



Abuse of AI/AN Elders and Vulnerable Adults: What LTSS Program Staff Should Know

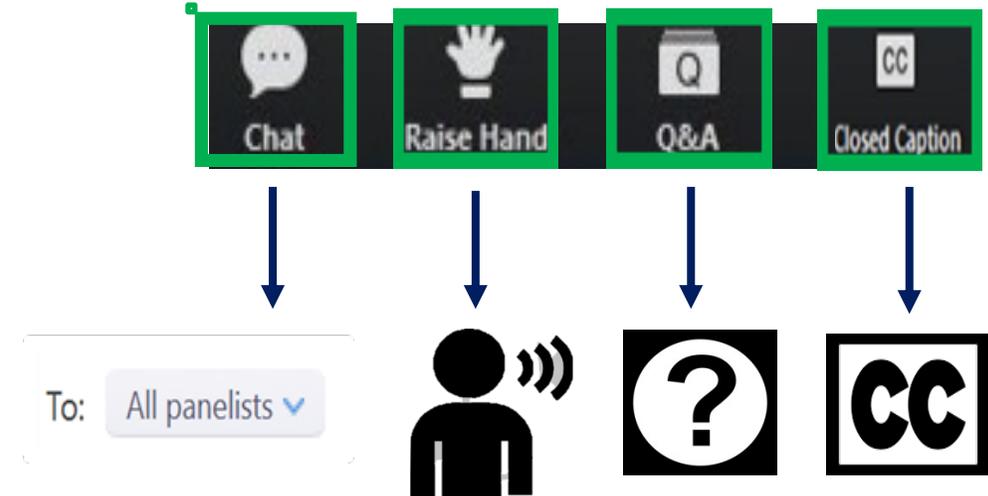
November 3, 2021

Technical Notes and Support

If you lose connectivity during the session, **click your join link to re-access the webinar.**

If you experience technical difficulties, **send a note using the chat box in your bottom menu bar, and we'll assist you from there.**

Enjoy the session!





Disclaimer

This webinar series is supported by GS-00F-0012S/HHSM-500-2016-00065G awarded by the Centers for Medicare & Medicaid Services. The opinions, findings, conclusions, and recommendations expressed in this webinar are those of the presenters and do not necessarily represent the official position or policies of the Department of Health and Human Services or the Centers for Medicare & Medicaid Services.



Investigation of Domestic Violence and Sexual Assault in American Indian/Alaska Native Elders and Vulnerable Adults



INTERNATIONAL ASSOCIATION FOR
INDIGENOUS AGING

Presented by Hallie Bongar White, SWCLAP; Dr. Jolie Crowder & Kendra Kuehn, MSW, IA²

Materials by IA² and Southwest Center for Law and Policy © 2021

This project was supported by Grant No. 2017-TA-AX-K024, awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.

Who Are Elders?



- Native communities typically define elders as people ages 50–55 years or older
- Nationally, non-Native organizations and legal codes commonly define “elders” as people who have reached the age of 60 or 65 years

Sexual Violence and Elders



- In American Indian and Alaska Native (AI/AN) communities, sexual violence against elders was virtually unknown at the time of first contact with Europeans

Sexual Violence and Elders



- Traditionally, Native elders have been seen as repositories of knowledge and as invaluable community resources prized for their experience and wisdom
- Many tribes, villages, rancherias, communities, and pueblos continue to hold elders in high esteem as valuable links to the past and resources for future generations

Elder Abuse



Types of abuse

- Physical
- Emotional/psychological
- Sexual
- Financial or material exploitation
- Neglect
- Spiritual abuse
- Abandonment
- Self-neglect



Study Findings



- Elder abuse exacts a huge toll on individuals, families, and communities
- It is estimated that approximately 10% of older people in the United States experience abuse

Citation:

[Crowder et al. \(2019\). Elder abuse in American Indian communities: An integrative review.](#)

Elder Abuse



- Consequences are significant, including higher rates of death
- Impact of race on *prevalence* is poorly understood
- Little is known about cultural context of race as a risk factor or protective factor

AI/AN Unique Context



- Quality and rigor of science on elder abuse in American Indians and Alaska Natives limited
 - 9 studies in 30 years
- 574 *unique* federally recognized tribes
- Tribes as sovereign nations, *complex jurisdictional* and law enforcement systems
- *Intra-tribal differences* in cultures and communities
- Cultural beliefs – spirituality, respect for elders, community over individual, etc.

