

PROSECUTION

Response to Elder Abuse: A Self-Assessment
Workbook for **Prosecution**



Response to Elder Abuse: A Self-Assessment Workbook for Prosecution



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National Clearinghouse on Abuse in Later Life (NCALL)

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Response to Elder Abuse: Self-Assessment Tools for Interveners and Coordinated Community Response Teams

Introduction and Process

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The National Clearinghouse on Abuse in Later Life (NCALL) has designed this set of self-assessment tools to assist communities in evaluating practices within and across key intervening agencies and in building a coordinated response to elder abuse. The tools include a series of workbooks for five key interveners—(1) domestic violence and sexual assault victim services, (2) adult protective services, (3) law enforcement, (4) prosecution, and (5) courts—and one that addresses coordinated community response (CCR).

*The tools provide a way of
checking what we think we
do against what we really do.*
— Aging services program

The tools were developed in collaboration with practitioners from across the country. They draw on state-of-the-art knowledge and promising practice recommendations for recognizing forms of elder abuse; building a victim-centered response that maximizes victim safety and autonomy; assessment and investigation strategies; safety planning; understanding the impact of violence, abuse, and trauma; holding perpetrators of elder abuse accountable for their actions; respecting and meeting the needs of older persons from diverse cultures, identities, and backgrounds; and building a coordinated community response to address elder abuse and its victims. Several grantees funded by the Office on Violence Against Women tested the tools in their own communities and their experiences informed the process outlined in this introduction.

How is elder abuse defined?

As used throughout the self-assessment tools, “elder abuse” is abuse, neglect, or exploitation—including domestic violence, stalking, and sexual assault—against an older adult by anyone with whom the victim has or has had an ongoing relationship where there is an expectation of trust. Self-neglect is not included in this definition.

This is not a legal definition; statutorily, there is wide variety in how elder abuse is defined from state to state and in criminal, protective, and civil law within a state. While elders can be victimized by strangers, the majority of abuse experienced by older adults is perpetrated by non-strangers: i.e., intimate partners, adult children, other family members, fiduciaries, and caregivers. Abuse occurs in facilities as well as community settings.

Domestic abuse in later life is a subset of elder abuse. It may include physical abuse, threats, sexual violence and an array of other behaviors and tactics. Sexual abuse in later life is non-consensual sexual contact of any kind with an older person. At the conclusion of the tools is an Appendix which contains a graphic representation of abuse in later life (*Figure 2*). Various sections of the self-assessment tools will refer back to the tactics on the wheel.

What is the purpose of the self-assessment tools?

The goal of the self-assessment/CCR assessment tools is to encourage intervening agencies and CCRs to candidly and thoughtfully assess their work and the processes they use. The tools are intended to examine and expand collective thinking and response to elder abuse. They help identify existing practices and introduce new approaches in order to strengthen the overall response. They are meant to facilitate and encourage discussion and raise questions about roles, response, coordination, and common purpose. The tools are to assist communities in evaluating their work. They are not a replacement for doing the work.

Not every element included in the self-assessment/CCR assessment tools will be in place in every community, nor is there an expectation that every element will be or can be implemented in every community. Many organizations and communities are relatively new to paying focused attention to elder abuse, while others are members of a longstanding coordinated community response. Not

every item included in the tools will or should work in the same way everywhere. Communities must account for local conditions and what works in Chicago may not work in rural Wyoming.

Each self-assessment includes a process for designing a plan for change. The Action Plan helps identify future actions, projects, and steps; identifies who will undertake what actions; and provides a timeline to track progress. Organizations and CCR teams completing a self-assessment are encouraged to approach the plan as a living document that they return to and refresh in a process of ongoing reflection, planning, action, and reassessment.

When should the tools be used and in what order?

The tools can be used at different points in building and maintaining a coordinated community response or in ongoing attention to specific practices. For example:

We decided to work through a couple of sections at a time, then discuss and develop a plan in response to those issues...and where we want to head collaboratively.
— Prosecutor's office

- **Conducting a review of a specific agency or organization**

Use the self-assessment workbook to look closely at a particular point of intervention, such as victim services or law enforcement. Whether or not other disciplines or prospective CCR partners are ready to move forward and examine their practices, those that are can use the self-assessment tools to do so.

- **Forming a new CCR**

Use the discipline-specific workbooks as part of the needs assessment process to help identify gaps in practice and areas that individual partners and the larger CCR will address. Use the CCR tool to identify the key tasks and steps to take in establishing the coordinated community response.

- **Conducting a “check-up” of an established CCR**

Use the tools to gauge whether intended changes in policy and practice have been made, both within partner agencies and across the CCR.

- **Identifying what is needed to accomplish the goals of the CCR**
Use the ideas in the External Activities and Functions section of the CCR tool to identify next steps or activities or missing disciplines and prospective partners.

Local conditions vary and in some communities the CCR assessment may be the primary focus of attention. In others, the tools for individual disciplines may be used first. Still others may use all of the tools simultaneously. Some communities may not yet have the relationships in place that make it possible to use all of the discipline-specific tools or to widely share the results or begin the process of creating a CCR.

Using the self-assessment tools is **voluntary** for any agency or community, including Office on Violence Against Women (OVW) Abuse in Later Life grantees. The tools are provided as a resource to assist in planning, evaluating, and strengthening the response to elder abuse and in carrying out required activities. The OVW Abuse in Later Life program requires that each community conduct a victim needs assessment, engage in systems review, and develop a coordinated community response to address elder abuse. These tools were developed to assist communities in accomplishing these tasks. Past grantee communities have requested such tools, citing a lack of time, expertise, or ability to create them themselves. A community does not have to use this specific self-assessment process and can design its own approach and materials.

