Responding to Elder Abuse in Rural America
National Resources for Responding

National Adult Protective Services Association, August 29, 2018

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Office for Victims of Crime
US Department of Justice
Overview

• Office for Victims of Crime, Victims of Crime Act (VOCA) and Crime Victims Fund
• VOCA Crime Victim Assistance Program Services/New Rule – Allows direct service costs for elder abuse and financial exploitation (Rural and Urban areas)
• VOCA-Funded Elder Victim Assistance Programs and examples of how VOCA funding is helping in rural communities
• VOCA Discretionary Grants & Initiatives – Field Generated Innovations in Addressing Elder Abuse and Financial Exploitation, Elder Justice AmeriCorps Fellows, TTA Efforts
What is the Office for Victims of Crime?
• **Victims of Crime Act of 1984:**
  - Authorizes OVC to use monies from the Crime Victims Fund (CVF) *not derived from tax dollars!*
  - Sets a formula allocating the CVF.
  - Provides authority for various OVC programs that assist crime victims:
    • **State Victim Assistance programs (formula)**
    • **State Compensation programs (formula)**
    • **Discretionary programs**
## Funding CAPs

**Crime Victims Fund**

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Funding Amount</th>
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<tbody>
<tr>
<td>FY2014</td>
<td>$745 million</td>
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<tr>
<td>FY2015</td>
<td>$2.36 billion</td>
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<tr>
<td>FY2016</td>
<td>$3.042 billion</td>
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<tr>
<td>FY2017</td>
<td>$2.957 billion</td>
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<tr>
<td>FY2018</td>
<td>$4.436 billion</td>
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### VOCA Authorized Activities

<table>
<thead>
<tr>
<th>Crime Victim Compensation (formula)</th>
<th>Victim Assistance Services (formula)</th>
<th>OVC Non-Formula Activities</th>
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<tbody>
<tr>
<td>• To states to fund direct payments for crime victims</td>
<td>• To states for community-based victim service programs</td>
<td>• National scope training and technical assistance</td>
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<tr>
<td>• Reimbursement for crime-related expenses (e.g., medical, mental health counseling, funeral and burial, lost wages, and loss of support)</td>
<td>• Supports the delivery of direct services (e.g., counseling, shelter, advocacy, legal services, etc.)</td>
<td>• Demonstration programs</td>
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<td></td>
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<td>• Victims’ legal assistance</td>
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<td></td>
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<td>• Program evaluation</td>
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<td>• Fellowships</td>
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<td></td>
<td></td>
<td>• Services to victims of federal crimes (e.g. Tribal Victim Assistance)</td>
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Traditional VOCA Victim Assistance Services

• Crisis counseling via hotline
• Individual and group therapy
• Court accompaniment
• Shelter/Safe house
• Information and referral
• Emergency legal advocacy
The Victim Assistance Rule
Codified in the Code of Federal Regulations ("C.F.R.") in title 28, part 94, subpart B.
www.ecfr.gov

- The new VOCA Victim Assistance Rule interprets the VOCA statute and provides guidance in how VOCA Victim Assistance Formula funds may be used.
- Major Provisions of the Rule (6 major divisions):
  2. State Administering Agency (SAA) Program Requirements
  3. SAA Use of Funding for Administrators and Training
  4. Sub-Recipient Program Requirements
  5. Sub-Recipient Project Requirements
  6. Sub-Recipient Allowable/Unallowable Cost
Sub-recipient allowable costs

28 C.F.R. 94.119(f) Allowable direct services costs – Legal Assistance

(f) **Legal assistance**—Legal assistance services (including, but not limited to, those provided on an emergency basis), where reasonable and where the need for such services arises as a direct result of the victimization. Such services include, but are not limited to:

1. Those (other than criminal defense) that help victims assert their rights as victims in a criminal proceeding directly related to the victimization, or otherwise; protect their safety, privacy, or other interests as victims in such a proceeding;

2. Motions to vacate or expunge a conviction, or similar actions, where the jurisdiction permits such a legal action based on a person's being a crime victim; and

3. Those actions (other than tort actions) that, in the civil context, are reasonably necessary as a direct result of the victimization;
Sub-recipient allowable costs

28 C.F.R. 94.119(c) Allowable direct services costs:

Mental Health Counseling and Care

• Allows for mental health counseling and care, including, but not limited to, out-patient therapy counseling (including, but not limited to, substance-abuse treatment so long as the treatment is directly related to the victimization) provided by a person who meets professional standards to provide these services in the jurisdiction in which care is administered.
Sub-recipient allowable costs

