. These protocols can guide consultation and engagement with Native clients, including administering medical and mental health screenings and assessments. If an exam or testing does not contain culturally applicable elements, the person may appear less capable than he/she actually is. Most of the standard assessment tools do not account for daily activities of an elderly tribal member but are instead focused on Western living standards. For example, the activities of daily living (ADL) and instrumental activities of daily living (IADL) scales typically evaluate tasks like balancing checkbooks and grocery shopping instead of chopping wood, carrying water, leather working, bead working, and weaving.

Preserving Tribal Culture and Justice

Many Native people view health through a holistic lens, encompassing the physical, mental, economic, environmental, spiritual, social and cultural aspects of life.[38] The Medicine Wheel embodies the notion of health as harmony or balance with the physical and social environments. The wheel is sometimes used to represent the continuity of the individual, family, community and nature. The Medicine Wheel is used in many Native teachings and may also be used as a tool for learning about abuse in later life.



37. This is due to a host of complicated reasons, many associated with the legacy of racism and oppression.
38. See, BCAAFC Elder Program Coordinator, Workshop: Resources for Elder Support Workers, BC Association of Aboriginal Friendship Centres (Dec. 2010).

Native peoples' world view as illustrated by the wheel calls for holistic remedies. Restorative justice emerged from indigenous' philosophies about fairness and integrity. Within this approach, abuse in later life is seen as a violation of a relationship and not necessarily a crime. Restorative justice brings together the community, including the victim, wrongdoer, and extended family to search for solutions. Participants in the process consider challenges the family faces, what can be done to repair the harm, and what can be done to prevent abuse from reoccurring. They may assist elders who do not want to sever or compromise relationships with their abusive family members.

For indigenous people, reintegrating individuals back into their community can be as important as accountability. Since most offenders will continue to live in tribal communities, the goal is no further harm. For long-term safety, interventions in indigenous communities may incorporate healing and teaching healthy relationships. However accountability must be a component of any response. Violence and abuse should never be excused.

"An ideal response would be more contextual than it would be legal, it would mean developing relationships and working through those relationships."

– LS participant

When a formal service or system response exists, consider the following:

- Guarantee interpreters who speaks the elder's indigenous language, if that is their first language;
- Allow advocates to accompany the elder to hearings, assessments, and other appointments;
- Set appointments and hearings at convenient times to accommodate tribal members who traveled from remote locations and times when the elder would be most alert;
- Consider ways to help elders navigate systems, like pairing with mentors;

- Use telephones or video conferencing technology to take testimony or participate in hearings as a way to reduce travel when there are physical, mobility, or geographic barriers;
- Offer transportation to and from hearings, appointments, and services;
- Supply assistive devices such as amplification systems and wheelchairs;
- Hire tribal liaisons for elders involved with state APS and courts, to help build trust, provide tribal consultations/perspective on individual cases, and serve as local case managers.

"I also believe that an advocate should be in place to explain legal procedures and to interpret the victim's responses to the court. What is not understood is that although the victim can speak English they don't always understand the terms being used in court, especially village terms vs. court terms."

– LS participant

Team Approaches

Multidisciplinary response teams are one promising practice used by non-tribal service providers. Generally these teams are comprised of key organizations (community specific) that are involved in abuse in later life work. Teams often include advocates, law enforcement, tribal leadership representatives, courts, prosecutors, sexual/domestic violence programs, hospitals, and adult protective services (APS). Some teams work together to develop coordinated and comprehensive first responder protocols. Multidisciplinary case review teams work together on specific cases.

"Teams must operate to raise up sovereignty and not make people more invisible."

– LS participant

Conclusion

Abuse in later life is a widespread problem affecting all races and cultures. While the exact extent of the problem within indigenous communities remains largely unknown, it requires analysis and a compassionate response. As sovereign nations, tribal governments are responsible for the protection of their people. Every community is encouraged to examine the harms that face their elders and to begin to develop culturally-sound and meaningful responses. Tribes and villages must work to create an environment where older tribal members can live their lives in dignity, are provided the necessities of life, and are restored to their sacred and valued role. The priority is the safety and respect of each individual to reclaim peace and well-being for the family and community.

"My dream is that we have the same honor, love and respect for the remnants of who we are."

– LS participant

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Suggested Resources

These resources may be helpful as tribes examine abuse in later life in their local communities.

National Clearinghouse on Abuse in Later Life (NCALL), a project of End Domestic Abuse Wisconsin

NCALL's mission is to eliminate abuse in later life. Through advocacy and education, NCALL strives to challenge and change the beliefs, policies, practices, and systems that allow abuse to occur and continue. NCALL also aims to improve victim safety by increasing the quality and availability of victim services and support.

www.ncall.us | www.endabusewi.org

Red Wind Consulting, Inc.

Red Wind Consulting's vision is to strengthen Tribal programs and Native organizations' ability to develop and enhance local responses to domestic violence, sexual assault and stalking through training and tribal technical assistance.

www.red-wind.net

U.S. Department of Justice, Office on Violence Against Women (OVW)

OVW is committed to raising awareness and supporting training and services to address incidents of domestic violence, dating violence, sexual assault and stalking. OVW currently administers 24 grant programs authorized by the Violence Against Women Act of 1994 and subsequent legislation. Two discretionary grant programs that might be of interest are: the Enhanced Training and Services to End Abuse in Later Life Program, which addresses abuse in later life including domestic violence, dating violence, sexual assault, stalking, exploitation and neglect against victims who are 50 years of age or older through training and services; and the Tribal Governments Program which enhances the ability of tribes to respond to violent crimes against Indian women, enhance victim safety, and develop education and prevention strategies.