Who should be involved in completing the self-assessment?

The tools are not intended to be completed by one or two individuals working in isolation.

The self-assessment process works best when completed using a team that involves the agency or organization's leaders, staff, and board members (with the discipline-specific tools) or all of the key partners in the coordinated community response. The tools are built on a process of reflection and discussion that requires candid and thoughtful conversation among those with different experiences within the organization or community.

How long will it take to complete the tool(s)?

Generally, allow time to complete the self-assessment and all of its sections over a series of meetings. While there is no required or specified time frame for either the discipline-specific tools or the CCR tool, it will be most helpful to proceed steadily following a regular schedule, without long delays between completing the sections, discussing the results, and implementing the Action Plan.

The time required to complete the tools will vary according to local conditions and the scope of the self-assessment. Such variables can include: the number of participating agencies and organizations; whether all critical disciplines are fully engaged in the self-assessment; the process that each system will use to complete its own tool; whether the grant partners or CCR will review each tool after the individual disciplines have completed their analysis; the CCR's level of development and experience (e.g., a highly developed and evolved CCR is likely to move through the tool more quickly than a community that is new to CCR work); and, whether the CCR is devoted exclusively to elder abuse or is part of a broader domestic- or family-violence-oriented CCR.

Is there a recommended process for using the tools?

The broad steps are similar, whether using one or more of the discipline-specific workbooks or the CCR tool. At the same time, each kind of self-assessment tool has its own features and process. **Figure 1**, in **Appendix 3** at the end of this tool, provides a snapshot of the key steps and considerations in applying the process in each setting.

Participants in the pilot test communities adapted and used the tools in the following ways: transferred the content to a Web-based survey tool; worked through sections common across disciplines first (e.g., safety planning, access, and community collaboration), then discussed the results and developed a plan for further action; completed the tools individually as CCR partners and then reported results at the CCR planning retreat; and completed the tools over a series of agency-wide staff meetings.

Please see **Appendix 1** for a glossary of common terms used in the self-assessment tools and specific to coordinated community response. To learn more about elder abuse or coordinated community response, see **Appendix 2** for a list of resources.

Using the workbook

To begin, become familiar with the content and this introduction and its instructions.

Along with providing a way of examining current practices, the self-assessment tool is also designed to produce a plan for change and introduce information that helps expand prosecution's knowledge of and response to elder abuse.

Many disciplines use a self-assessment type of process to examine their missions, roles, and practices. Common approaches include checklists and "best practice" kinds of documents and scales against which a discipline can evaluate its response. Law enforcement agencies completing an accreditation process, such as that sponsored by CALEA, conduct an extensive self-evaluation that includes review of all policies and procedures and the agency's relationship with the community.¹ Various self-assessment tools have been developed for courts by the National Center for State Courts and the National Association for Court Management.² The American Prosecutor's Research Institute has had a project underway to define goals, objectives, and performance measures for prosecutors that will "serve as a valuable tool for self-assessment and improving practices."³

The self-assessment tool can be printed and completed as a workbook, opened and completed in an electronic format, or adapted as an online survey or questionnaire. Whatever the approach, keep a record of your work and action plan in a format that can be readily retrieved, reviewed, updated and shared.

Questions and feedback

If you have questions or want to provide NCALL staff with feedback about your experience using the tools, please call (608) 616-4068 or email ncall@ncall.us

¹ Commission on Accreditation for Law Enforcement Agencies (CALEA), <https://www.calea.org/>.

² National Center for State Courts, <http://www.ncsc.org/>; National Association for Court Management, <http://www.nacmnet.org/>.

³ Steve Dillingham, M. Elaine Nugent, and Debra Whitcomb, *Prosecution in the 21st Century: Goals, Objectives, and Performance Measures*, APRI, February 2004.

Section 1: Assessment Grid

Date:	Assessment grid completed by:
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Instructions: For the seven dimensions included in the assessment, review each element and check whether or how often it applies, using the scale (always...need more information). In the notes section, record any comments that pertain to that dimension, such as specific accomplishments, barriers, or ideas for change.⁴

1: Charging & Disposition		This applies...			
		Always/Yes	Sometimes	Never/No	Need more information
1A	Framework				
1A-1	Our goals in each elder abuse case are to seek justice by: <ol style="list-style-type: none"> Enhancing victim safety Stopping the abuse Holding the offender accountable Restoring what has been taken from the victim 				
1A-2	If a person's situation does not meet criteria for prosecution we provide information and/or referral to an appropriate agency.				
1A-3	Our prosecutors are alert to multiple types of abuse; if they find grounds for charging one crime they look for other possible charges.				
1-A4	We consider implications for ongoing victim safety when making charging decisions and in plea negotiations and sentencing recommendations.				
1-A5	We take care to ask each victim about her or his goals for the prosecution and to take those goals into account in our plea negotiations and sentencing recommendations.				
1-A6	We treat elder abuse victims who are reluctant to testify or withdraw earlier statements with compassion and respect.				
1-A7	We do not arrest a victim of elder abuse who does not appear in response to a subpoena.				
1-A8	To the fullest extent possible, we build cases that reduce reliance on victim participation.				
1-A9	We encourage advocacy support for elder abuse victims throughout all steps of case processing.				
1B	Assessing capacity				

⁴ This tool draws in part on *Prosecuting Elder Abuse Cases*, a publication developed by the National Center for State Courts. More information at: <https://bja.ojp.gov/sites/g/files/xyckuh186/files/Publications/NCSC-Prosecuting-Elder-Abuse-Cases-Basic-Tools-and-Strategies.pdf>.