28 C.F.R. 94.119(h) Allowable direct services costs – Forensic interviews

(h) *Forensic interviews*—Forensic interviews, with the following parameters:

(1) Results of the interview will be **used** not only **for law enforcement and prosecution purposes**, but also **for identification of needs** such as social services, personal advocacy, case management, substance abuse treatment, and mental health services;

(2) **Interviews are** conducted in the context of a **multi-disciplinary investigation and diagnostic team**, or in a **specialized setting** such as a child advocacy center; and

(3) The interviewer is **trained to conduct forensic interviews appropriate to** the developmental age and abilities of children, or the developmental, cognitive, and physical or communication disabilities presented by adults.
Sub-recipient allowable costs

28 C.F.R. 94.119(k) Allowable Costs for Activities Supporting Direct Services: Transitional Housing

- Subject to any restrictions on amount, length of time, and eligible crimes, set by the SAA, transitional housing for victims (generally those who have a particular need for such housing and who cannot safely return to their previous housing, due to the circumstances of their victimization), including, but not limited to, travel, rental assistance, utilities, and other costs incidental to the relocation to such housing, as well as voluntary support services as childcare and counseling.
Sub-recipient allowable costs

28 C.F.R. 94.119(l) Allowable Costs for Activities Supporting Direct Services: Relocation

Subject to any restrictions on amount, length of time, and eligible crimes, set by the SAA, relocation of victims (generally, where necessary for the safety and well-being of a victim), including, but not limited to, reasonable moving expenses, rental expenses, and utility startup costs.
Sub-recipient allowable costs

28 C.F.R. 94.120(c) – Allowable Costs for Activities Supporting Direct Services: Multi-system, interagency, multi-disciplinary response to crime victim needs

Activities that support a coordinated and comprehensive response to crime victims needs by direct service providers, including, but not limited to, payment of salaries and expense of direct service staff serving on child and adult abuse multi-disciplinary investigation and treatment teams, coordination with federal agencies to provide services to victims of federal crimes and/or participation on statewide or other task forces, work groups, and committees to develop protocols, interagency, and other working agreements.
VOCA Funding and VOCA Victim Assistance Administrators

• So, since new VOCA Victim Assistance Rule allows greater flexibility for states...
  – States can **expand** services to previously underserved crime victim types
    [https://ovc.ncjrs.gov/findvictimservices/](https://ovc.ncjrs.gov/findvictimservices/)

• VOCA Victim Assistance Administrators are
  – Strategically determining needs for their state
  – Interested in better collaboration and leverage of funds
  – Looking to build better services for victims of elder abuse and financial exploitation
Challenges in Reaching/Serving Older Clients in Rural Settings
U.S. Resource Map of Victim Services & Information

• SAA - Victim compensation and assistance Programs.
• Victim Assistance Online Directory.
• Information on reporting crime victim’ rights violations.
• Conferences and events.
• Victims’ rights legal provisions.
• Statistics.
• Statewide performance reports.

https://www.ovc.gov/map.html
VOCA-Funded Elder Abuse Programs

[VOCA-Funded Elder Abuse Programs website](https://www.ovc.gov/VOCA-Administrators/101217.html)

**VOCA-Funded Elder Abuse Programs**

**October 12, 2017**

In the last two years, Congress significantly raised the financial cap on Victims of Crime Act (VOCA) funding, quadrupling Fiscal Year 2016 funding that is available to states to support victim services. In addition, the new VOCA Formula Victim Assistance Rule—finalized in August 2015—clarified and expanded states’ allowable uses of VOCA victim assistance funding. With this tremendous increase in funding and the new Rule that clarifies and expands how states may expend the funding, states are looking to support all victims, including victims of elder abuse.

Below are examples of VOCA-funded elder abuse programs and the VOCA offices that funded them. Visit OVC’s [FY16 Funding Search](https://www.ovc.gov/VOCA-Administrators/101217.html) for more information on this topic.