www.usdoj.gov/ovw

Resource Centers and Clearinghouses

Center for Elders and the Courts
http://www.eldersandcourts.org/

Mending the Sacred Hoop, Inc.
http://mshoop.org/

National Center on Elder Abuse
https://ncea.acl.gov/

National Indian Council on Aging
http://nicoa.org/

National Indian Country Clearinghouse on Sexual Assault
http://niccsa.org/

National Indigenous Elder Justice Initiative
https://www.nieji.org/

National Indigenous Women's Resource Center
http://www.niwrc.org/

National Resource Center on Native American Aging
https://www.nrcnaa.org/

National Resource Center for American Indian, Alaska Native & Native Hawaiian Elders
http://www.uaa.alaska.edu/elders/

Southwest Center for Law and Policy
http://www.swclap.org/

Tribal Court Clearinghouse
http://www.tribal-institute.org/

Tribal Law Writing Clinic, William Mitchell College of Law
https://tribalvawa.wordpress.com/2014/08/15/william-mitchell-tribal-codewriting-clinic/

Tribal Protection Orders
http://tribalprotectionorder.org/

Federal

Administration on Aging, Services for Native Americans
http://www.aoa.acl.gov/AoA_Programs/HCLTC/Native_Americans/index.aspx

Administration for Native Americans, an Office of the Administration for Children & Families
http://www.acf.hhs.gov/programs/ana

Centers for Medicare & Medicaid Services, American Indian/Alaska Native Center
https://www.cms.gov/Center/Special-Topic/American-Indian-Alaska-Native-Center.html

Department of the Interior Bureau of Indian Affairs
http://www.bia.gov/

Indian Health Service, Elder Care Initiative, Elder Care, Hospice and Palliative Care, Long Term Services and Supports
http://www.ihs.gov/eldercare/

U.S. Department of Justice, Office of Justice Programs, Office for Victims of Crime
http://www.ovc.gov/

Violence Against Women Act – Title IX: Safety for Indian Women
http://www.tribal-institute.org/lists/vawa_2013.htm

Tools to Enhance Conversation and Planning

These tools were designed to help tribes and villages begin conversations on how to respond to abuse in later life. The first step may be to identify what you want to accomplish and set some specific, manageable goals, such as forming a workgroup on elder abuse and getting agreements from key people to participate. Next decide what types of information you want to collect to attain your goals. Then consider the process you want to use to gather information and build a community response. Determine who to invite to participate in the dialog.

This section contains information on how to conduct a listening session and a coordinated community response meeting. A listening session is an opportunity for participants to share various perspectives during a single session. Coordinated community response meetings are a series of meeting among key responders and leaders to identity the strengths and challenges of the current response to abuse in later life and to create and implement a plan to move forward.

Printable PDFs of these tools are also available at: www.ncall.us

Various tools can be used to guide the conversations. Tools in this document include:

- **A questionnaire:** This short questionnaire provides an opportunity for individual reflection prior to discussing abuse in later life.
- **Short scenarios:** These 1-2 sentence examples of elder abuse can be used with any group. Consider using multiple scenarios to engage participants in a rich discussion of the various forms of elder abuse.
- **Sample stories:** These stories can be used in any forum to initiate conversations about different forms of elder abuse.
- **Case examples tailored for key responders:** These scenarios are designed to help multi-disciplinary groups (advocates, social services, government representatives, law enforcement, healthcare providers, attorneys, judges, elders, housing representatives, etc.) discuss abuse later in life and current responses. The case examples reflect differences in jurisdictional authority.
- **Abuse in Later Life Power and Control Wheel:** The wheel was created by NCALL based on feedback from older victims of abuse throughout the country. The wheel can be used to help frame conversations about what is considered abuse. Note for facilitators: The circle is sacred in Native communities. When you use the Abuse in Later in Life Wheel, it may be important to explain that it was adapted from a well-known tool developed by the Domestic Abuse Intervention Project in Duluth, Minnesota. The original power and control wheel was created based on stories heard from victims of domestic violence of the terror and violence they experienced. This educational tool makes visible the pattern, intent, and impact of abuse.

Conducting a Tribal Listening Session

Listening sessions can create a safe space for people to share their stories, ideas, and experiences without fear of judgement. They can be used to gather information or to check-in after new policies or services have been developed. Multiple listening sessions can be conducted with different configurations of people. Consider inviting elders, tribal council members, those who hold the cultural and spiritual history, and services and system providers who are already responding in some way to elder abuse or intimate partner violence.

Planning Tips

- Make listening sessions completely voluntary.
- Keep the group rather small – no more than 10, so that everyone has sufficient time to participate.
- Invite a strong facilitator who knows the subject matter (or at minimum understands the culture), has experience facilitating and preferably is not related to listening session participants.
- Select a positive, safe space for the listening session. Make sure that no historical or current mistreatment is associated with the location.
- Select a location that people who use assistive devices such as wheelchairs, walkers and canes can access.
- Consider arranging for transportation assistance to and from the listening session to aid elders and those that may have geographical barriers to participating.
- Select a time that is convenient to hold the listening session based on participants' schedules. For example, if you are meeting with elders, maybe late morning or early afternoon; where holding a listening session for responders to elder abuse may work best in early evening, after work, or during an extended lunch period.
- Limit sessions to no more than 90 minutes.
- If possible, arrange for childcare if there is a chance that people will bring children and grandchildren.
- Explain the goals of the listening session to potential participants in advance so that people can freely elect whether they want to participate.

Facilitation Tips

- Respect the time that people are giving to participate in the listening session. Offer food and other items to help make people feel welcome and comfortable.
- Open the session with introductions. Facilitators should introduce themselves. Ask people to share their first names while they are in the group.

- Consider opening with a poem, ritual, traditional blessing or an elder abuse story to set the tone for the conversation.
- Address participants who might be nervous by being welcoming and friendly. Describe the purpose of the listening session and what process will be used during opening remarks.
- Ask participants to set agreements about confidentiality before any information is shared. For example, ask participants to honor each participant's privacy and not share any information learned.
- Consider spending some time discussing what the term elder abuse or abuse in later life means to the group. The sample stories and scenarios in this document can help facilitate discussions about what abuse in later life means to participants and the community. Think though how to focus the conversation on specific behaviors (e.g., isolates an older adult; threatens to put an older person in a facility) rather than using jargon or broad definitions.
- Acknowledge that all viewpoints are important. Every person's life experience is valued, so encourage everyone to share. It is okay to have different opinions. There are no "right" or "wrong" answers to the questions that will be asked.
- Keep the group informal so that people naturally build upon the dialog.
- Be prepared for participants to share a personal family stories or to disclose that they are being harmed. Consider having an advocate or social worker available to meet with anyone who may need support during or after the discussion. Keep mandatory reporting laws in mind.