1: Charging & Disposition		This applies...			
		Always/Yes	Sometimes	Never/No	Need more information
1B-1	Our prosecutors are prepared to recognize and respond to a victim's functional limitations and the impact of those limitations on prosecuting the case. ⁵				
1B-2	We consult with elder specialists at the outset of a case as needed if a person's capacity is at all in question or it is difficult to determine a person's functional limitations.				
1B-3	We avoid relying on stand-alone, one-time assessments or use of a single tool in evaluating mental and functional capacity.				
1C	<i>Interviewing</i>				
1C-1	Our prosecutors use the Abuse in Later Life Power and Control Wheel and its representation of the power and control dynamics of elder abuse to aid their interviews and trial preparation. ⁶				
1C-2	We use pretrial interviews to assess and address victim safety concerns, with consideration of adult protective services (APS) involvement, any safety planning currently underway, availability of domestic violence or sexual assault victim advocacy, the victim's current circumstances and living arrangements, and any threats by the perpetrator or others.				
1C-3	We record interpreted interviews with older individuals who are victims and witnesses.				
1C-4	We allow a community-based advocate to be present during interviews if requested by the victim and consistent with state law. ⁷				
1C-5	We take depositions from victims who are ill or suffer from dementia.				
1D	<i>Recognizing perpetrator justifications</i>				
1D-1	We are prepared early on to respond and counter a defendant's justifications in elder <u>physical abuse</u> cases, such as: <input type="checkbox"/> caregiver stress <input type="checkbox"/> accident <input type="checkbox"/> medication side effect <input type="checkbox"/> victim aggressor (self-defense)				
1D-2	We are prepared early on to respond and counter a defendant's justifications in elder <u>sexual abuse</u> cases, such as: <input type="checkbox"/> victim consented <input type="checkbox"/> result of normal caregiver activities				

⁵ Functional limitations (cognitive and physical) can affect the accuracy and credibility of the victim's account; communication between the prosecutor and the victim; mobility and physical access to the prosecutor's office and courtroom; and victim stamina over the course of case processing.

⁶ For example: in interviews with victims about potential forms of abuse; as a cue to ways in which an abuser may attempt to manipulate interveners; to aid in explaining elder abuse to a jury or judge. The Wheel is available at www.ncall.us.

⁷ The self-assessment tool distinguishes between community-based advocates and system-based advocates. Community-based advocates are affiliated with non-governmental organizations, such as a domestic violence or sexual assault agency. System-based advocates are affiliated with a governmental organization such as a prosecutor's office or law enforcement agency. System-based advocates provide important support to victims, but usually also have a role in supporting the goal of prosecution or investigation. Confidentiality is one area where the distinction is often the sharpest.

1: Charging & Disposition		This applies...			
		Always/Yes	Sometimes	Never/No	Need more information
1D-3	We are prepared early on to respond and counter a defendant's justifications in elder <u>financial abuse and exploitation</u> cases, such as: <input type="checkbox"/> gift or request from victim <input type="checkbox"/> payment for services <input type="checkbox"/> formal authority to act				
1D-4	We are prepared early on to respond and counter a defendant's justifications in elder <u>neglect</u> cases, such as: <input type="checkbox"/> symptoms of disease or illness <input type="checkbox"/> victim refused care <input type="checkbox"/> not responsible for victim's care				
1D-5	We are prepared early on to respond and counter a defendant's justifications in elder <u>stalking</u> cases, such as: <input type="checkbox"/> deny the behavior <input type="checkbox"/> victim overreacted				
1E	<i>Trial</i>				
1E-1	Before any trial or proceeding where a victim must be present, we visit the courtroom with the victim to review the physical setting and layout, verify any needed accommodations, and explain the process and what will happen at each step.				
1E-2	We use <i>voir dire</i> questions that account for problematic areas in elder abuse cases, including attention to prospective jurors' assumptions and misconceptions about family violence and elder abuse, older adults, witness credibility, and victim reluctance to participate in prosecution.				
1E-3	In a bench trial, we use the ideas behind <i>voir dire</i> questions that account for problematic areas in elder abuse to assist in establishing what can be known about the judge and what to emphasize in the trial.				
1E-4	The juror selection process addresses jurors who are caregivers and may have assumptions about caregiver stress.				
1E-5	The juror selection process addresses jurors who are receptive to new information, especially information related to aging and elder abuse.				
1F	<i>Conditions of release and sentencing</i>				
1F-1	We consult with the victim and her or his community-based advocate prior to requesting conditions of release from custody.				
1F-2	Sentencing recommendations take into account future ramifications of conviction, including sex offender registration, felony convictions that must be disclosed to employers, and convictions that can or cannot be expunged.				
1F-3	Sentencing recommendations for probation include consideration of no-contact conditions, protection orders, restitution, treatment, and community service.				
1F-4	When allowed by law, we request regular review hearings of probation sentences in elder abuse cases.				
1F-5	When it fits the nature of the crime, we request restitution and a due date for payment of restitution.				
1F-6	We request hearings to address a defendant's non-payment of restitution.				
1G	<i>Abuse and neglect in facility settings</i>				
1G-1	We are prepared to request an investigation when we receive reports of <u>individual</u> elder abuse in facility settings (individuals victimizing residents).				
1G-2	We are prepared to request an investigation when we receive reports of <u>systemic</u> elder abuse in facility settings (elder abuse stemming from management and operation of the facility).				

