

Responding to Elder Abuse in Rural America National Resources for Responding

National Adult Protective Services Association,
August 29, 2018

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US Department of Justice



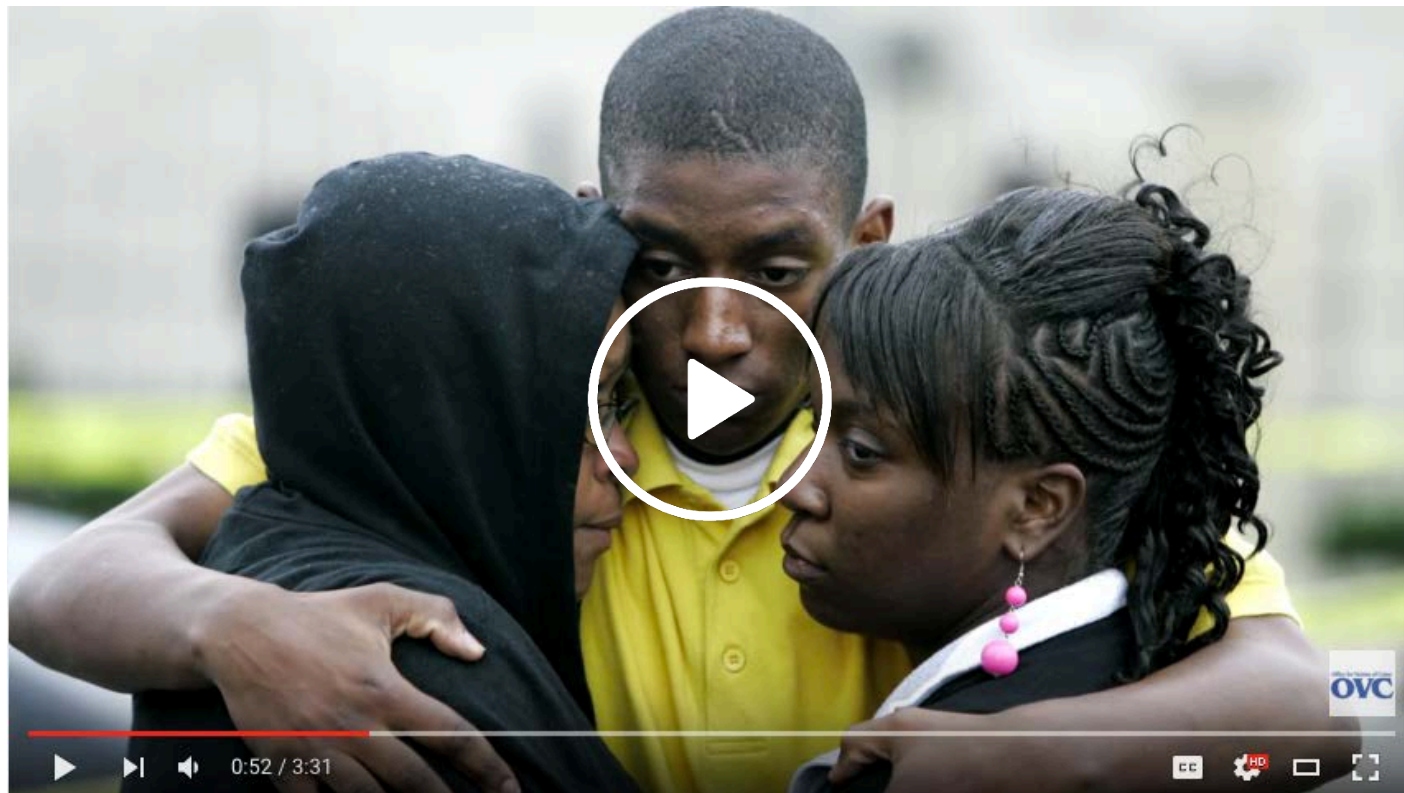


Overview

- 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?





VOCA

Title 34 U.S.C 20101 et. seq.



- **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



FY2014	\$745 million
FY2015	\$2.36 billion
FY2016	\$3.042 billion
FY2017	\$2.957 billion
FY2018	\$4.436 billion



VOCA Authorized Activities

Crime Victim Compensation (formula)

- To states to fund direct payments for crime victims
- Reimbursement for crime-related expenses (e.g., medical, mental health counseling, funeral and burial, lost wages, and loss of support)

Victim Assistance Services (formula)

- To states for community-based victim service programs
- **Supports the delivery of direct services (e.g., counseling, shelter, advocacy, legal services, etc.)**

OVC Non-Formula Activities

- National scope training and technical assistance
- Demonstration programs
- Victims' legal assistance
- Program evaluation
- Fellowships
- Services to victims of federal crimes (e.g. Tribal Victim Assistance)



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*):
 1. General Provisions
 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/>
- 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



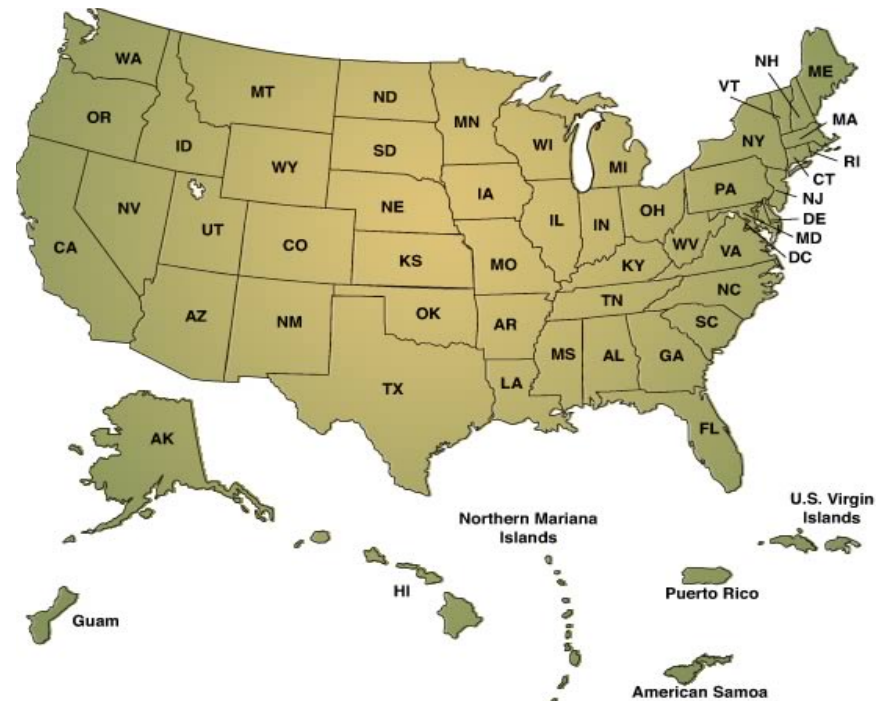


U.S. Resource Map of Victim Services & Information



<https://www.ovc.gov/map.html>

- 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.





VOCA-Funded Elder Abuse Programs

www.ovc.gov/VOCA-Administrators/101217.html

**OFFICE OF JUSTICE PROGRAMS**

**OFFICE FOR VICTIMS OF CRIME**

Recursos en Español | [FAQs](#) |

JUSTICE FOR VICTIMS • JUSTICE FOR ALL

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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 2016—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 [elder abuse/mistreatment page](#) for more information on this topic.

The programs listed below are not equipped to respond to calls for immediate assistance, such as calls intended for Adult Protective Services.

If you experience an emergency, call 911. Find your state's reporting agency at <https://www.justice.gov/elderjustice/find-support-elder-abuse>.

State	VOCA-Funded Elder Abuse Program	VOCA Administrator
Alabama	<p>Elderly and Disabled Adult Victim 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.</p> <p>Tammy Fuller, EDAVS Coordinator Adult Protective Services—Department of Human Resources Phone: 334-353-4901 Email: Tammy.fuller@dhr.alabama.gov</p>	<p>EDAVS is funded by the Alabama Department of Economic and Community Affairs.</p> <p>Contact VOCA Administrator Derek Yarbrough, at 334-353-3252 or derek.yarbrough@adeca.alabama.gov, for more information.</p>
California	<p>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.</p>	<p>The Elder Abuse Forensic Center is funded through the California Governor's Office of Emergency Services.</p> <p>Contact Leigh Bills, MSW, Victim Services Division Chief, at leigh.bills@oemsa.ca.gov</p>

Text size: Feedback

ADDITIONAL RESOURCES

- ▶ **Laws and Policies**
 - [Victim Assistance Guidelines](#)
 - [Victim Compensation Guidelines](#) (PDF 69 kb)
 - [VOCA Formula Victim Assistance Grant Program Final Rule](#) (PDF 434 kb)
 - [Victims of Crime Act \(VOCA\)](#)
- ▶ **Meeting Summaries**
- ▶ **FAQs**

RELATED RESOURCES

- [2017 Crime Victims Fund Allocations](#)
- [Crime Victims Fund Allocations Archive](#)
- [Awards Made by OVC](#)
- [VOCA nationwide performance reports](#)
- [U.S. Resource Map](#)
- [Current Funding Opportunities](#)



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
- [http://www.caloes.ca.gov/pages/Grant-Details.aspx?itemID=220&ItemTitle=2018-19 Elder Abuse \(XE\) Program RFP](http://www.caloes.ca.gov/pages/Grant-Details.aspx?itemID=220&ItemTitle=2018-19 Elder Abuse (XE) Program RFP)



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



OVC 2017 Field-Generated Innovations in Addressing Elder Abuse and Financial Exploitation



- **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.