<table>
<thead>
<tr>
<th>State</th>
<th>VOCA-Funded Elder Abuse Program</th>
<th>VOCA Administrator</th>
</tr>
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<tbody>
<tr>
<td>Alabama</td>
<td>Elderly and Disabled Adult Victims Services (EDAVS) provides direct short-term services to elderly and disabled victims of abuse, neglect, or exploitation. The project provides short-term in-home sitter or homemaker services to ensure victims’ safety and avoid unnecessary out-of-home placement and short-term placement funding for adults requiring emergency out-of-home placements including nursing home, assisted living, and foster care. Tammy Fuller, EDAVS Coordinator Adult Protective Services—Department of Human Resources. Phone: 334-353-4901 Email: <a href="mailto:Tammy.fuller@dhr.alabama.gov">Tammy.fuller@dhr.alabama.gov</a></td>
<td>EDAVS is funded by the Alabama Department of Economic and Community Affairs. Contact VOCA Administrator Derek Yarbrough, at 334-353-3252 or <a href="mailto:derek.yarbrough@adea.alabama.gov">derek.yarbrough@adea.alabama.gov</a>, for more information.</td>
</tr>
<tr>
<td>California</td>
<td>The Elder Abuse Forensic Center provides additional services in medicine and neuropsychology to provide comprehensive services and achieve better outcomes for the elder and dependent adult population in Riverside County. The Elder Abuse Forensic Center is funded through the California Governor’s Office of Emergency Services. Contact Leigh Bills, MSW, Victim Services Division Chief, at 951-373-6234.</td>
<td></td>
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</tbody>
</table>
VOCA-Funded Programs (examples)

• Alabama’s Elderly and Disabled Adult Victim Services (EDAVS)
  • direct short term services to victims of abuse, neglect, or exploitation
  • short term in-home sitter or homemaker services
  • short term placement in an assisted living, nursing home, or foster care.

Tammy Fuller, EDAVS Coordinator/APS  Department of Human Resources, Tammy.fuller@dhr.alabama.gov
VOCA-Funded Program Examples

• California
  – 14 elder abuse Multi Disciplinary Teams (MDTs) throughout state.
  – The Elder Abuse Forensic Center
    • provides additional services in medicine and neuropsychology
    • provides comprehensive services to achieve better outcomes for the elder and dependent adult population in Riverside County

• David Franklin, Psy.D., MHA, Director, david.franklin@medsch.ucr.edu
New Funding via State VOCA

• California's Office of Emergency Services (CALOES) released a new RFP for its 2018-19 Elder Abuse Program to support new and expanded elder abuse multi-disciplinary teams across the state - this includes rural areas!

• Dedicating $2.4 million to project

New Funding via State VOCA

• **Colorado’s SeniorSafetyNet**
  – working in tandem with partner agencies, the program provides a comprehensive network of supportive services, including victim advocacy, to previously unserved victims of elder abuse.

DDA Jane Walsh
Director of Community Protection
Office of the District Attorney
20th Judicial District
Boulder CO 80306
NY - Lifespan of Greater Rochester Inc. - Elder Justice Advocates: Improving Outcomes for Elder Abuse Victims in New York State’s Criminal Justice System (NY); recruiting 50 elder justice advocates from victim assistance staff in district attorney offices, law enforcement units and domestic violence programs in at least 10 regions or counties across New York State.
• WI - End Domestic Abuse Wisconsin - National Clearinghouse on Abuse in Later Life (NCALL) - Lifting Up the Voices of Older Survivors Video Project (WI); to create a collection of video clips of older survivors describing their experiences and insights regarding effective interventions, such as support groups and transitional housing.
Other National Resources & Training Opportunities from OVC

– The Online Elder Abuse Training for Legal Aid and Civil Attorneys [https://www.ovcttac.gov/ElderAbuse/](https://www.ovcttac.gov/ElderAbuse/) (4 one hour modules):
  • DV and Sexual Assault
  • Financial Fraud and Exploitation,
  • Practical and Ethical Strategies
  • What Lawyers Need to Know

– OVC Training and Technical Assistance Requests

– Webinars - [https://www.justice.gov/elderjustice/webinars](https://www.justice.gov/elderjustice/webinars)
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Elder Abuse in Rural America

Shelly L. Jackson, Ph.D.
Office for Victims of Crime Visiting Fellow, Elder Justice Initiative, US Department of Justice

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Who Works in a Rural Area

Mt. St. Helens
June 15th, 2018

Attorney General Jeff Sessions Announces Partnership with USDA to promote Elder Justice in Rural America
Rural Aging Statistics
Definition of Rural

“Rural” encompasses all population, housing, and territory not included within an urban area:

• Urbanized Areas (UAs) of 50,000 or more people; Urban Clusters (UCs) of at least 2,500 and less than 50,000 people.

https://www.census.gov/geo/reference/ua/urban-rural-2010.html
RURAL, SUBURBAN, & URBAN LOCATION, 2010

Legend
- Census Tracts Location
- Rural
- Small Town
- Exurban
- Suburban
- Urban

Source:
HAC Tabulations of 2010 Census of Population and Housing

“When you’ve seen one rural community, you’ve seen one rural community.”