1: Charging & Disposition		This applies...			
		Always/Yes	Sometimes	Never/No	Need more information
1H	<i>Expert witness and case consultation</i>				
1H-1	We are linked with and prepared to use expert witnesses in the following ways: <input type="checkbox"/> Conducting injury evaluations (distinguishing injuries due to neglect or abuse from injuries that are accidental or medical related) <input type="checkbox"/> Making charging decisions and testifying at trial Addressing issues of capacity				
1H-2	We have a process in place to consult with other government agencies and community organizations when investigating forms of elder abuse that are new or unfamiliar to our prosecutors.				
1H-3	We consult with financial institutions to establish procedures to stop a perpetrator's control and use of a victim's assets.				
Notes: Accomplishments? Barriers? Ideas for change? [Expand or add pages as needed]					

2: Safety Planning		This applies...			
		Always/Yes	Sometimes	Never/No	Need more information
2A	Framework				
2A-1	A victim/witness specialist coordinates safety planning specific to case charging and disposition.				
2A-2	We rely on <u>multiple</u> sources of information and tools in a team or interdisciplinary setting when making decisions about danger and safety. ⁸				
2A-3	Victim safety is a priority over any inquiry into or reporting of immigration status.				
2B	Process and components				
2B-1	When talking with victims we use common language and avoid professional or technical jargon and terms.				
2B-2	We are aware of the nature and impact of “victim trauma response.” ⁹				
2B-3	We use approaches specific to the type of elder abuse involved in assessing the level and immediacy of danger and related safety needs.				
2B-4	Our prosecutors initiate emergency protection orders (if authorized by law) or make referrals to advocacy services that can assist with protection orders.				
2B-5	If authorized by law, we remove firearms from perpetrators of elder abuse.				
2B-6	We respond to and file charges for violations of protection orders in elder abuse cases.				
2B-7	Sentencing recommendations emphasize victim safety and autonomy.				
2C	Community connections				
2C-1	We make “meaningful referrals” to community services, i.e., beyond brochures and business cards. We have links to specific agencies and practitioners, facilitate calls from victims to referral sources, and call on a victim’s behalf, if requested by the person or her/his authorized representative.				
2C-2	We have strong links with the variety of helping agencies and resources in culturally distinct communities (including but not limited to race and ethnicity, faith, sexual orientation, and disability).				
Notes: Accomplishments? Barriers? Ideas for change? [Expand or add pages as needed]					

⁸ For example: consulting law enforcement and/or APS investigation reports, available medical records, and any functional assessments of daily living activities and decision-making; utilizing a multi-disciplinary team that includes prosecutors, investigators, aging and disability specialists, and domestic violence and sexual assault advocacy services.

⁹ Victim trauma response is the wide range of physical, emotional, and behavioral reactions to violence, assault, or other trauma.

Note: This dimension addresses access in two forms: (1) disability-related access and (2) cultural accessibility.

3: Access		This applies...			
		Always/Yes	Sometimes	Never/No	Need more information
3A	Framework				
3A-1	We invite diverse groups of older adults and people with disabilities to conduct an accessibility assessment, including a tour of facilities and review of interview and intervention practices. ¹⁰				
3A-2	We invite representatives from culturally distinct communities to review our interview and intervention practices. ¹¹				
3A-3	We assign designated staff to know and maintain ADA (Americans with Disabilities Act) standards for accessibility.				
3A-4	Our agency staff reflects the diversity of our service area.				
3A-5	We conduct an agency-wide assessment of our disability accessibility policies and practices on a regular basis (i.e., every one to five years). ¹²				
3A-6	We conduct an agency-wide assessment of our cultural accessibility policies and practices on a regular basis (i.e., every one to five years). ¹³				
3B	Process and components				
3B-1	We have a protocol to guide prosecutors and victim/witness specialists in responding to a victim's specific disability accommodation needs.				
3B-2	We collaborate with specialists working with people with disabilities, including blind/low vision, Deaf/hard of hearing, physical disabilities, diminished cognition, psychiatric, and others when the situation requires additional skills and knowledge.				
3B-3	We request alternative proceedings (e.g., take the court case to the victim's location) when necessary.				
3B-4	We schedule appointments and proceedings to minimize waiting time for elder victims and witnesses.				
3B-5	We provide or make arrangements to meet an elder victim's or witness' need for meals, restrooms, medication, and other medical needs during court proceedings.				
3B-6	Prior to any trial date we make arrangements for interpreters, hearing devices, or any other accommodations in the courtroom.				

¹⁰ We recognize that there will be varying levels of confidentiality concerns that must be addressed in inviting community members to review agency practices, but we do not automatically assume that such community-based assessment is unworkable.

¹¹ See Sujata Warriar, *Culture Handbook*, published by the Family Violence Prevention Fund, June 2005; available at <http://www.futureswithoutviolence.org/userfiles/file/ImmigrantWomen/Culture%20Handbook.pdf>

¹² The National Center for State Courts (NCSC) provides materials about meeting ADA requirements and other issues related to disability access: <https://www.ncsc.org/courthouseplanning/needs-of-persons-with-disabilities>.

¹³ The National Center for Cultural Competence at Georgetown University has self-assessment tools and processes available at <https://nccc.georgetown.edu/assessments/>.

3: Access		This applies...			
		Always/Yes	Sometimes	Never/No	Need more information
3B-7	We provide appropriate interpreter services or communication assistance to those involved in a case of reported abuse who have sensory or speaking impairments or limited English proficiency. ¹⁴				
3B-8	We have the training, technology, equipment, or links with community agencies necessary to provide access to persons with the following kinds of needs: <input type="checkbox"/> mobility <input type="checkbox"/> vision <input type="checkbox"/> hearing <input type="checkbox"/> speech <input type="checkbox"/> cognition				
3B-9	In our interviews and other interactions, we are attentive to and respectful of cultural customs and courtesies.				
3B-10	Our response accounts for ways in which aspects of an elder's culture or identity might influence her or his decision-making and response, such as: <ul style="list-style-type: none"> • Mistrusting information provided by law enforcement, health care, or social services because of historic discrimination • Seeing information provided by law enforcement, health care, or social services as contrary to religious beliefs • Deferring to other relatives or adult children when family decision-making is the norm • Misunderstanding because of limited English proficiency¹⁵ 				
Notes: Accomplishments? Barriers? Ideas for change? [Expand or add pages as needed]					

¹⁴ Appropriate assistance includes such measures as using professional interpreters or APS staff fluent in the person's language; safeguarding confidentiality when using non-APS assistance; ensuring that the assistant has no stake or conflict of interest in the case; and, avoiding family members unless requested by the person (and without involvement in the case); providing aids and materials at no cost.