OVC 2017 Field-Generated Innovations in Addressing Elder Abuse and Financial Exploitation (Cont.)



- **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/> (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>



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Elder Abuse in Rural America

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Who Works in a Rural Area



Mt. St. Helens

ELDER JUSTICE INITIATIVE (EJI)



FIND HELP OR REPORT ABUSE

June 15th, 2018

Attorney General Jeff
Sessions Announces
Partnership with USDA
to promote Elder Justice
in Rural America



1

2

3

4

5

6



AG Sessions on WEADD 2018



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.



RURAL, SUBURBAN, & URBAN LOCATION, 2010

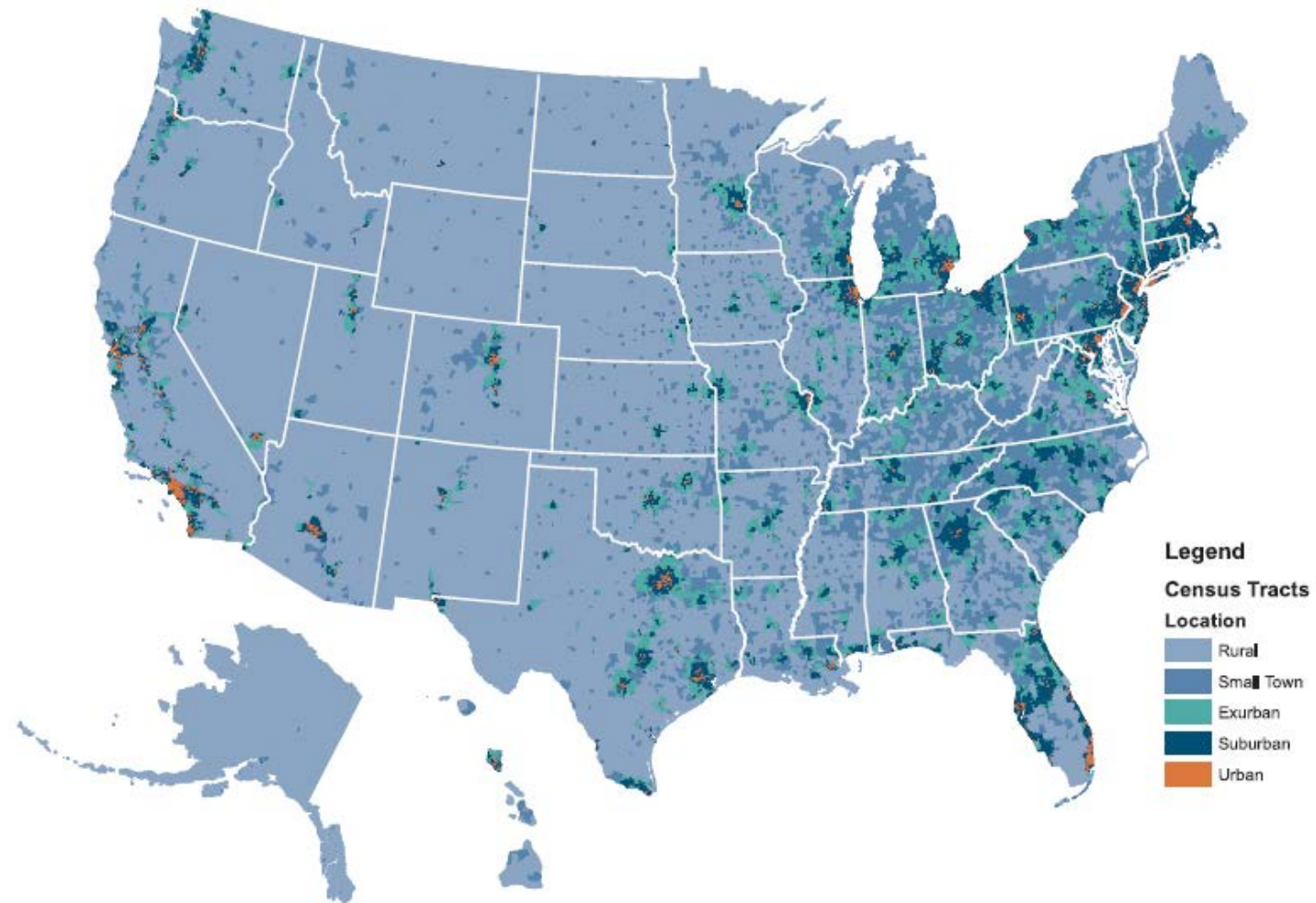


Figure 7

Source:
HAC Tabulations of 2010 Census of Population and Housing

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



2/3 of the 3,142
counties are rural



Hartman & Weierbach, 2013

Aug 12, 2018 11:48 UTC (+4)