Hash, Jurkowski, & Krout, 2015
2/3 of the 3,142 counties are rural

Hartman & Weierbach, 2013
14.9% of the total population is 65+
Change in Rural and Urban Population Size: 1910–2010

Source: U.S. Census Bureau, 1910 to 1990 Censuses. [www.census.gov/population/censusdata/urpop0090.txt]; 2000 Census, Table P002; 2010 Census, Table P2.
Rural & Small Town Population by Age and Gender, 2010

Source:
HAC Tabulations of 2010 Census of Population and Housing
Out-migration of Younger People

(Image: Overall, U.S. population declined with rural, non-metro, areas being disproportionately affected. Source: USDA ERS)

(Image: Migration trends in metro and non-metro areas shows high rural out-migration among 20-30 year olds is partially offset by in-migration by older adults and young children. Source: USDA)

25% 65+ in rural areas

Over 8 million

https://www.giaging.org/issues/rural-aging/
Veterans comprised 10.4% of the population of adults in rural areas compared with 7.8% in urban areas.

Rural Older Adults

- Older
- Female: Male
- Less education
- Limited occupations
- Lower income (less poverty)
- Fewer minority
- Poorer health
- Cognitive impairment
- Social isolation
- Suicide profile

Baernholdt et al., 2012; Brummel-Smith & Gunderson, 2007; Weden et al., 2017; Saenz et al. 2017; https://www.census.gov/newsroom/blogs/random-samplings/2016/12/a_comparison_of_rura.html; CDC, 2018
Rural Unpaid Caregivers

Less education
Fewer employed
Lower income
Religion
Respite
Transportation
Socialization
Informal more prevalent

Crouch et al., 2017; Monahan, 2013
Infrastructure Lacking

- Grocery stores
- Housing
- Broadband
- Banking
- Transportation

See notes
Less access to:

- Social services
- Healthcare services
- Mental health services
- Victim services
- Aging in place services
- Long-term care services

Weather conditions
Wild animals
Natural terrain

https://www.giaging.org/issues/rural-aging/; Crouch et al., 2017; Monahan, 2013;
Opioid Epidemic

Only 10 percent of opioid prevention and treatment resources nationwide are located in rural areas.

Rural Community Strengths

• Family
• Community
• Tradition
• Interdependence
• Faith
• Volunteering
• Creativity

Hash, Jurkowski, & Krout, 2015
Elder Abuse in Rural Communities
Rural Geriatric Assessment

“Elder abuse goes unrecognized”

Brymer et al., 1998
Risk Factors for Elder Abuse

Dementia

Depression
Early Literature

• 5.5% in Australia (across 6 types)


• Rural Women:
  ◦ Physical abuse
  ◦ Emotional abuse
  ◦ Deprivation

• Urban Women:
  ◦ Passive neglect

Rural vs. Non-Rural
Reported Cases of Elder Abuse

per 1000 residents

Rural vs. Non-Rural Area

Rural

2.16

Non-Rural

3.05

Lachs & Berman, 2011
Rural vs. Urban
Self-Reported Cases of Elder Abuse

56.7

84.4

per 1000 residents
Rural
Urban
Rural vs. Urban
Rural vs. Urban NOT Reporting Elder Abuse

- Rural: 26.1 per 1000 residents
- Urban: 24.1 per 1000 residents

Lachs & Berman, 2011
...when differences between rates by category of abuse are examined, the data reveals a rate of financial abuse in urban counties that is nearly double that reported in rural counties.
The most rural area included a higher proportion of *neglect* allegations (66.1%) compared to the other five types which ranged from 21.2% to 48.9%.
Rural Texas APS Data (Catherine Bingle)
Validated cases including 18 and older; not differentiated by type of abuse

\[ p < .001 \]
Non-significant Difference (p=.053)

Validated cases including 18 and older; not differentiated by type of abuse
Non-Significant (p=.475)

%Rural 75% to 100%

Validated cases; 18 and older; not differentiated by type of Abuse
Texas APS Financial Exploitation x Rural Status