Following the Listening Session

- Maintain confidentiality. No one except the facilitator should know who participated in the group.
- Do not disseminate any identifying information from any of the listening sessions. The facilitator should be the only person to see notes taken during the discussion.
- Report themes, not individual experiences, when sharing information with tribal leadership, collaborative partners or others that are working on addressing elder abuse.

Potential Listening Session Questions

Determine the purpose of the listening session. Craft questions to guide the discussion to meet your tribe's or village's goals. Below are some sample questions that can be posed.

For elders and community members:

- What role do older adults play in the family? In the community?
- What are the tribal beliefs and customs that have helped you in your life?
- In your experience, who is harming older adults in this community?
- How are they harming older adults (e.g. neglect, physical abuse, domestic violence, spiritual abuse, financial abuse, etc.)?
- If you or someone you knew was being mistreated, how would you want people to help?
- Who, within the family, do members turn to in times of conflict or strife?
- What/who are the trusted sources of information in the community?
- How can the community work with an elder to address what has occurred? Or how has the tribe responded to elder abuse, if at all?
    - What works about this response? What doesn't work?
- When speaking about abuse in later life, what words or terminology would be most meaningful in your community and why?
- How are older adults' wants and wishes taken into consideration when there are family issues or elder abuse?
- What resources are needed in this community to help end abuse in later life?
- What suggestions do you have to make people more aware of the problem?

Additional questions for first responders and systems:

- How are you connected to the tribe? or What is your role in providing safety for tribal elders?
- Is there a common understanding about elder abuse in the community? Among first responders?
- How frequently are you receiving calls about elder abuse?
- Where do victims of elder abuse make their first contact/point of assistance? Does the response vary depending upon where contact is initiated?
- How much autonomy should elders have to make their own decisions?
- How have you trained non-Native responders about tribal/village culture and needs?
- What has worked in responding to elder abuse in this community? Ask about formal and informal responses that help elders and restore harmony to families, etc.
- How does your community reach the most isolated and vulnerable older adults?
- What challenges remain when responding to elder abuse in this community?

- How can families and community members be included in a response where the safety of the elder is not compromised (i.e. so there is no further collusion or tactics used towards the elder)?
- What is the history of collaboration within the tribe? With non-Native entities?
- How is sovereignty honored? Not honored?
- If not yet discussed, is there a tribal code applying to abuse in later life? If so, what is effective/not effective about it?

Additional questions for tribal governments:

- How significant of a problem is abuse in later life for your tribe or village?
- Do you have written laws? Resolutions?
    - If yes, do you have codes/resolutions about elder abuse? What works about them? What remains challenging? Are there laws or policies that can be modified or used as an interim protection for the elderly?
    - If no, was there a decision not to have one? How are you responding to human rights violations without codes?
- How does your tribe or village currently deal with negative behaviors or acts by your People?
- Ideally, how would you deal with such acts?
- What mechanisms does your tribe use to help restore safety, dignity, and harmony to families?
- What are the components (infrastructure) that need to be in place for your tribe to create an ideal response to elder abuse?
- What are your nation's principles about sovereignty?
- What is the history of collaboration within the tribe? With non-Native entities?
- How is sovereignty honored? Not honored?
- Has your tribe ever accessed funding to address violence in the community? What worked? What didn't work?

Coordinated Community Response Conversations to Address Abuse in Later Life

To achieve your goals, you may decide to hold regular conversations or meetings with key responders, elders and tribal leaders. Initially these meetings may focus on identifying what is happening in the tribe or village. How are elders being harmed? What are the current responses? What is working? Where are the gaps and challenges? What are the results of the listening sessions and other methods of gathering information?

Next the group may want to consider how to move forward to enhance the safety and quality of life of older victims of abuse. Consider starting with small, achievable goals so that the group can build on some successes.

Planning Tips

- Identify key leaders or respected individuals to invite as participants.
- Consider whether to keep the group small or large – depending on the goals and interest.
- Invite a strong facilitator who knows the subject matter (or at minimum understands the culture) and has experience facilitating.
- Select a positive, safe space for the meetings. Make sure that there is no historical or current mistreatment associated with the location.
- Select a location that people who use assistive devices such as wheelchairs, walkers and canes can access.
- Select a time that is convenient for participants.
- Explain the goals of the meeting and the agenda to potential participants in advance so that people can freely elect whether they want to participate.

Facilitation Tips

- Consider opening with a poem, ritual, traditional blessing or an elder abuse story to set the tone for the conversation.
- Describe the purpose of the CCR meetings and what process will be used during opening remarks.
- Ask participants to set agreements about confidentiality before any information is shared. For example, ask participants to honor each participant's privacy and not share any information learned.

- Consider spending some time discussing what the term elder abuse or abuse in later life means to the group. The sample stories and scenarios in this document can help facilitate discussions about what abuse in later life means to participants and the community. Think though how to focus the conversation on specific behaviors (e.g., isolates an older adult; threatens to put an older person in a facility) rather than using jargon or broad definitions.
- Acknowledge that all viewpoints are important. Every person's life experience is valued, so encourage everyone to share. It is okay to have different opinions. There are no "right" or "wrong" answers.

Building a Coordinated Community Response: Potential Questions

The following list of questions can help tribes discuss what is currently happening in their community and some potential next steps. This broad checklist is not intended to be all inclusive. Select areas of focus that seem most relevant to your tribe's current situation and vision for the future. Each community is encouraged to add their own considerations and use other resources that exist on abuse in later life.