United States

World



U.S. Population

328,338,748

COMPONENTS OF POPULATION CHANGE

One birth every 8 seconds



One death every 12 seconds



One international migrant (net)
every 29 seconds



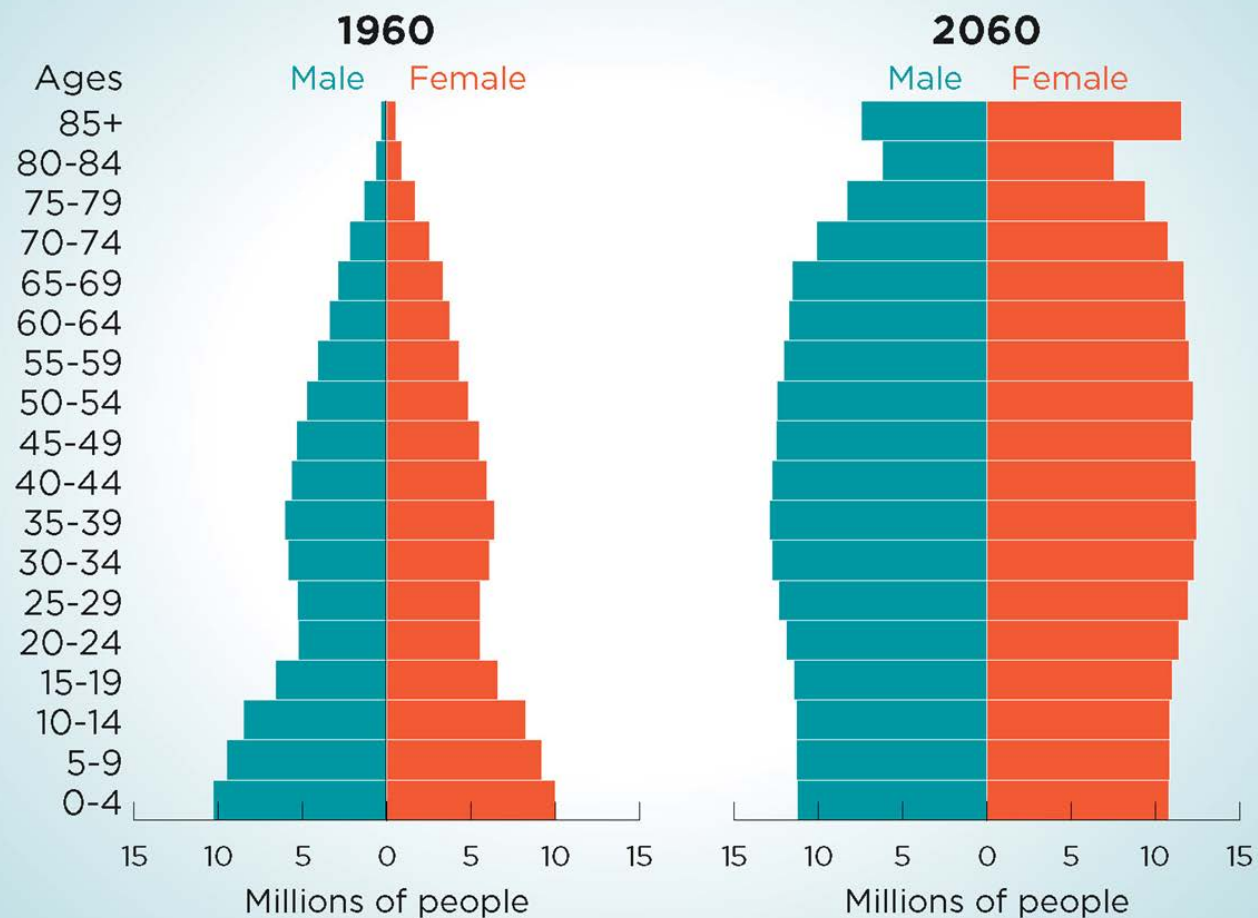
Net gain of one person every 12
seconds



14.9% of the
total population is 65+

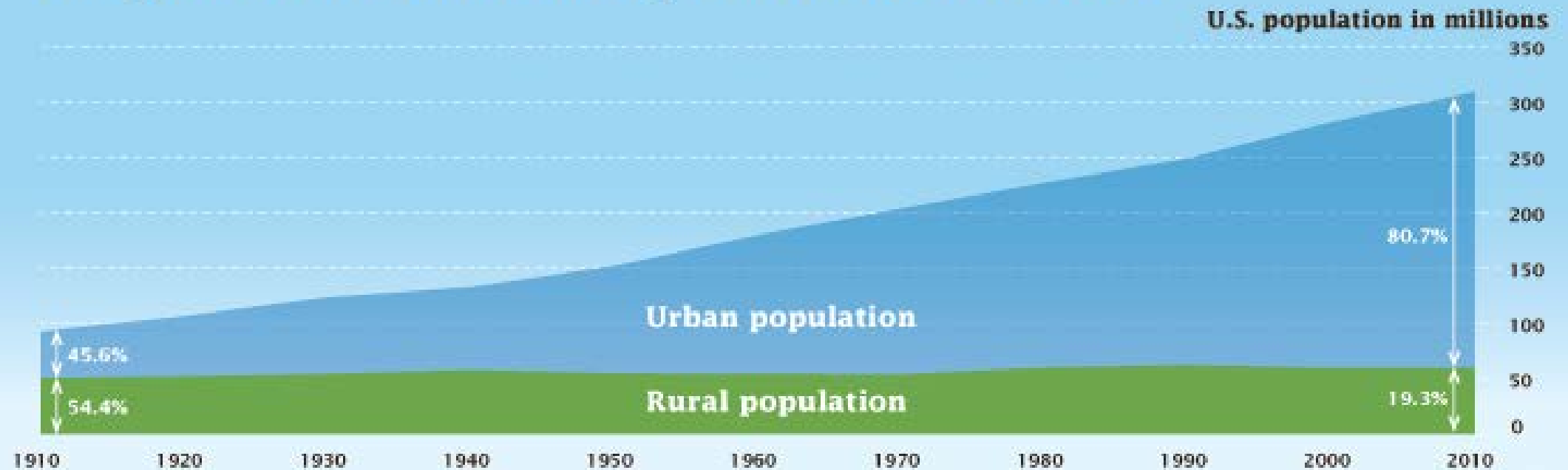
From Pyramid to Pillar: A Century of Change

Population of the United States



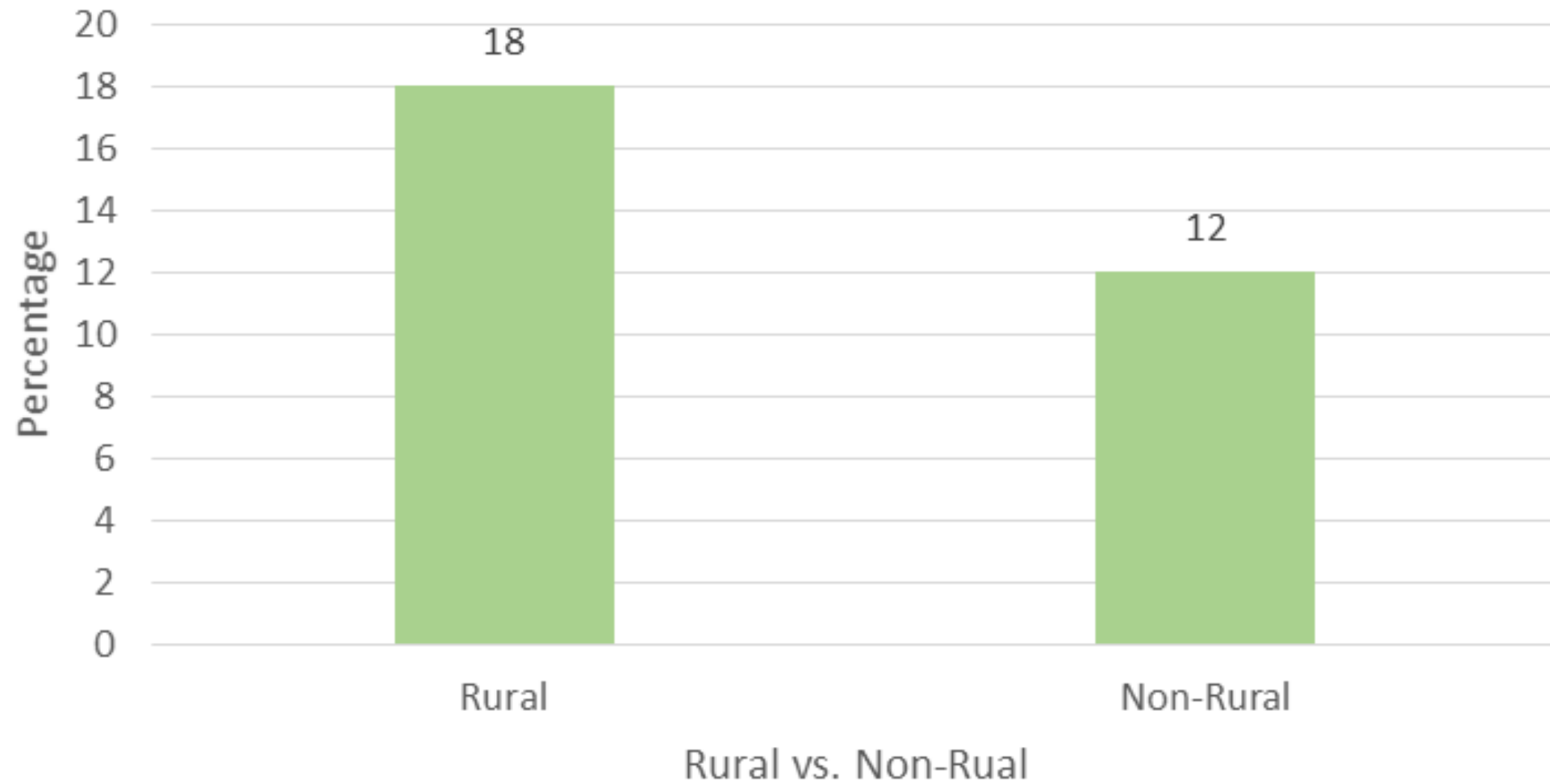
<https://www.census.gov/newsroom/press-releases/2018/cb18-41-population-projections.html>