AI/AN Unique Context



“Multiple jeopardy” (Carson et al., 2019)

- Higher risk of many suspected predictors of abuse (e.g., poverty, low education, poor health, substance abuse)
- Historical trauma, forced acculturation, relocation (boarding schools, urbanization), and assimilation
- Institutionalized discrimination and racism

AI/AN Unique Context



Lifelong history of violence in Native populations

- Child abuse rates as high as 77%
- 84% of AI/AN women & 82% of men experienced *some* form of violence in their lifetime
- 40% of AI/AN women experienced violence in the past year

Study Design



- Secondary analysis of the National Elder Mistreatment Study (2008; largest national study to date)
- Descriptive analysis + examining risk factors and protective factors

Citation:

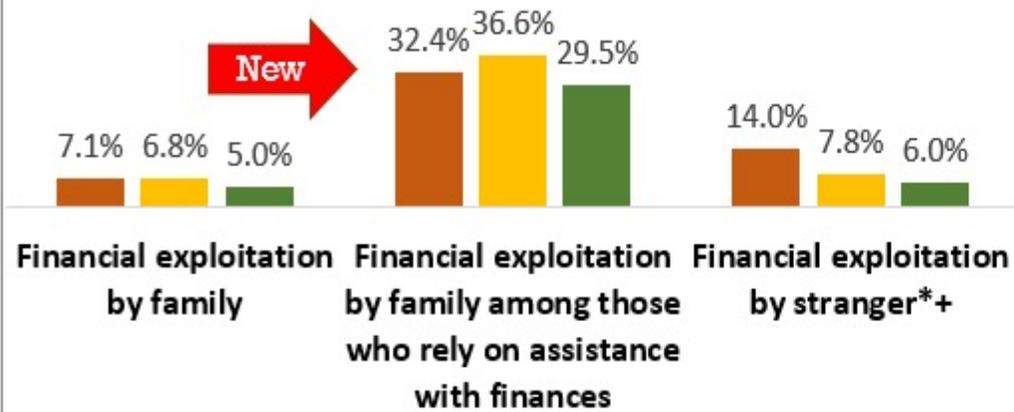
[Crowder et al. \(2020\). Exploration and comparison of contextual characteristics and mistreatment prevalence among older American Indian and Alaska Native respondents: Secondary analysis of the National Elder Mistreatment Study.](#)

Results

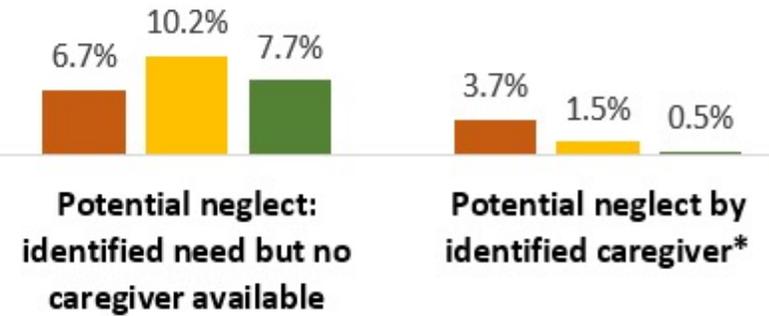
- American Indian and Alaska Native alone or in combination
- Black or African American alone
- White or Caucasian alone