History and Values

- What are the cultural values and traditional norms of the tribe?
- What diversities exist within the tribe that may affect their understanding of elder abuse or acceptance of help? For example, do people speak different languages, have various religious/spiritual practices, identify with more than one tribe or race, etc.?
- How is "old age" defined?
- Is there a common understanding or definition about elder abuse in the community? Among first responders? If yes, what is it?
- Is there a common understanding of what safety means? If so, what is it?

Data

- Do you have data relating to the age, health, and living conditions of tribal members? For example, where do people reside, what is the average lifespan, do people have access to clean water, food, heat and housing?
- What statistics exist in your community pertaining to elder abuse (e.g. police calls, arrests, criminal prosecutions, filings for protection orders, accessing tribal health services, social services, adult protection agency investigations, allegations made in probate proceedings, etc.)?

The Role of Elders

- How active is the tribe or village in addressing the needs of elders?
- Is there an elder council?

Current Response to Elder Abuse

Overview

- In the past 5 years, has your tribe or village conducted a community assessment or engaged in resource mapping around domestic violence, sexual assault or elder abuse? If so, what information can be used from that assessment to inform this effort?
- Have you collected information from elders, first responders, spiritual and tribal leaders and community members about elder abuse? This can be accomplished through listening sessions, surveys, tribal council meetings or other forums.
- How are responders maintaining victim confidentiality?

- Who, if anyone, are mandated reporters?
- What tools will be used to determine mental capacity of elders? Have these tools been developed by the tribe or village or adapted to account for the culture?
- What training and resources do first responders and service providers have to support them in their role?

Services

- What resources exist in your community for seniors experiencing abuse later in life? What are the short-term supports? Long-term supports?
- How are elders accessing these services?
- What gaps or barriers are there to help elders to remain safe and achieve well-being?
- What is the ability of the tribe or village to financially sustain services to elders?
- Are there mechanisms in place to provide an elder emergency and timely assistance, no matter where they reside in the tribe or village?
- Does your tribe or village have a dedicated elder abuse advocate?
- Does your tribe or village have a local domestic/sexual violence service provider? Adult protective services agency?
- Are there culturally relevant short-term/respite housing options available in the community or ones that are easily accessible?
- Are there culturally relevant healthcare providers and facilities located on tribal lands or ones that are easily accessible?
- Is there a protocol that accounts for reporting elder abuse?
- Investigating a report? Training of responders? Monitoring services?
- What culturally accepted practices and programs are integrated into case resolution and other decisions?
- How is the elder's autonomy supported in current responses?
- What happens when an elder is not interested in receiving services?
- What trends are occurring in your community that may affect service delivery or system response?

Justice System

- What legal mechanisms are in place to address elder abuse? For example, does the tribe or village have a code or law about elder abuse? Are people able to obtain protection orders? If so, how are those enforced?
- Is there a process or protocol for developing and enacting a code?
- Will you need a tribal resolution to begin this process?
- Are there short-term modifications of legal procedures that can address abuse in later life without fully developing an elder protection code?

- Does the tribe have sole or shared jurisdiction over matters related to elder abuse?
- Does your tribe or village have a court? Prosecutor? Police?
- What types of restorative justice efforts have been the most successful in your tribe or village and can any of those be incorporated into an elder abuse response?
- If the tribe or village relies on state or federal law enforcement, what is the quality of their relationship with the community?
- How attuned are law enforcement to intimate partner violence and elder abuse?
- How are responders working with perpetrators to ensure accountability in a way that reflects tribal values and traditions?

Collaboration, Partnership and Leadership

- It there a core group of individuals who represent the community and who are committed to working on elder abuse?
- Are there champions in the community that can successfully advocate for elders and services to address abuse in later life?
- What is the most effective method of obtaining buy-in and interest from tribal leaders?
- Has there been any confusion about jurisdiction? If so, was it or can it be resolved and agreed upon?
- Has your tribe previously collaborated with state or federal responders and service providers? If so, what are their reputations? What are the experiences of elders that have accessed services?
- What is the current relationship between the tribe and the state? With federal authorities?
- Is there a past or existing conflict that could prevent an effort moving forward if not resolved?
- In what ways has tribal sovereignty been respected by non-Native organizations and governments?
- Which non-Native entities might be supportive to approach for partnerships?
- How will partnerships be formed to ensure sovereignty is not eroded?

Preparing the Community

- Have you educated the community about abuse in later life?
- How would you address multi-generational trauma when educating the community about these issues?
- How have elders been engaged in the process?
- How does the tribe inform its members about laws, polices, or proclamations?

Questionnaire

Some people prefer to process information by writing rather than talking. A questionnaire can provide an opportunity for participants to reflect on their experiences individually. A questionnaire can be used on its own to gather information or in addition to listening sessions and conversations.

Some tips to consider:

- Every person should complete his/her own questionnaire.
- If you use the sample questionnaire on the next page, give everyone a copy of the Abuse in Later Life Wheel.
- Allow at least 15 minutes to complete the questionnaire.
- Reassure people that no one will see their written responses unless you plan to collect them. If you collect the questionnaires, suggest that no one put their names or identifying information on the form.
- After everyone has completed their questionnaires, participants can share some of their responses in groups of 2-3 people, or engage in a larger discussion. Encourage participants to share only what they feel comfortable discussing.

Supplies needed: copies of the questionnaire, pens and copies of Abuse in Later Life Wheel (found at the end of this document or at: www.ncall.us)

Alternate Use: Tribes and villages may want to adapt the questionnaire as a way of collecting information from service providers and community members at different gatherings.

Questionnaire: Examining Elder Abuse in My Community

1. Take a few minutes to look over the Abuse in Later Life Wheel. Think about families/ people you encounter and list the types of elder abuse that you have seen in your tribe or village.

2. What does safety mean to you?

3. What is your role in providing safety to older tribal members?

4. What resources do you have to help promote safety?

5. What strengths, values and concepts exist in this tribe that can support ending the abuse, neglect, and exploitation of elders?