Change in Rural and Urban Population Size: 1910-2010

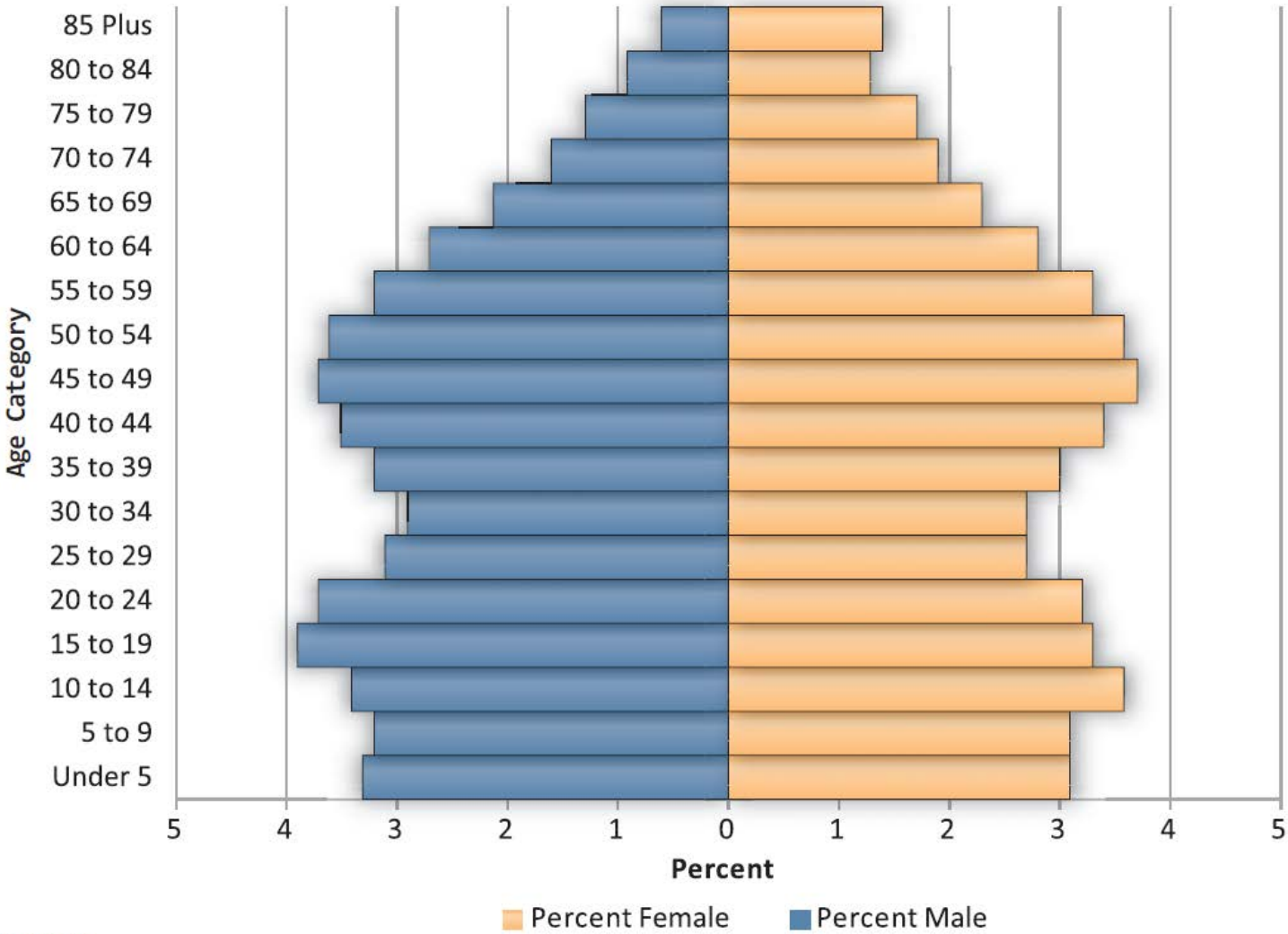


Source: U.S. Census Bureau, 1910 to 1990 Censuses, <www.census.gov/population/censusdata/urpop0090.txt>; 2000 Census, Table P002; 2010 Census, Table P2.

Population Age 65 & Older

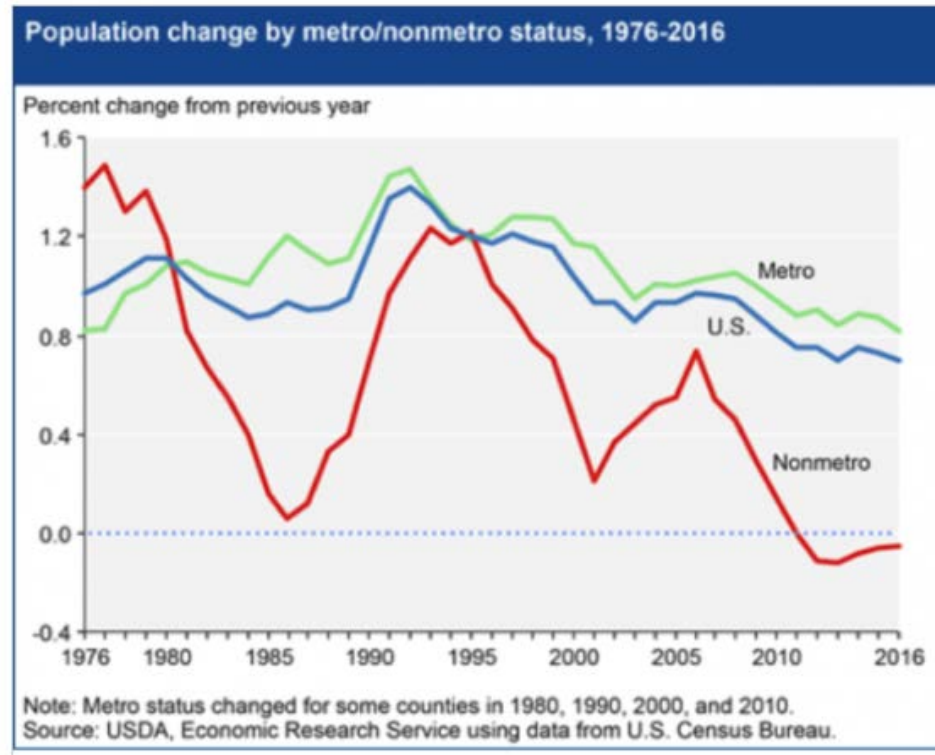


Rural & Small Town Population by Age and Gender, 2010

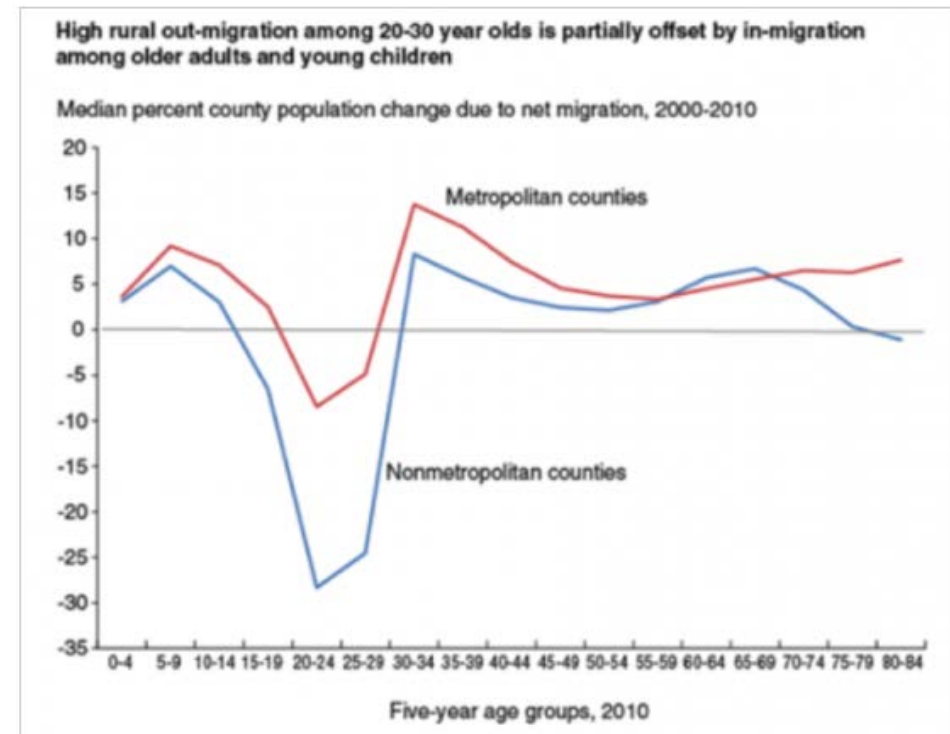


Source:
HAC Tabulations of 2010 Census of Population and Housing
http://www.ruralhome.org/storage/documents/ts2010/ts-report/ts10_rural_people.pdf