Prevalence of Financial Exploitation by Race



Prevalence of Neglect by Race



* p - value < .05 between AIANs and White respondents

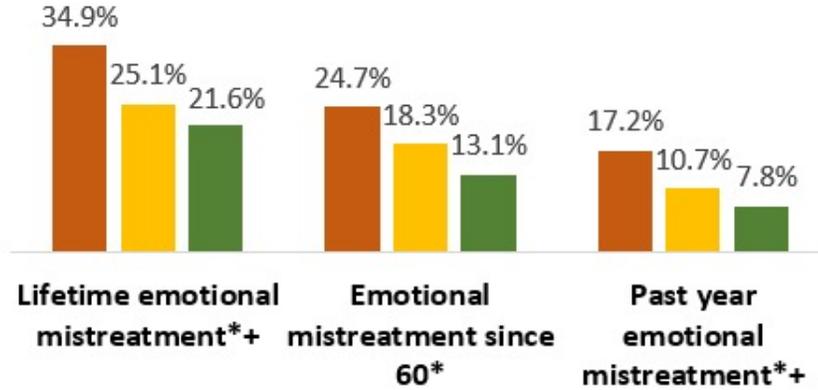
+ p - value < .05 between AIANs and Black respondents

Results

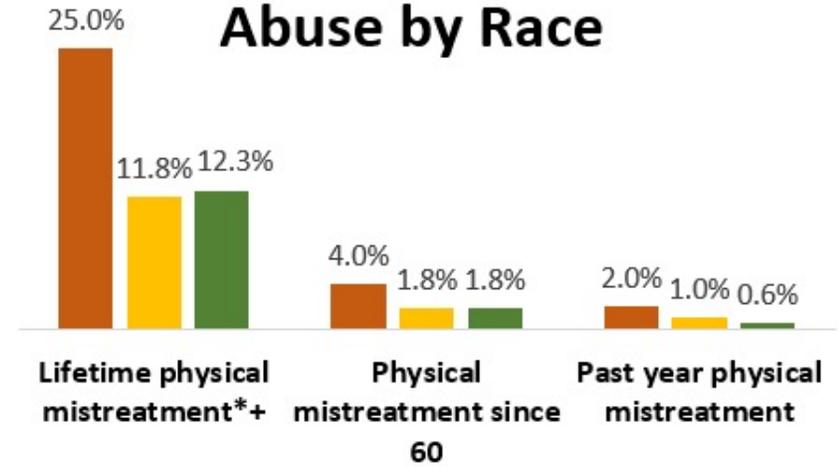
- American Indian and Alaska Native alone or in combination
- Black or African American alone
- White or Caucasian alone



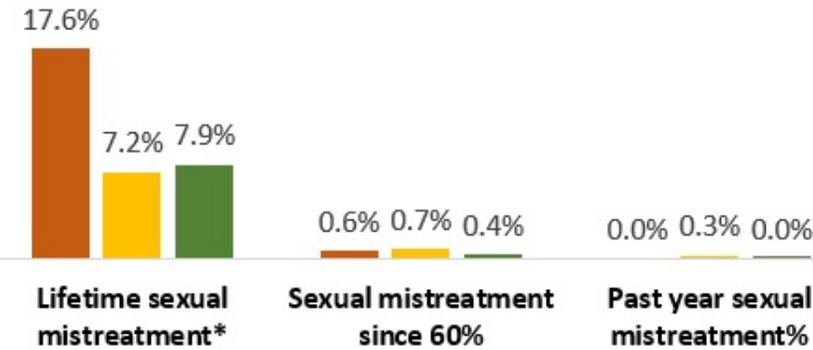
Prevalence of Emotional Mistreatment by Race