- 65 & older
- FE Only
- TX Defined Rural
- Investigations

p < .001
Texas APS Financial Exploitation x Rural Status

- 65 & older
- FE Only
- TX Defined Rural
- Investigations

p < .001
1990-1991 Missouri APS Cases Judged Life-Threatening x Census Tract

- **Rural Life-threatening**: 18
- **Urban Life-threatening**: 14

Perrin, 1993
Absence of Rural Elder Abuse Research

Consequences

- Social
- Psychological
- Health
- Emotional
- Financial
- Mortality
Rural Service Providers
Rural APS: 48 cases

vs

Urban APS: 46 cases
Challenges for Rural Service Providers

- Staff shortages
- Less skilled workers
- Geographic distances
- Inability to attract strong talent
- Lack of training opportunities

- Broadband absence
- Terrain and weather conditions
- Unavailability of referral services
- Ethics (everyone knows everyone)
- Requires creativity
Everything takes longer

Bonnie Conrad, personal communication, August, 2018
A Day in the Life of an APS Worker in Rural America

by Bill Benson

The states' Adult Protective Services (APS) are America's front-line system of first responders to reports of abuse, neglect and exploitation of frail elders and vulnerable disabled adults.

Under the best of circumstances, the daily job of an APS worker is demanding, sometimes very painful, highly stressful and often overwhelming. Yet it's not without rewards, though those are not monetary, nor do they lie in comfortable work environments. They are more likely derived from the satisfaction of helping a frail older person or an adult with severe disabilities to leave negligent or abusive circumstances and to live relatively independently.

One APS Worker's Story

Until recently, former Virginia police officer Mandy Wellich was a West Virginia APS employee, working initially as an investigator, then rising in the ranks to become the program's statewide APS trainer. Her jurisdiction was a mountainous four-county area covering 2,566 square miles, with 77,256 residents, of whom 10 percent, or almost 14,000, were ages 65 and older, as well as many disabled adults between ages 18 and 64, who also were part of the APS caseload.

Wellich's service area was supposed to have two investigators but often she was the only one, due to APS' difficulties with worker retention and stagnant budgets. When she started in late 2008, Wellich's active investigation caseload was 20, which climbed steadily to 50. This didn't include the additional 12 ongoing cases where she acted as a court-appointed adult guardian and healthcare surrogate.
Confidentiality

Limited education

Limited training

Limited resources

Professional isolation
  • Lonely
  • Unable to attend conferences
  • Lack training opportunities
  • Absence of colleagues

Frustration with clients

Lack of interagency communication

Vandsburger et al. 2012; Teaster, Roberto, & Dugar, 2006
Rural Service Provers

Generalists
Understand rural culture
Committed & integrated into the community
Dual relationships

Hash, Jurkowski, & Krout, 2015
Rural & Tribal Elder Justice Summit
Planning Activities
Rural and Tribal Elder Justice Summit
November 14-15, 2018
Conference Objectives

Unique challenges

Innovative and best practices

Federal and state resources

Lachs & Berman, 2011
Conference Partners

• Elder Justice Initiative (DOJ)
• US Department of Agriculture (USDA)
• Administration for Community Living (HHS)
• The American Bar Association’s (ABA) Commission on Law and Aging
• National Adult Protective Services Association (NAPSA)
• National Association of Area Agencies on Aging (N4A)
Interagency Task Force on Agriculture and Rural Prosperity (October 2017)

E-Connectivity
Quality of Life
Rural Work Force
Technology
Economic Development

https://www.usda.gov/ruralprosperity
August 7-9, 2018
Portland, Maine

Loneliness & Social Isolation

Smoking 1.5 Cigarettes a Day

Holt-Lunstad et al., 2015
Strategy: Create Change Agents

**Elder Abuse Professionals**
- APS
- LE
- Prosecutors
- Aging services
- Ombudsmen
- Legal aid
- Mental health

**Rural Serving Professionals**
- USDA
- Rural health
- AARP
- N4A Rural Caucus
- GSA Rural Interest Group
Information Gathering Methods

Interviews with Leading Professionals
  Elder Abuse
  Rural Serving

Literature Reviews

Webinars
Rural Webinar Series

https://www.justice.gov/elderjustice/webinars

- Building an Elder Justice Unit
- Videoconferencing Capacity Assessments
- Webportal for Forensic Review of APS Cases
- MDTs in Rural Communities
- Intergenerational Programs
- Issues of Access and Isolation
- Veterans
Resiliency Framework

Empowerment
Belief in Human Potential
Respect
Proactive problem solving
Professional commitment & compassion

Vandsburger et al. 2012
Apply a Rural Lens (CMS)
What Are We Missing?
Thank You
shelly.l.jackson@usdoj.gov