Out-migration of Younger People

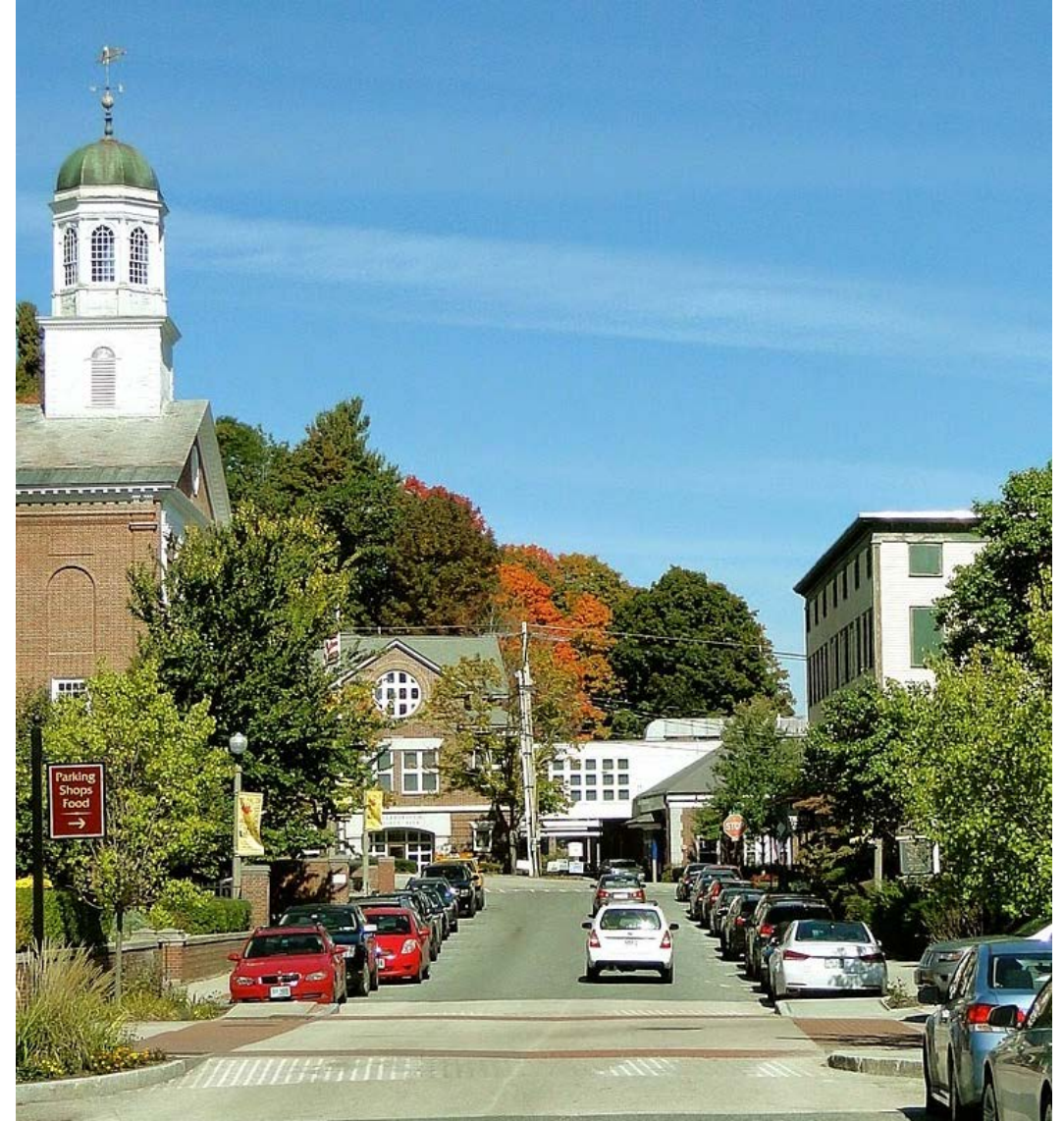


(Image: Overall, U.S. population declined with rural, non-metro, areas being disproportionately affected. Source: USDA ERS)



(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.)

Migration of Older Adults



Task Force on Agriculture and Rural Prosperity (2017)

25% 65+ in rural areas

Over 8 million





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

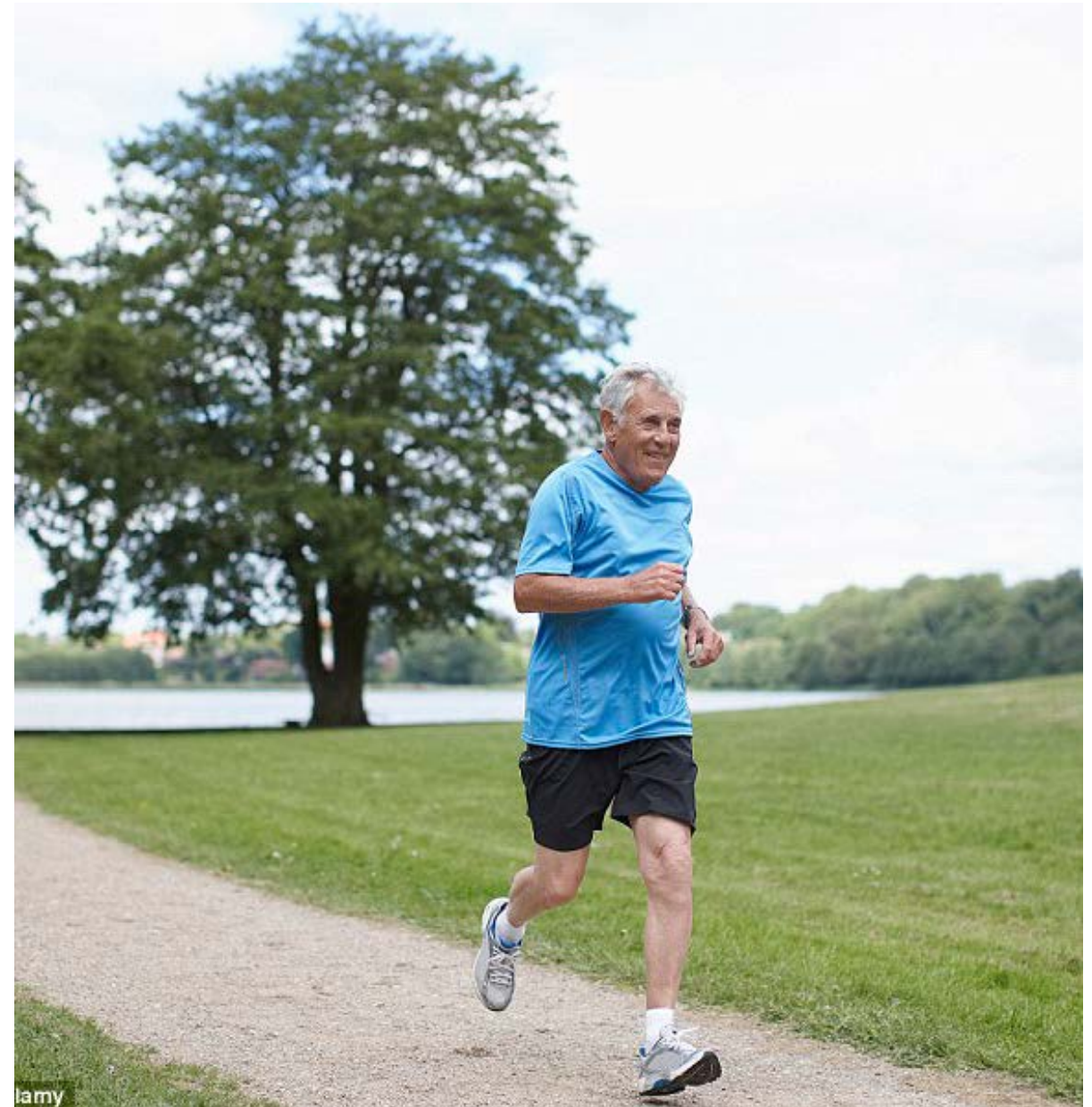
Socialization

Informal more prevalent



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

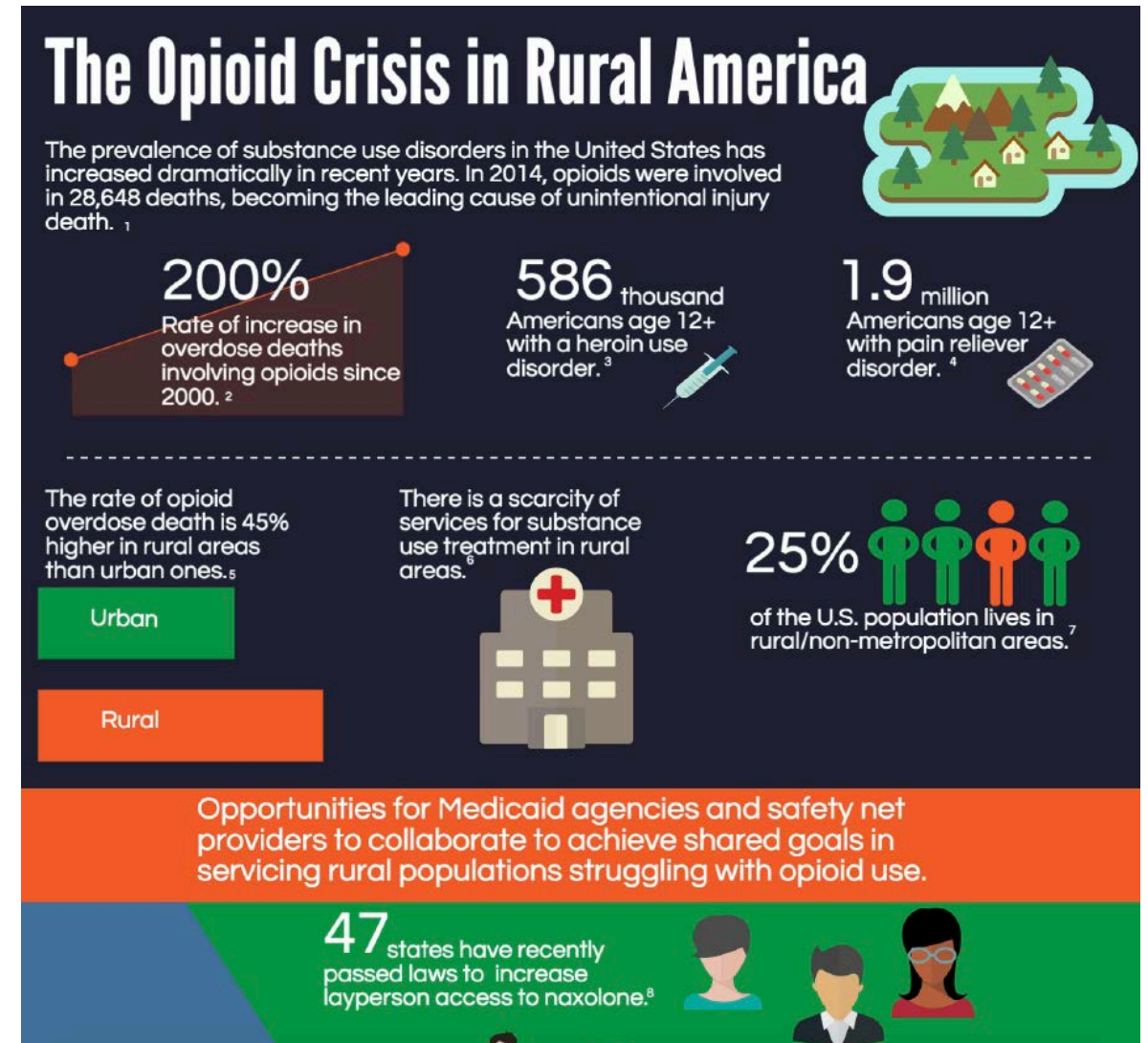
Weather conditions
Wild animals
Natural terrain