¹⁵ These recommendations reflect the work of Dr. Georgia J. Anetzberger in adult protective services investigation and assessment training prepared for the Ohio Department of Job and Family Services.

4: Victim/Witness Services		This applies...			
		Always/Yes	Sometimes	Never/No	Need more information
4A	Framework				
4A-1	The role of the victim/witness specialist is clearly defined and accounts for laws governing confidentiality and privileged communication.				
4A-2	We inform victims upfront about limitations on victim/witness confidentiality and privileged communication.				
4A-3	We avoid putting victim/witness specialists in a position of being the only witness to statements made in pretrial interviews.				
4B	Services				
4B-1	We provide each victim of elder abuse or the person's substitute decision-maker with information about crime victim rights and how to exercise them.				
4B-2	We notify a victim or substitute decision-maker about an offender's release from custody.				
4B-3	We inform the victim or substitute decision-maker about any conditions of pretrial release on the offender.				
4B-4	We provide the victim or substitute decision-maker with a notice and explanation of any decision not to prosecute in an elder abuse case.				
4B-5	We provide the victim or substitute decision-maker with a notice and explanation when charges are dismissed in an elder abuse case.				
4B-6	We attend court proceedings with victims of elder abuse.				
4B-7	We make arrangements for a victim to submit a victim impact statement as part of any presentence investigation or sentencing.				
4B-8	We assist victims in filing crime victim compensation claims.				
4B-9	Explanation of and communication about charging, disposition, and crime victim rights are made using everyday language and avoiding professional jargon and "legalese."				
4B-10	We notify any designated community-based advocate about the progress of the case and any upcoming appearances.				
4B-11	We use resources within the older adult's identified community to the fullest extent possible.				
4B-12	We provide victims with elder-specific referral and resource material.				
4B-13	We have links to elder housing options and alternatives, both emergency and long-term.				
4C	Referrals				
4C-1	Our agency routinely makes referrals to adult protective services, aging programs, and domestic abuse and sexual assault agencies.				
4C-2	Our agency routinely makes referrals to agencies organized in and working with culturally distinct and diverse communities.				
4C-3	We routinely make referrals to other governmental agencies and community-based organizations that can support the person's overall long-term safety and well-being, such as: referrals to legal advocacy, emergency and other housing assistance, and victim support groups.				

5: Policy & Procedure		This applies...			
		Always/Yes	Sometimes	Never/No	Need more information
5A	Framework				
5A-1	Our policies and procedures define elder abuse.				
5A-2	Our policies and procedures distinguish domestic abuse (partner as well as other family member) from other forms of elder abuse.				
5A-3	We regularly evaluate and adjust our response to provide optimal conditions for a timely and safe response.				
5A-4	We regularly review (i.e., every one to five years) agency policies, procedures, and practices to determine their impact on victims of elder abuse.				
5B	Content We have policies and procedures in place to address:				
5B-1	Prosecuting an offender with a disability, frailty, or specialized medical need				
5B-2	Reviewing dominant aggressor considerations in elder abuse charging decisions				
5B-3	Responding when the suspect is the victim's caregiver				
5B-4	Stopping a perpetrator's control and use of a victim's assets				
5B-5	Responding to reported elder abuse in long term care facilities				
5B-6	Working with adult protective services				
5B-7	Working with domestic violence victim advocacy services and making referrals when a case involves domestic abuse in later life				
5B-8	Working with sexual assault victim advocacy services and making referrals when a case involves sexual assault in later life				
5B-9	Determining when a prosecution-based victim/witness specialist will be present during interviews and other interactions between prosecutors and a victim of elder abuse				
5B-10	Determining when a community-based victim advocate can be present during interviews and other interactions between prosecutors and a victim of elder abuse				
Notes: Accomplishments? Barriers? Ideas for change? [Expand or add pages as needed]					

6: Training		This applies...			
		Always/Yes	Sometimes	Never/No	Need more information
6A	Framework				
6A-1	Agency training on elder abuse includes prosecutors, victim/witness specialists, and agency volunteers.				
6A-2	We have established and routinely update a library of resource materials and professional literature on elder abuse and law enforcement response.				
6A-3	All training related to elder abuse addresses attitudes, biases, and myths about aging and the resulting barriers to effective response.				
6A-4	We provide training and opportunities to practice how to recognize types of abuse and establish the degree of danger involved.				
6B	Content Training for prosecutors and victim/witness specialists (as relevant) addresses:				
6B-1	Recognizing the multiple ways that perpetrators of elder abuse try to manipulate and deceive interveners				
6B-2	Recognizing common justifications that abusers present, including caregiver stress				
6B-3	Recognizing and understanding the complex circumstances that victims face in making decisions about whether to leave an abuser or return to live with an abuser				
6B-4	Interview approaches and techniques for elder abuse cases				
6B-5	How to correctly assess and document a person's functional capacity to understand risk, make decisions, and give informed consent to investigation and services				
6B-6	Prosecuting forms of sexual abuse in later life				
6B-7	Prosecuting forms of domestic violence in later life				
6B-8	Evaluating dominant aggressor considerations to elder abuse cases				
6B-9	Prosecuting financial exploitation as a form of elder abuse				
6B-10	Prosecuting individual and systemic abuse in care facility settings				
6B-11	Use and limitations of expert witnesses in elder abuse cases				
6B-12	Jury selection, including strategies for recognizing and addressing jurors' biases related to aging and elder abuse				
6B-13	Case strategy and presenting evidence in elder abuse prosecution				
6B-14	How to prosecute cases successfully without victim testimony and respond to post- <i>Crawford</i> issues ¹⁶				
6B-15	How to respond to defense tactics to reduce the credibility of an older individual as a victim or witness				
6B-16	Maximizing safety for undocumented immigrant victims of elder abuse				
6B-17	We provide prosecutors with an annual update and review of the widest range of state and federal laws that support investigation, arrest, and prosecution of elder abuse cases.				