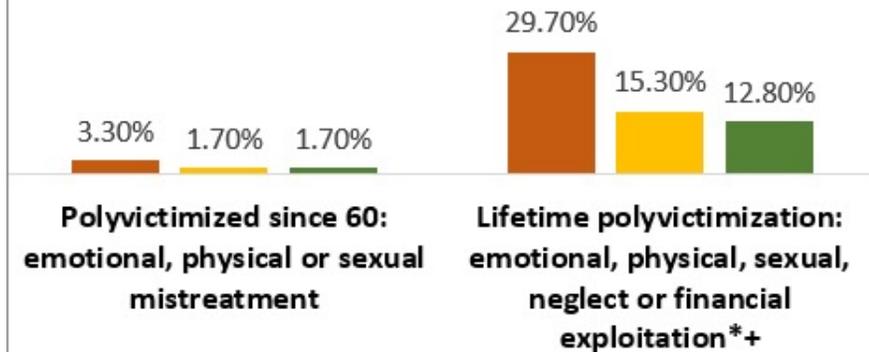
Prevalence of Physical Abuse by Race



Prevalence of Sexual Abuse by Race



New Prevalence of Polyvictimization by Race



Predictors of Elder Abuse



Protective Factors

- Older age for most types of abuse
- Male gender for lifetime sexual abuse
- Higher social support score for 3 types of abuse

Risk Factors

- “Bothered by emotional problems” for 5 types of abuse
- History of trauma for 3 types of abuse
- Help needed for emotional abuse since 60
- Being married/living with someone for lifetime physical abuse

Not Significant (surprisingly)

- Income or poverty
- Education
- Social service use
- Poor overall health

Abuse types analyzed: lifetime physical, emotional and sexual abuse; emotional and physical abuse since 60; financial exploitation by stranger

Summary of Findings



- Socioeconomic profile of AI/AN elders differed significantly from that of White respondents
- Abuse is 1.4–7.4 times more prevalent among AI/AN elders, compared with White elders, for all types of abuse, except potential neglect
- High lifetime polyvictimization rates for AI/AN elders
- High rates of history of trauma (natural disaster, violent crime, etc.)

Summary of Findings



- *Cumulative* rate of emotional, physical, sexual mistreatment; potential neglect; and financial abuse by a family member in the past year was 33%
- “Bothered by emotional problems” in past 30 days predicts 5 of 6 measures of abuse
- Social support most consistent in previous studies and was significant for AI/AN elders in several final models

Summary of Findings



- Risk factors and protective factors common among Whites are not typically shared by AI/AN elders



- Risk factors and protective factors differ by abuse type and by race

Lack of Reporting



Elders

- Fear being perceived as weak or dependent
- May desire to protect their abuser
- May feel shame, embarrassment, and stigma
- May not be aware of which behaviors are considered abusive

Citations:

[Crowder et al. \(2019\). Elder Abuse Project. "We see things other people aren't going to see." Facilitators and Barriers to Screening and Management of Elder Abuse by Tribal Health Care Providers.](#)

[Bongar White. \(n.d.\) Elder Abuse in Tribal Communities.](#)

[National Indian Council on Aging. \(2004\). Preventing and Responding to Abuse of Elders in Indian Country.](#)

Lack of Reporting



Elders

- May believe they cannot leave abusive situations for financial reasons
- May not view themselves as being abused or exploited by family members
- May want to avoid bringing law enforcement into the lives of their family members
- May subscribe to cultural beliefs that discourage confrontation or accepting help from outsiders
- Fear being removed from home
- Right to self-determination

Lack of Reporting



Health care workers and social services

- Many elders and providers believe there are no services or supports in their community to help
- Reality is that most tribal communities offer few or no services for elder victims of violence
- There is a lack of screening and training for health care providers and social services providers
- Perception that elders will refuse help or will not take any action is common

Lack of Reporting



“The problem is that almost always they’ll say, “I’m okay,” they’ll make an excuse, “No, that’s not an injury from being thrown into a wall, I fell into the couch.” The problem is a lot of the time, it’s the person in the room with that person. And then, immediately making a report, and trying to determine from there what kind of legal action we can set in place, but it isn’t anything we can do from that point if the person denies wanting help, or wanting to report the person who is neglecting or abusing them, and that’s pretty much the point where most of them fall down, the person flat out refuses to identify who it is, or to call it neglect or abuse, or to say that they were injured directly by another person.”