<https://www.giaging.org/issues/rural-aging/>; Crouch et al., 2017; Monahan, 2013;
[https://www.ruralhealthweb.org/getattachment/Advocate/Policy-Documents/
ElderHealthinRuralAmericaFeb2013.pdf.aspx?lang=en-US](https://www.ruralhealthweb.org/getattachment/Advocate/Policy-Documents/ElderHealthinRuralAmericaFeb2013.pdf.aspx?lang=en-US)

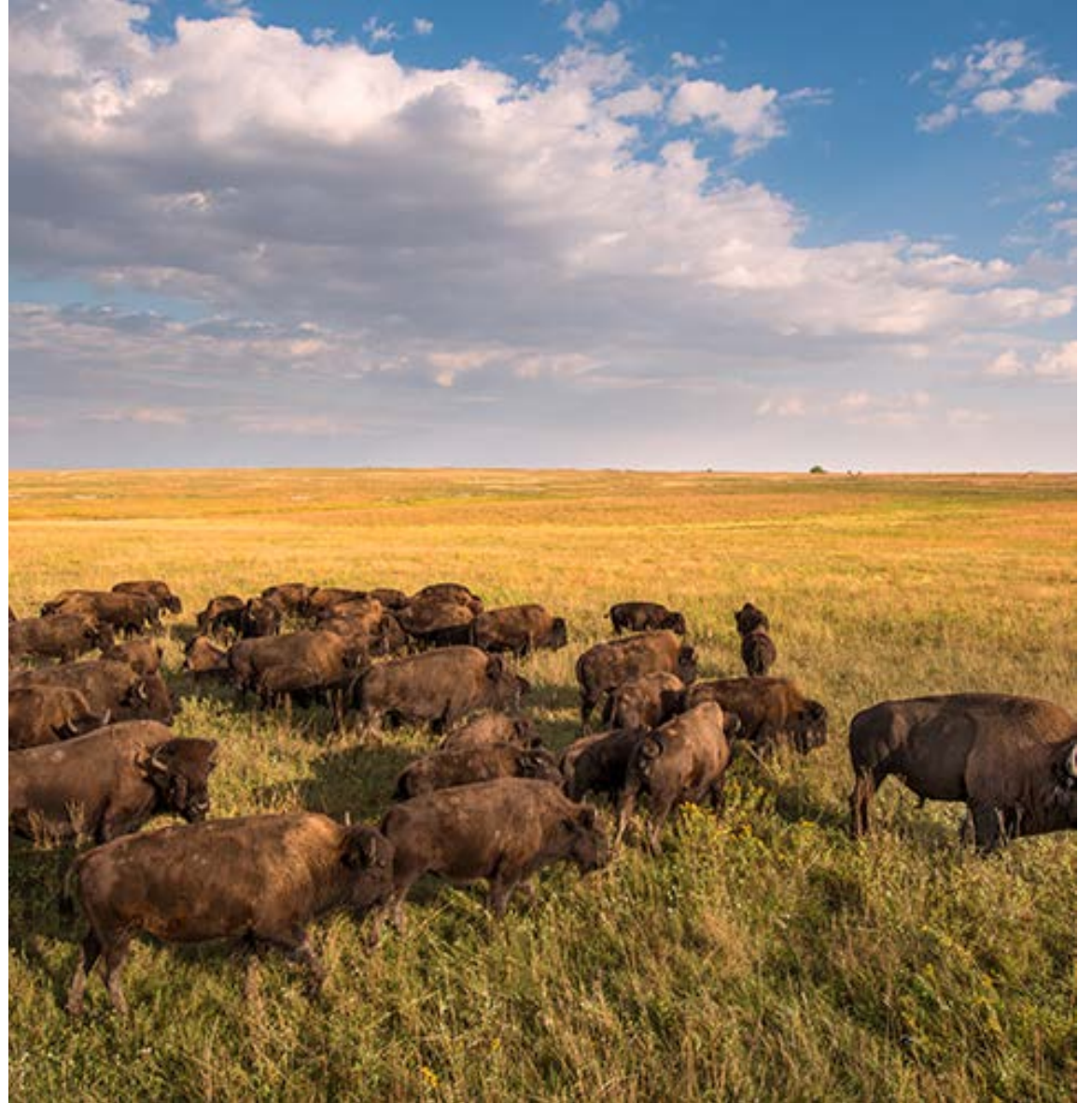
Opioid Epidemic

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



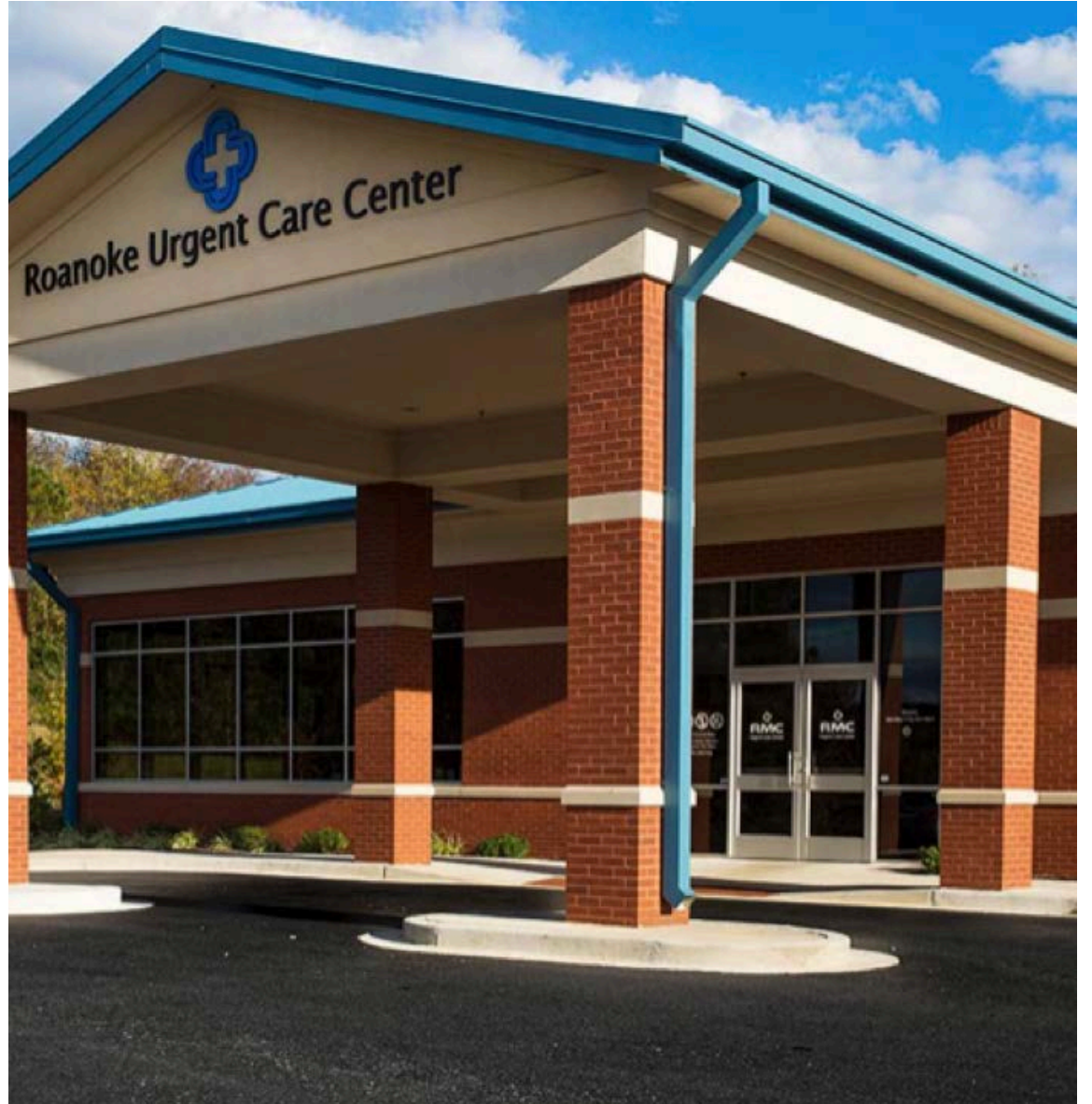
Hash, Jurkowski, & Krout, 2015