¹⁶ Articles and links addressing the impact of *Crawford* in domestic violence cases are available from the National Center on Domestic and Sexual Violence: http://www.ncdsv.org/publications_crawfordvwashington.html

6: Training		This applies...			
		Always/Yes	Sometimes	Never/No	Need more information
6C	Methods				
6C-1	An interdisciplinary team representing prosecution, law enforcement, domestic violence and sexual assault services, and adult protective services or aging network specialists delivers training on elder abuse response and investigation to prosecutors.				
C-2	We routinely use case studies and scenarios in formal and informal training to examine how existing agency policies and procedures guide our response to elder abuse.				
6C-3	We utilize a variety of approaches in providing and supporting training on the prosecution response to elder abuse, including mock trials, informal “brown bag lunch” discussions, web-based and other distance learning, and professional conferences and seminars.				
6D	Community connections				
6D-1	We participate in and provide cross-training with law enforcement, the aging services network, adult protective services, senior organizations, and domestic abuse and sexual assault services agencies.				
Notes: Accomplishments? Barriers? Ideas for change? [Expand or add pages as needed]					

7: Community Collaboration		This applies...			
		Always/Yes	Sometimes	Never/No	Need more information
7A	Framework				
7A-1	We are active participants in any elder abuse multidisciplinary team (M-team), interdisciplinary team (I-Team), or case consulting team operating in the community.				
7A-2	We routinely use a variety of methods to build links with and expand our understanding of who lives in our community and who should be involved in the wider response to elder abuse.				
7B	Relationships				
7B-1	Our relationships with law enforcement, adult protective services, domestic abuse and sexual assault service agencies, the aging services network, and senior organizations are characterized by: <ul style="list-style-type: none"> • Strong linkages • Frequent communication • Cross-training and other joint events or projects 				
7C	Systems change				
7C-1	We are linked with and participate in state efforts focused on elder abuse and abuse in later life, including the work of the prosecutors' association, law enforcement associations, state domestic violence and sexual assault coalitions, and state coalitions on aging.				
7C-2	We are linked with and participate in national efforts focused on elder abuse and abuse in later life, such as the work of the NDAA (National District Attorneys Association), NCALL (National Clearinghouse on Abuse in Later Life), and NCEA (National Center on Elder Abuse).				
7C-3	We participate in any fatality review team for elder abuse cases, including cases involving older adults and domestic violence.				
Notes: Accomplishments? Barriers? Ideas for change? [Expand or add pages as needed]					

Section 2: Recognize strengths and accomplishments

1. Review each area of the assessment grid and note where you checked “always” and “sometimes.”
2. Use the following template to summarize your strengths and accomplishments. Expand and add pages as needed.

Our Response to Elder Abuse...	
Dimension	Strengths and accomplishments
1) Charging & disposition	
2) Safety planning	
3) Access	
4) Victim/witness services	
5) Policy & procedure	
6) Training	
7) Community collaboration	

Section 3: Design an action plan

1. Identify what needs to change in your response to elder abuse.
 - a. Review each area of the assessment grid and note where you checked “sometimes” and “never.”
Review the issues and concerns you listed in Section 2.
 - b. Identify what is missing in your response and where you need more information.
2. Set priorities and next steps for the changes you would like to make. Keep in mind:
 - a. New or revised policies and/or procedures
 - b. Better connections and communication
 - c. New or expanded training
 - d. Stronger collaborations
 - e. New or revised technology and/or resources
3. Assign tasks and set timelines.
4. Use the following grid to record your plan. Expand and add pages as needed.

Action Plan: Strengthening Our Response to Abuse in Later Life					
Dimension	Our response will be improved by:	We need more information about:	Priorities and next steps:	Assigned to:	Due:
1) Charging & disposition					

Action Plan: Strengthening Our Response to Abuse in Later Life

Dimension	Our response will be improved by:	We need more information about:	Priorities and next steps:	Assigned to:	Due:
2) Safety planning					
3) Access					
4) Victim/witness services					
5) Policy & procedure					
6) Training					
7) Community collaboration					

Section 4: Track your progress

1. Review your plan.
2. Note changes that have been accomplished.
3. Note work that remains to be done.
4. Identify obstacles and ideas for overcoming them.
5. Plan next steps.
6. Use the following template to record and track your progress.

Strengthening Our Response to Elder Abuse...Our Progress

Date:

Progress:

Obstacles:

Next steps:

Assigned to:

Date:

Progress:

Obstacles:

Next steps:

Assigned to:

Appendix 1: Glossary of Terms

Access/Accessibility: the availability of and ability to use help, protection, and services in ways that fit each person's ability, culture, and identity. A CCR and those intervening in elder abuse are necessarily concerned with cultural accessibility, as well as disability-related access.

Accountability: Responsibility for responses and outcomes. In the context of elder abuse and coordinated community response, there are multiple layers of accountability: (1) an individual's accountability to the person he or she has harmed; (2) an agency's accountability to the person who is the focus of its intervention, whether as a victim of elder abuse or as a perpetrator or involved family member; and (3) the CCR partners' accountability to each other for fulfilling the CCR's mission, vision, and plan.