6. What challenges exist in this tribe that can be barriers to ending abuse in later life?

7. Other thoughts?

Short Scenarios for Discussion

To raise awareness and expose differing viewpoints about abuse in later life, feel free to use one or more of these short scenarios to initiate conversations. These short scenarios provide a range of victims of diverse ages as well as various relationships between the victim and potential abuser and forms of abuse. After reading each scenario, consider discussing some or all of the following questions in small or large groups.

1. Is this elder safe?
2. What other information would you need to make a determination if this elder is being abused or neglected?
3. What would help this elder?
4. How could the community's current response help support this elder?

- Nina is 72. She is taking care of her husband who has dementia. He often gets lost. As a way of trying to manage the situation, she keeps him tied to a chair when she showers or run errands.
- L.P. was never around when his children were growing up. When he did come around the house, he was drunk and abusive. His two adult sons are now taking care of him. They do not live with him but stop by on occasion to make sure he is not dead. They are often overheard yelling at L.P.
- Ted is 70 and lives in a remote village on the road system. A young man has offered to take him into town to use the telephone and check his mail. Even though it costs the young man about $30 for gas, he charges Ted $75 for every ride.
- Due to a lack of facilities in the region, an elder was sent to a hospital more than 100 miles from his home. He spent several weeks there, where he subsequently died.
- Freda, age 58, has a protection order against her husband Larry. Everyone in the community is aware that Larry still lives in the house with Freda.
- Little Johnny cares for his 88 year old mother who only speaks her native language. She has never lived away from tribal lands. Little Johnny is exhausted. His mother needs 24/7 care. One day he is mad at her for not eating. He slaps her and forces food into her mouth.
- An elder was brought to the emergency room with bruises and a fractured limb. The family stated that the elder had fallen. Malnutrition and dehydration were noted on her medical assessment as well.
- An adult son who moved away from the tribe comes home to visit his father who is now 62. He finds the house in disarray and rotting food in the refrigerator. His father seems okay but refuses to have his son arrange for any help.

- Tina, age 52, lived away from the reservation for many years. She was involved with a non-Native boyfriend. She moved back after their breakup. He keeps coming to her house and place of work. He calls her friends to check up on her. He tells her he loves her. Tina believes he slashed the tires on her car and is following her.
- Jane, age 87, has her three adult children and five grandchildren living with her. Everyone contributes as they can, but they primarily live off of Jane's Social Security. Jane has cut her food intake in half and refuses to buy personal items for herself to ensure everyone else has what they need.
- Rachel goes to visit a respected spiritual healer. She is 75 years old. In order to be completely restored, the healer indicates she has to take off her clothes.
- Natalie was found wandering around the town. Her adult daughter stole and sold her medications that were prescribed to treat Natalie's chronic illness.
- An elderly woman was removed from her nursing home so that her family could take advantage of her income checks.
- Cynthia hired a caregiver to take care of her father, Dave. Everyone agrees that Dave is an angry, stubborn person. He fights the caregiver on everything. In order to teach him a lesson, the caregiver refuses to take Dave to the pow wow.
- Janice's grandson moved into her house to help take care of the ranch since she can no longer handle it alone. They agreed that she would give him the ranch after she passed. Six months ago, he forced her to sign the title to avoid future family arguments. He evicted her three months later.

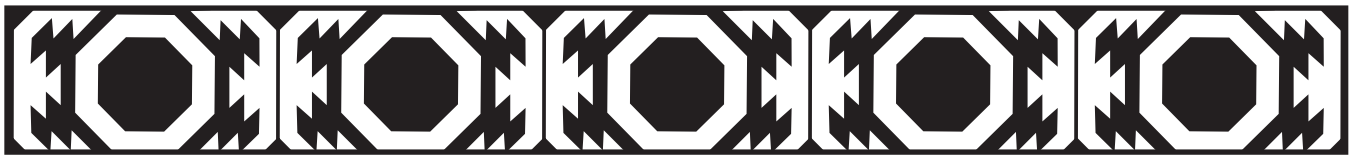
Sample Stories for Group Discussion

Sometimes listening to examples of what may be happening to elders can provide an opportunity for thought and reflection before asking people to share their experiences. On the following pages you will find several scenarios to select from that can be used to spark conversations and reactions. Each story is on a separate page so you can make copies for participants. After reading a story, consider leading a discussion asking whether or not these stories are considered elder abuse. Discuss how your tribe or village currently responds to similar situations.

Tate and Wanetta

Tate and Wanetta (both age 66) have four children, 10 grandchildren, and one great grandchild. They always say how blessed they are and that family is their bounty. Economically, times are difficult. Their tribe does not have a casino. The tribe also closed enrollment. Many indigenous families are not able to access housing and other benefits of tribal membership, including members of their own family. Their children rely on them to be the primary caregivers for the grandchildren and great grandchild. Tate has some limitations because he developed cataracts and has a pacemaker. Wanetta cooks, cleans, and tries to maintain order in the household. There is only one bathroom and three bedrooms. Most weeks, at least 8 people are staying at their house. Their children work off the reservation and often don't pick up their kids until the weekend. Wanetta and Tate receive no financial assistance from their children. They do not want to worry anyone but they are struggling to pay their bills and keep food on the table for everyone. Their household expenses have increased and they are even buying the kids clothes, school supplies and other necessities.