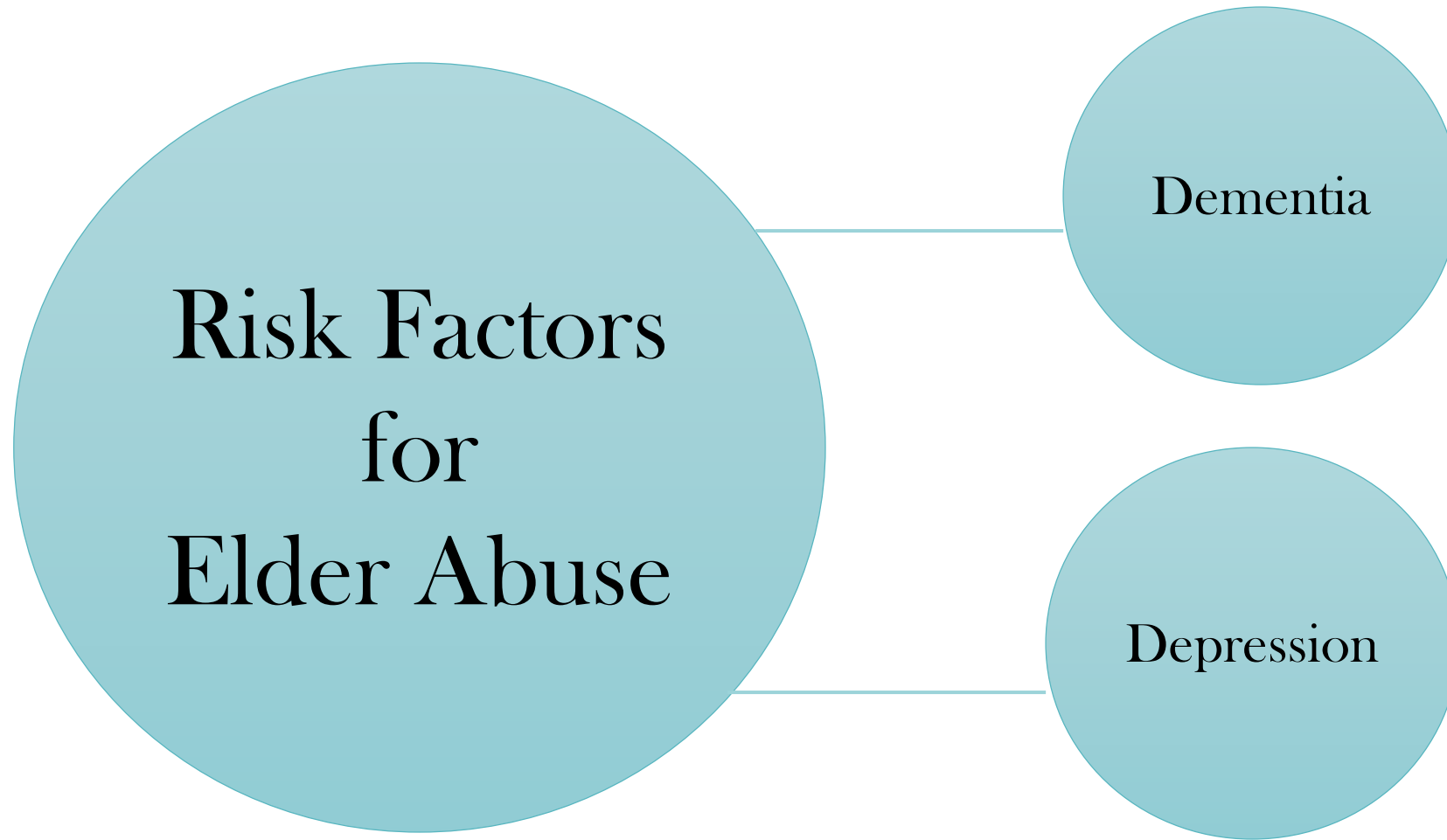
Elder Abuse in Rural Communities

Rural Geriatric Assessment

“Elder abuse goes
unrecognized”



Brymer et al., 1998



Early Literature

- 5.5% in Australia (across 6 types)

- **Rural Women:**
 - Physical abuse
 - Emotional abuse
 - Deprivation

- **Urban Women:**
 - Passive neglect

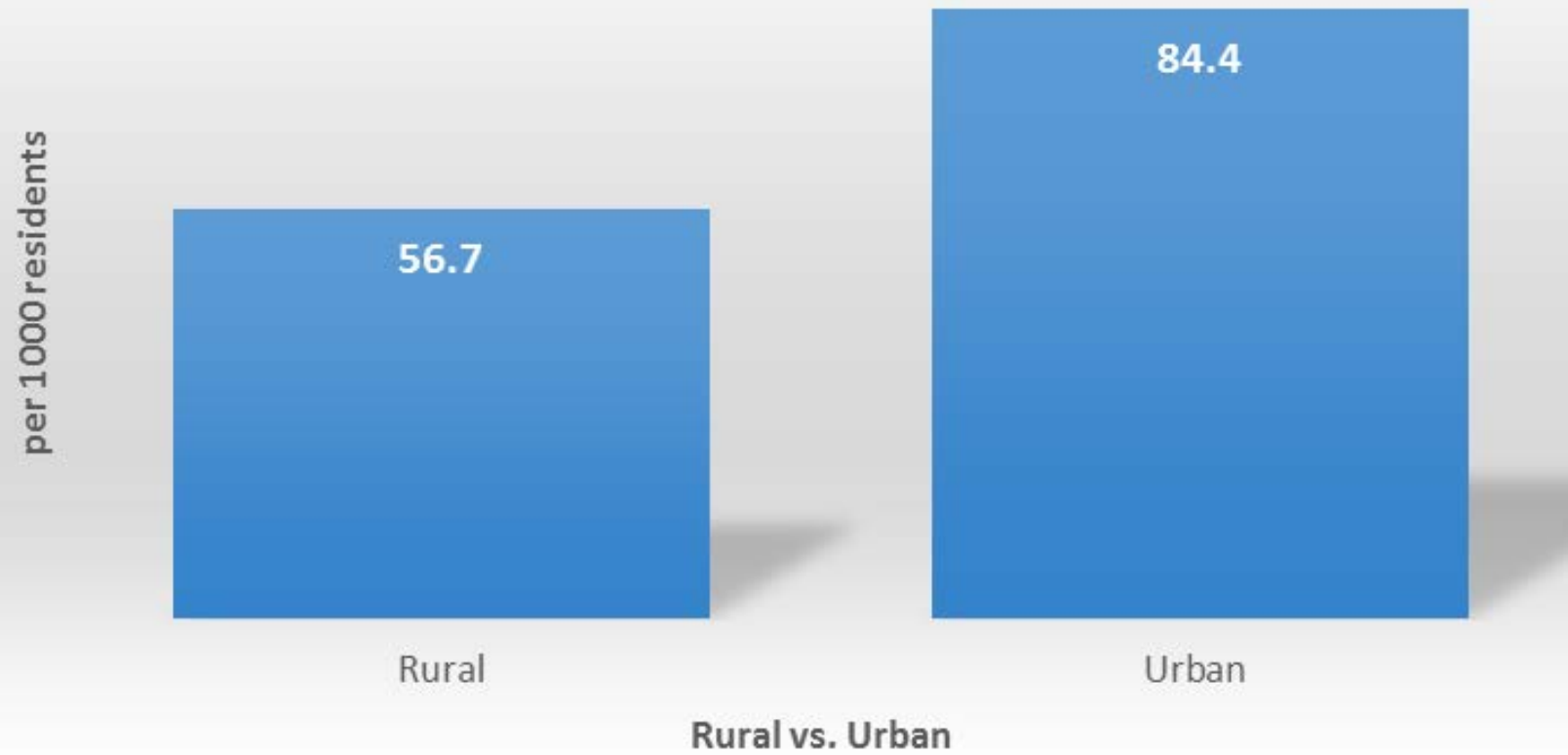
- Cupitt, M. (1997). Identifying and addressing the issues of elder abuse: A rural perspective. *Journal of Elder Abuse & Neglect*, 8(4), 21-30.