Action plan: The process to accomplish a goal that has been established by the CCR. It typically consists of clearly defining the goal or project, outlining the steps to complete the goal and their order of completion, assuring accountability, and monitoring progress. Progress should be regularly monitored to assure that the work is completed on schedule, that unexpected complications and obstacles are recognized and addressed, and that assignments and responsibilities are clearly identified. The action plan is a kind of strategic plan.

Annual report: In the context of a CCR, a report that describes and highlights the work undertaken by the CCR. Depending on the specific work of the CCR, the annual report may also contain recommendations for improving responses to elder abuse. The report typically identifies projects and key participants and provides budget and funding information. It informs members, stakeholders, partners, policymakers, legislators, funders, community members, and others interested in the CCR's work; creates a public record of efforts and accomplishments; and publicizes the value of the CCR.

Bylaws: The written rules and regulations that govern how the work of the CCR will be conducted. They often include duties of members and officers, terms of office, how meetings will be conducted, and selection of leadership. Some CCRs use formal bylaws; others may use written memorandums of understanding (MOUs) or more informal working agreements.

Confidentiality: The legal right to have information provided by one person (e.g., client or patient) to another (e.g., an advocate, doctor) kept private and undisclosed to others without consent of the person providing the information. Confidential relationships are defined by law and are part of legal and ethical practice in certain fields, such as domestic violence and sexual assault advocacy, mental health, health care, religious practice, and legal advice. Federal and state laws may make certain records confidential. Each grantee must research state and federal laws that affect confidentiality and information sharing. CCR and MDT/IDT member agencies should examine their policies and interagency agreements to assure that limitations on confidentiality are understood and honored.

Coordinated Community Response (CCR): A victim-centered, collaborative effort initiated by advocacy, legal, criminal justice, social service, and other community systems to create a united and coordinated interagency response to elder abuse that enhances safety for victims of elder abuse and holds offenders accountable for their conduct. This intervention model was originally developed by the Duluth, Minnesota, Domestic Abuse Intervention Project (DAIP) to address domestic violence. A CCR is a "system of networks, agreements, processes and applied principles" designed to make community systems work in a coordinated manner to enhance victim safety.¹⁷ A CCR's core function is to create a coordinated response and enhance cross-system communication and accountability. A CCR holds its members accountable, identifies service gaps, and coordinates efforts to create a seamless response to the needs of victims of elder abuse.

Data collection: The process of gathering information about the prevalence and type of elder abuse in the community, official responses, and the impact of interventions on victims of elder abuse and on those who commit elder abuse. Data collection helps inform the CCR's strategic plan. Sources of data can include counts of reported cases and details about the type, frequency, and severity of elder abuse; case dispositions; community surveys; and focus groups discussions.

¹⁷ See <https://www.theduluthmodel.org/about-us/coordinated-community-response/>

Fatality Review Team (FRT), sometimes called a Death Review Team: A multidisciplinary group of professionals who examine elder deaths to (1) identify and address systemic weaknesses or gaps that if addressed effectively could prevent future similar deaths; and/or (2) develop recommendations for coordinated education and prevention efforts to reduce incidence of elder abuse. FRTs may also examine individual cases to identify criminal responsibility and collect evidence to be used in a particular prosecution.¹⁸ (See also: MDT/IDT Team.)

MDT/IDT Team: Multidisciplinary/interdisciplinary team. An MDT/IDT is a group of professionals and others representing different disciplines, professions, and fields who unite as a team to address various aspects of elder abuse. Such a team may be based in a health care, protective services, criminal justice, or community settings or programs. Its efforts tend to be focused on case review or service delivery. Unlike a CCR, the team's role is not to coordinate multiple efforts across a community. (See also: Fatality Review Team.)

“Messaging”: Clear, concise, and consistent statements of the CCR's mission and goals, particularly to victims of elder abuse and those who commit elder abuse. In a CCR, the primary messages to victims are ones of protection and safety; to perpetrators, messages of accountability and help.

Mission statement: A brief, formal statement that defines the overarching purpose and priorities of the CCR. The mission statement is the CCR's statement of its core values, in a form that can be easily presented to CCR partners, intervening practitioners, funders, and the public. (See also: vision statement; strategic plan.)

Needs assessment: A systematic process of collecting and examining information about a specific issue (e.g., elder abuse) and its impact on the community in order to (1) determine what people are lacking and set priorities, (2) develop a strategic plan, and (3) allocate resources in response to peoples' identified needs.

¹⁸ See the *Elder Abuse Fatality Review Team Replication Manual*, published by the American Bar Association, Commission on Law and Aging; available at:
https://www.americanbar.org/groups/law_aging/resources/elder_abuse/elder-abuse-fatality-review-team-projects-and-resources/

Safety: The protection of victims of elder abuse from continued physical, sexual, emotional, and financial harm, coercion, and threats.

Strategic plan: The road map to fulfilling the CCR's mission and vision. A strategic plan sets short- and long-range goals, identifies the actions needed to meet the goals, and assigns responsibility for meeting the goals. The CCR Action Plan included in the self-assessment is a kind of strategic plan. (See also: mission statement; vision statement.)

Sustainability: the ability to endure or continue. In the context of a CCR, "sustainability" refers to developing a purpose, procedures, funding, and other elements that will allow the CCR's work to continue indefinitely and meet evolving and changing needs and challenges.