Yuma and Marlene

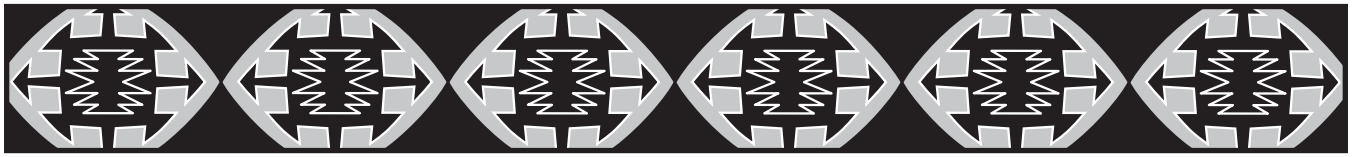


Yuma and Marlene have been married for 35 years. They have five children, one died as an infant. Only one child still resides in the village. Yuma has been a member of tribal council for the past ten years. People in the community are aware that Yuma disrespects Marlene. They have heard him speak down to her and have seen Marlene with bruises. In fact, 15 years ago she had to go to the hospital because Yuma broke her arm. Recently, Marlene has not been attending potlatch or participating in other village events. Her kids have not heard from her. One of her daughters called the Village Public Safety Officer and asked him to do a welfare check. When the officer arrived, Yuma tried to refuse to let him in the house or to speak directly to Marlene. When the officer talked to Marlene, he noted that she had been crying, appeared very thin and was barely clothed

Nadine and John

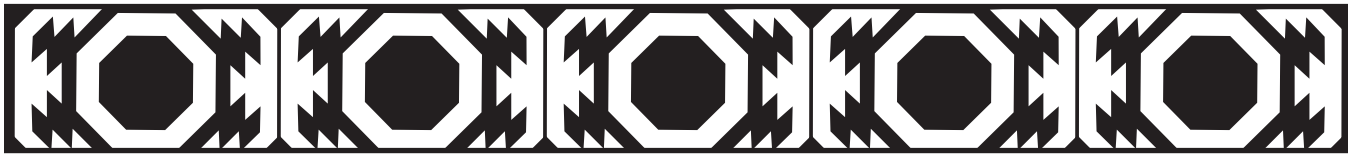
Nadine is 55. She lives alone. She moved back to the community about 20 years ago after a painful divorce. She has no children. After returning, the only housing she could find was in the remote far west corner of the reservation. She has to travel 40 miles to get to town. Visitors are rare. She has no electricity and no telephone. She has Ahote come to her house once every two weeks to bring her supplies. A few months ago, John showed up at her door selling vacuum cleaners. Nadine and John had an instant spark. John is non-Native and 20 years her junior. John moved in with her. They live off Nadine's small pension. John still tries to sell vacuum cleaners but is looking into other opportunities. One day Ahote is approaching Nadine's home and hears a gun shot. John had killed Nadine's dog after an argument. Ahote also noticed that Nadine had red marks around her neck. Nadine said the marks were an allergic reaction to something she touched when she was out picking berries.

Isi



Isi is 67. She and her husband, until his recent passing, held honored positions in the tribe. Her husband was involved in tribal council. She is part of the tribe's effort to reclaim its heritage. One way she does this is by making beads, a craft passed down from her ancestors that she and the other elders are trying to preserve. She has also been entrusted with regalia and tools that date back many years. Isi has three children. Her children rarely come around, but when they do, it is usually to ask her for money. Isi's daughter is addicted to pain pills, one son is unemployed and the other is usually too busy to spend time with family. Isi has two grandchildren who bring her much joy. She is always excited when she gets to spend time with them. Isi has noticed that some of her beads and tools are no longer in the house. She suspects her children have been stealing and pawning them. Yesterday, her daughter demanded that Isi give her all the beads she makes. If Isi does not agree, her daughter will not let the grandchildren visit.

LeRoy



LeRoy is 65 and an enrolled member of the tribe. He has lived his entire life in the pueblo, except for when he served in the military. He has two adult sons who were raised by their respective mothers. He suffers from diabetes, gout and high blood pressure. Five years ago LeRoy's left leg was amputated because he failed to seek medical attention for these conditions. Since that time, his sons have been his primary caretakers. LeRoy gave his sons full access to his house, car and financial affairs. They are responsible for getting him to and from his doctor appointments, buying his groceries and medication, cashing his veteran and per capita checks and paying his bills. LeRoy has always been a saver. He recently became aware that in the past few months his bank account balance has been reduced by $10,000. His sons told him that they needed money to cover all their expenses since they can't hold jobs because they are taking care of him. They warned him that if he made a big deal about the money they wouldn't help him anymore and they would cut off contact with him. After LeRoy missed a few medical appointments, a caseworker from the Veterans Affairs came to his house. She found LeRoy in a wheelchair, wearing clothes soaked in his urine and feces. There was no food in the house. LeRoy appeared cognitively alert. He said that his sons were dealing with other family emergencies and that is why he missed his medical appointments. He reassured the caseworker that it would not happen again.

Sarah

Sarah is very well known and well-liked. At age 90, she is one of the oldest living members of her tribe. For the most part, the community accepts that they will find Sarah passed out in any one of several locations. Alcohol is her primary form of nutrition. Any time she has any money it goes to purchasing beer or whatever she can find to become intoxicated. Her drinking has resulted in liver damage leading to several hospitalizations. Sarah always checks herself out of the hospital as soon as she can, typically against medical advice. Doctors believe she has been sexually assaulted more than once. Lately, she has been falling a lot. She has contusions and open wounds on her head, legs, and hands. She seems confused but it is difficult to tell if her disorientation is from the alcohol or something more. Sarah receives her food from a home delivered meals program. The driver noticed that Sarah had left the food untouched for more than a week. The driver made a report to the state adult protective services. A social worker conducted an investigation. Sarah indicated she was fine and was not interested in any help.

Case Examples Tailored for Key Responders

These scenarios are designed to help multi-disciplinary groups of key responders (e.g., advocates, social service case workers, government representatives, law enforcement, healthcare providers, attorneys, judges, elders, housing representatives, etc.) discuss abuse later in life and current community responses.

- Select the scenario from this section that best describes your tribe or village's jurisdiction.
- The scenarios and questions are on separate pages so you can easily make copies for participants.
- Consider using a facilitator to help the group process the questions from all angles so that diverse viewpoints are heard.