(Registered Nurse, Western Tribal Primary Clinic)

When There Is a Report of Sexual Abuse



- A report of sexual abuse may trigger both criminal and civil proceedings in tribal courts
- Civil proceedings in elder sexual abuse cases may include protective orders, guardianship proceedings, and conservator proceedings

Consent



The Four C's of Consensual Sex

YOU MUST BE **C**OMPETENT
YOU MUST BE **C**ONSCIOUS
YOU MUST BE OF A **C**ERTAIN AGE
THERE MUST BE NO **C**OERCION

When There Is a Report of Sexual Abuse



- Tribes may criminally prosecute Indians who commit elder abuse on tribal lands
- Non-Indians who commit acts of elder abuse may be prosecuted by a VAWA 2013-compliant tribe, provided the victim was:
 - An intimate partner,
 - A former intimate partner, or
 - In a former dating relationship with the defendant

Criminal Considerations



- Does law enforcement have a relationship with elders in your community?
- Are law enforcement trained in recognizing sexual assault and domestic violence?
- Do victim advocates or a sexual assault nurse examiner accompany officers to crime scenes?
- Are there any female officers available?

Screening Considerations



- Health care partners
 - Signs of sexually transmitted infections/diseases
 - Urinary tract infections
 - Other unusual symptoms
- Social services
 - Know your client
 - Be aware of their relationships

National Tribal Trial College



National Tribal Trial College (NTTC) provides:

- Legal training and technical assistance on domestic and sexual violence, stalking, abuse of persons with disabilities, elder abuse, and more
- Free certificate training in tribal court legal advocacy

<https://www.nttconline.org>

Adult Protective Services



- Adult Protective Services (APS) investigates abuse, neglect, and exploitation of older adults and persons with disabilities in every state
- Several tribes have established their own protective services programs
- APS should be notified immediately in cases where elder sexual abuse or other forms of abuse are suspected

Adult Protective Services



- All APS programs investigate cases in the community
 - About half investigate cases in long-term care facilities
- Long-term care ombudsmen advocate for residents of long-term care facilities
 - Older Americans Act funding to tribes can be used to develop an ombudsman program

**Build *relationships and educate*
both agencies!**

Adult Protective Services



- APS investigates and works with the elder to develop a service plan
- APS depend on resources and funding
 - Shelters are not always properly equipped to respond to elders' needs
 - Movements toward partnering with long-term care facilities to develop shelter services. What's happening in your area?

Evidence- Informed Interventions



- Multi-disciplinary teams
- Training and outreach
 - *Who in your community is in contact with elders the most?*
- Community resources
- Reporting hotlines

Citation:

[Pillemer et al. \(2016\) Elder abuse: Global situation, risk factors, and prevention strategies.](#)

Resources

- Southwest Center for Law and Policy: www.swclap.org
- International Association for Indigenous Aging (search: elder abuse):
<https://iasquared.org/>
- National Tribal Trial College: www.nttconline.org/
- National Indigenous Elder Justice Initiative: www.nieji.org
- National Long-Term Care Ombudsman Resource Center:
<https://ltcombudsman.org/issues/tribal-elders-and-ombudsman-services>
- National Center on Elder Abuse:
https://ncea.acl.gov/Resources/Publications.aspx#cultural_issues
- National Adult Protective Services Association: www.napsa-now.org



Just Ask!

**You may be the ONLY
person who does...**

Hallie Bongar White
bongarwhite@swclap.org

Jolie Crowder
jolie@iasquared.org

Kendra Kuehn
kendra@iasquared.org



CMS
CENTERS FOR MEDICARE & MEDICAID SERVICES