"Systems review": A review to determine if community systems are meeting the needs of elders, including attention to (1) the role each system plays; (2) how participating systems relate, communicate, and coordinate with one another; (3) gaps in services and service delivery and solutions to address the gaps; and (4) training needs to improve coordination and service delivery. A systems review is typically conducted by a formal team or an informal group of professionals from a variety of systems that provide services for victims of elder abuse and/or perpetrators.¹⁹

Vision statement: An articulation of where the CCR seeks to go and to what it aspires. The vision statement provides inspiration and directs the CCR partners in how to accomplish its ongoing work. (See also: mission statement; strategic plan.)

See: Brandl, Bonnie, et al. *Elder abuse detection and intervention: A collaborative approach*. Springer Publishing Company, 2006.

Appendix 2: Resources

The following organizations provide a variety of resources, training, and technical assistance related to preventing elder abuse and improving intervention and community response.

- ☐ **National Clearinghouse on Abuse in Later Life:** <https://www.ncall.us>
NCALL provides technical assistance, training, and program and policy development to address the nexus between domestic violence, stalking, sexual assault, and elder abuse and neglect. NCALL will sponsor sessions to discuss the self-assessment tools and their use at orientation and other stages of the grant process and implementation.
- ☐ **National Center on Elder Abuse:** <https://ncea.acl.gov>
NCEA is a national resource center dedicated to the prevention of elder mistreatment. It has an online library and links to other publications on elder abuse and related issues.
- ☐ **National Adult Protective Services Association:** <https://www.napsa-now.org>
NAPSA provides training, resources, and support to APS administrators and staff throughout the country. It conducts an annual national conference on issues related to elder abuse.
- ☐ **National Council of Juvenile & Family Court Judges and the National Judicial Institute on Domestic Violence:** <https://www.ncjfcj.org>
The Council provides training, research, and technical assistance to judges and their staff, including Enhancing Judicial Skills in Elder Abuse Cases.
- ☐ **National Center for State Courts:** <https://www.ncsc.org>
NCSC serves as the information hub for the state court community by answering questions, maintaining and distributing information, creating original content, and analyzing trends and best practices in the courts.
- ☐ **Battered Women's Justice Project:** <https://www.bwjp.org>
BWJP is a national resource center that provides training and resources on coordinated community response, with a primary focus on domestic violence. The Resource section of the BWJP Website includes materials

that may be of interest to communities developing an elder-abuse-specific CCR.

☐ **Praxis International:** <https://www.praxisinternational.org>







Praxis is a national technical assistance provider to OVW-grantees that has developed materials related to establishing and maintaining a coordinated community response, with a primary focus on domestic violence.

<https://praxisinternational.org/library/coordinated-community-response-ccr/>

Appendix 3:

Figure 1: Self-Assessment Process

The self-assessment process is much the same, whether using the discipline-specific workbooks or the CCR tool. Instructions specific to the different tools are noted under each step, under the corresponding symbol.

Self-Assessment Steps, Roles, & Responsibilities	
 Workbooks	 CCR Tool
(1) Designate a coordinator to guide the process.	
<ul style="list-style-type: none">✓ Schedule meetings.✓ Provide copies of the tool(s) to the team.✓ Facilitate discussions.✓ Keep the discussions moving and the process on track.✓ Assure that every perspective is respectfully heard and considered.✓ Track conclusions and agreements.✓ Track progress in implementing changes.	
	Use one or more of the 5 discipline-specific self-assessment workbooks.
	Involve all CCR partners.
(2) Convene the team & conduct the self-assessment.	
<ul style="list-style-type: none">✓ Review the tool(s) and their purpose, content, and process.✓ Determine how the team will work together. For example:<ul style="list-style-type: none">• Complete the tool together at one or more staff or CCR meetings.• Work in small groups and bring the results to an organization-wide meeting.• Use “real life” cases to examine practices and complete the grids.✓ Complete the assessment.✓ Encourage full participation and candid discussion.	
	Complete Section 1: Assessment Grid.
	Complete the 4 assessment categories. <ul style="list-style-type: none">• Agree on Philosophy & Mission first; complete the remaining segments in any order. Recommended, but not required: complete the policies and procedures section before moving to Internal and External Functions and Activities.• Document the process and deliberations: e.g., minutes or flip chart.

Self-Assessment Steps, Roles, & Responsibilities



Workbooks



CCR Tool

(3) Design a plan for change.

- ✓ Determine how the team will work together to design the plan. For example:
 - A day-long retreat
 - A series of staff or CCR meetings
 - Regularly scheduled “assessment meetings”
- ✓ Review the findings and information from the completed self-assessment workbooks and/or CCR tool.
- ✓ Identify strengths & accomplishments.
- ✓ Set priorities.
- ✓ Determine next steps.
- ✓ Assign tasks.
- ✓ Encourage conversation and dialogue.
- ✓ Allow time to reach agreement or closure (i.e., “agree to disagree”).



Complete Section 2: Recognize Strengths and Accomplishments.

Complete Section 3: Design an Action Plan.



Complete the Coordinated Community Response Action Plan template.

- Draw on the answers to the assessment categories to develop the action plan.
- Identify any additional activities and functions to include in the plan.

(4) Track progress.

- ✓ Review the action plan at regular, selected intervals.
- ✓ Note accomplishments.
- ✓ Note work to be completed.
- ✓ Identify obstacles & solutions.
- ✓ Plan next steps.
- ✓ Assign tasks.
- ✓ Approach the plan as a “living document.”
- ✓ Engage in a process of ongoing reflection, planning, action, and reassessment.



Complete Section 4: Track Your Progress.



Use the check-in sections of the Action Plan.

Figure 2: Abuse in Later Life Wheel



In 2006, NCALL adapted the Power and Control Wheel, developed by the Domestic Abuse Intervention Project, Duluth, MN. Resource updated, April 2011. For a detailed discussion of the Wheel and related information, go to www.ncall.us.