P.L. 280, Except Alaska

The Peaceful Nation is a federally-recognized tribe. It has 8,000 enrolled members. Tribal lands are spread over a span of 200 miles. A traveler would cross into state territory a total of 25 times if one drove from one end of the reservation to the other. Peaceful has a tribal court. They have their own small police department that is cross-deputized with the state sheriff's department. There is no tribal-run adult protective services (APS). The state APS is assigned to respond to calls about elder abuse allegations of Peaceful Nation citizens. There is a tribal domestic violence advocate who is often contacted when there is any family issue. She is liked by the community. She is also the granddaughter of one of the tribal council members.

Sarah is 67. She has multiple sclerosis. She receives care from a home care aide a few hours a week through the state. The aide is non-Native. One day the aide reported to her supervisor that she does not want to return to Sarah's house. She is afraid of Thomas, Sarah's husband. Thomas has used profanity and yelled at Sarah and the aide. Thomas seems very frustrated that Sarah is unable to cook and clean like she did in the past. Sarah told the aide that he is someone who needs a gentle touch and not to worry. During this last visit, the aide noticed that Sarah had bruises on both of her upper arms and one on her breast. Thomas refused to let the aide speak to Sarah alone. The supervisor called the tribal domestic violence advocate.

Discussion Questions:

- Using the Abuse in Later Life Wheel, what possible tactics might Thomas be using?
- What safety concerns do you have for Sarah?
- What would the current response be in your tribe to this situation? Potential outcomes?
- Would the response be any different if Thomas was non-Native?
- Would the response be any different if instead of bruises Sarah had cigarette burns on her body?
- What assistance does Sarah potentially need? Thomas?
- Are these services available in the community? If they are available, how would Sarah and Thomas access them? If they are not available, what needs to take place to make them available?

Non-P.L. 280 State

Big Sky is federally recognized. It has 5,000 members, half of which live on the reservation. The reservation covers 60,000 acres. Big Sky has an elder protection code that applies to individuals 60 and older with the intent to prevent their abuse and neglect. Big Sky has a part-time judge and prosecutor. There are two security officers that patrol the reservation. The tribe cannot afford a police force. There is no elder or domestic violence advocate, and no adult protective services (APS). Indian Health Services (IHS) is a core service provider for the tribe and conducts regular elder health and engagement activities.

Sarah is 67. She has multiple sclerosis. She receives care from a home care aide for a few hours each week through IHS. The aide is non-Native and has been helping Sarah. One day the aide reported to her supervisor that she does not want to return to Sarah's house. She is afraid of Thomas, Sarah's husband. Thomas has used profanity and yelled at Sarah and the aide. Thomas seems very frustrated that Sarah is unable to cook and clean like she did in the past. Sarah told the aide that he is someone who needs a gentle touch and not to worry. During this last visit, the aide noticed that Sarah had bruises on both of her upper arms and one on her breast. Thomas refused to let the aide speak to Sarah alone. The supervisor called the tribal domestic violence advocate.

Discussion Questions:

- Using the abuse in later life wheel, what possible tactics might Thomas be using?
- What safety concerns do you have for Sarah?
- What would the current response be in your tribe to this situation? Potential outcomes?
- Would the response be any different if Thomas was non-Native?
- Would the response be any different if instead of bruises Sarah had cigarette burns on her body?
- What assistance does Sarah potentially need? Thomas?
- Are these services available in the community? If they are available, how would Sarah and Thomas access them? If they are not available, what needs to take place to make them available?

Alaska

Selma has lived in a village on the Tundra all her life. The village is made up of a clan of 30 families. The clan survives off of the bounty of the four seasons and the occasional tourist. Life is not easy but the strength pulled from the ancestors and Creator gets her through. Like many other women of the Tundra she has been mistreated. She was first raped at the age of 8. She has been married for a long time. At age 62, she is tired. She no longer participates in the gathering and hunting and relies on the others in the clan to help provide her necessities. When she is able, she cooks and watches after children. Selma's husband ChuChu has taken to drinking. When he is drunk, sometimes he becomes aggressive with her. She never knows what "mood" he will be in when he comes home. ChuChu was arrested a long time ago for breaking Selma's arm and eye socket. Yesterday, ChuChu came home and tried to have sex with her. Selma's body hurt from her arthritis and she said no. ChuChu forced Selma to take an overdose of medication so he could have sex with her. ChuChu found her unconscious in the morning.

Discussion Questions:

- Using the abuse in later life wheel, what types of tactics is ChuChu using?
- What safety concerns do you have for Selma?
- What would the current response be in your village to this situation? Potential outcomes?
- Would the response be any different if ChuChu was non-Native?
- What assistance does Selma potentially need? ChuChu?
- Are these services available in the community? If they are available, how would Selma and ChuChu access them? If they are not available, what needs to take place to make them available?

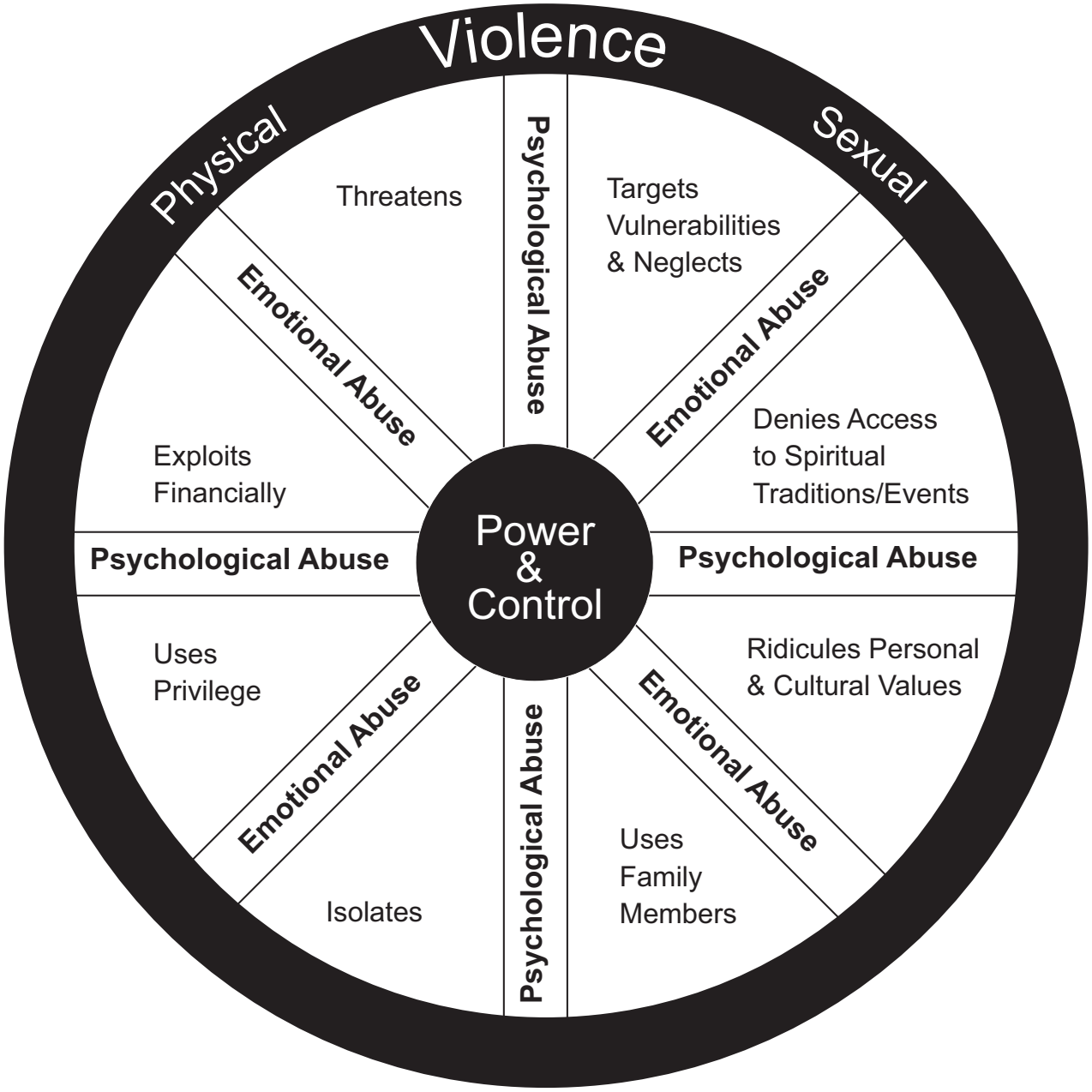
Second Scenario for Any Jurisdiction

Paul is 83 years old. The police found him wandering down a main road, off the reservation. He seemed a bit confused and the officer called an ambulance to take him to the local county hospital. The hospital determines that Paul is suffering from dehydration, has a urinary tract infection, and pneumonia. He asks the hospital to contact his son Junior who is living with him. Paul is responding well to an IV and seems to have no cognitive impairment although he does not seem to know how to use the TV remote and cannot answer questions about current events. The nurse overhears Junior telling his father that he needs to sign over his financial affairs to him otherwise he will not take care of him. The nurse contacts the hospital's social worker. The social worker speaks to Paul. Paul indicates that sometimes his son is gruff but he believes he is trying to protect Paul from future harm. He says he is not afraid of living with his son and wants to return home. The social worker also speaks to Junior who tells her to stay out of their private family business.

Discussion Questions:

- What concerns, if any, do you have about Paul?
- From your professional perspective, what should the response be to Paul and who should be involved?
- What are the potential risks of that response? Of not moving forward with that response?
- How will the response honor Paul's wishes?

Abuse in Later Life Wheel



In 2005, staff from the National Clearinghouse on Abuse in Later Life (NCALL) asked facilitators of older abused women's support groups to have participants review the Duluth Domestic Abuse Intervention Project's Power and Control Wheel. Over 50 survivors from eight states responded. NCALL created this Abuse in Later Life Wheel from their input.

Tactics Used by Abusers

During 2005, NCALL staff asked facilitators of older abused women's support groups to have participants review the Duluth Domestic Abuse Intervention Project's Power and Control Wheel. Over 50 survivors from eight states responded. NCALL created this Abuse in Later Life Wheel from their input. In addition to the tactics on the wheel, many offenders justify or minimize the abuse and deny that they are abusive. Perpetrators of abuse in later life may make comments like "she's just too difficult to care for" or "he abused me as a child" to blame the victim, or try to minimize the abuse by stating the victim bruises easily or injuries are the incidental result of providing care. The list below provides additional examples of some of the behaviors victims might experience under each tactic included on the wheel.

Physical Abuse
- Hits, chokes, burns, pinches, throws things, restrains

Sexual Abuse
- Sexually harms during care giving
- Forces sex acts
- Forces elder to watch pornography

Psychological Abuse
- Engages in crazy-making behavior
- Publicly humiliates

Emotional Abuse
- Yells, insults, calls names
- Degrades, blames

Targets Vulnerabilities & Neglects
- Takes or denies access to items needed for daily living
- Refuses transportation
- Denies food, heat, care, or medication
- Does not follow medical recommendations
- Refuses to dress or dresses inappropriately

Denies Access to Spiritual & Traditional Events
- Refuses transportation or access
- Destroys spiritual or traditional items of importance

Ridicules Personal & Cultural Values
- Disrespectful of cultural practices
- Ignores values when making decisions

Uses Family Members
- Misleads family members regarding condition of elder
- Excludes or denies access to family

Isolates
- Controls what elder does, who they see and what they do
- Denies access to phone or mail

Uses Privilege
- Speaks for elder at financial and medical appointments
- Makes all major decisions

Exploits Financially
- Steals money, titles, or possessions
- Abuses a power of attorney or guardianship

Threatens
- Threatens to leave or commit suicide
- Threatens to institutionalize
- Abuses or kills pet or prized livestock
- Displays or threatens with weapons