- Dimah, K. P., & Dimah, A. (2004). Elder abuse and neglect among rural and urban women. *Journal of Elder Abuse & Neglect*, 15(1), 75-93.

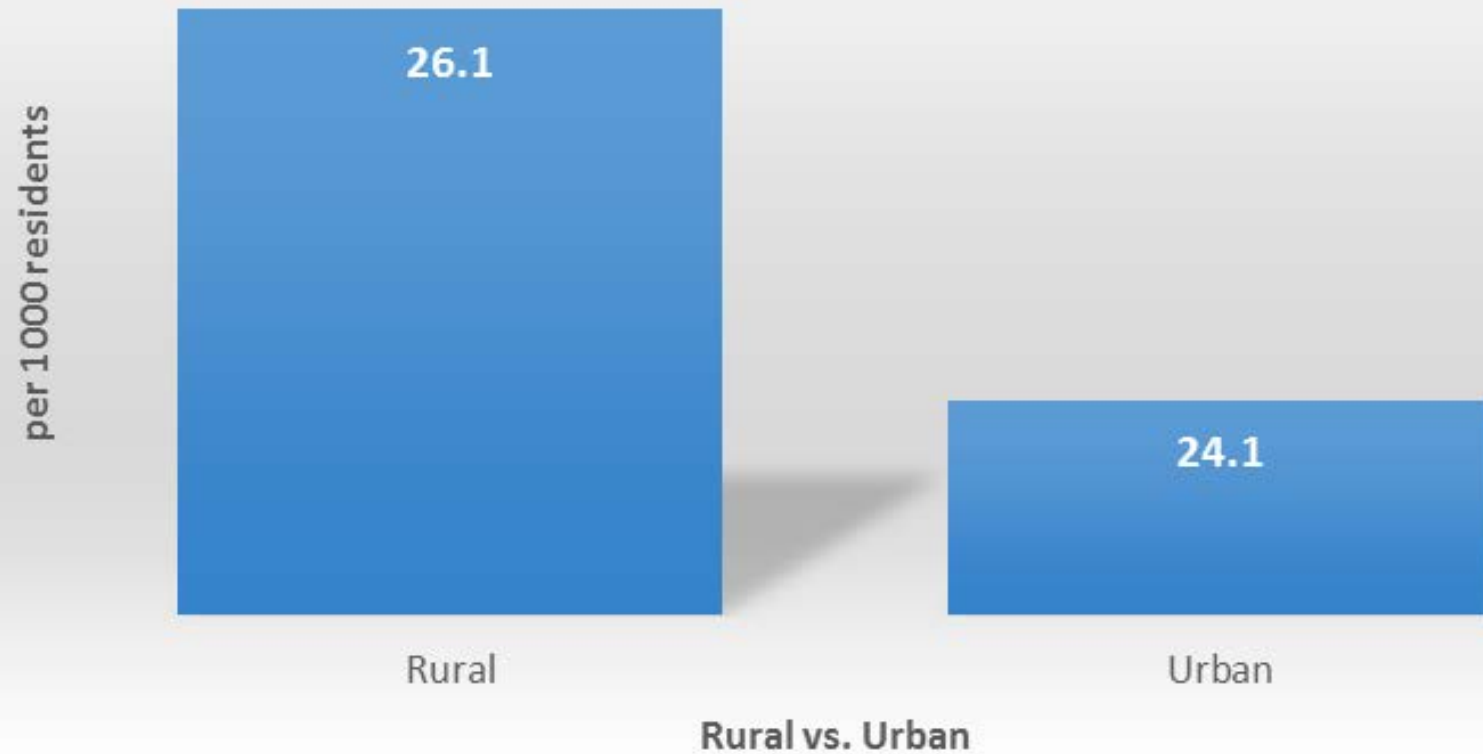
Rural vs. Non-Rural Reported Cases of Elder Abuse



Rural vs. Urban Self-Reported Cases of Elder Abuse



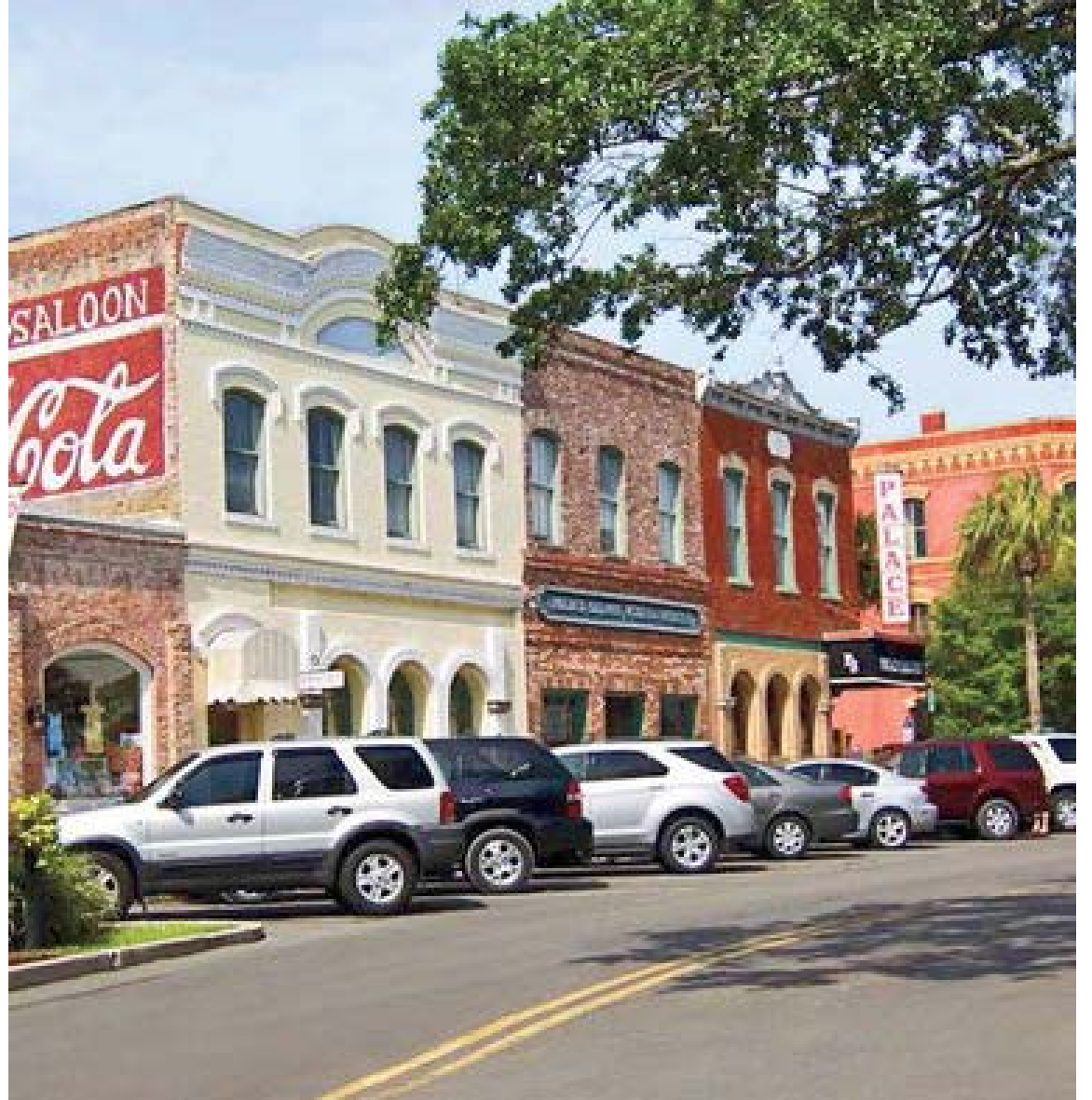
Rural vs. Urban NOT Reporting Elder Abuse



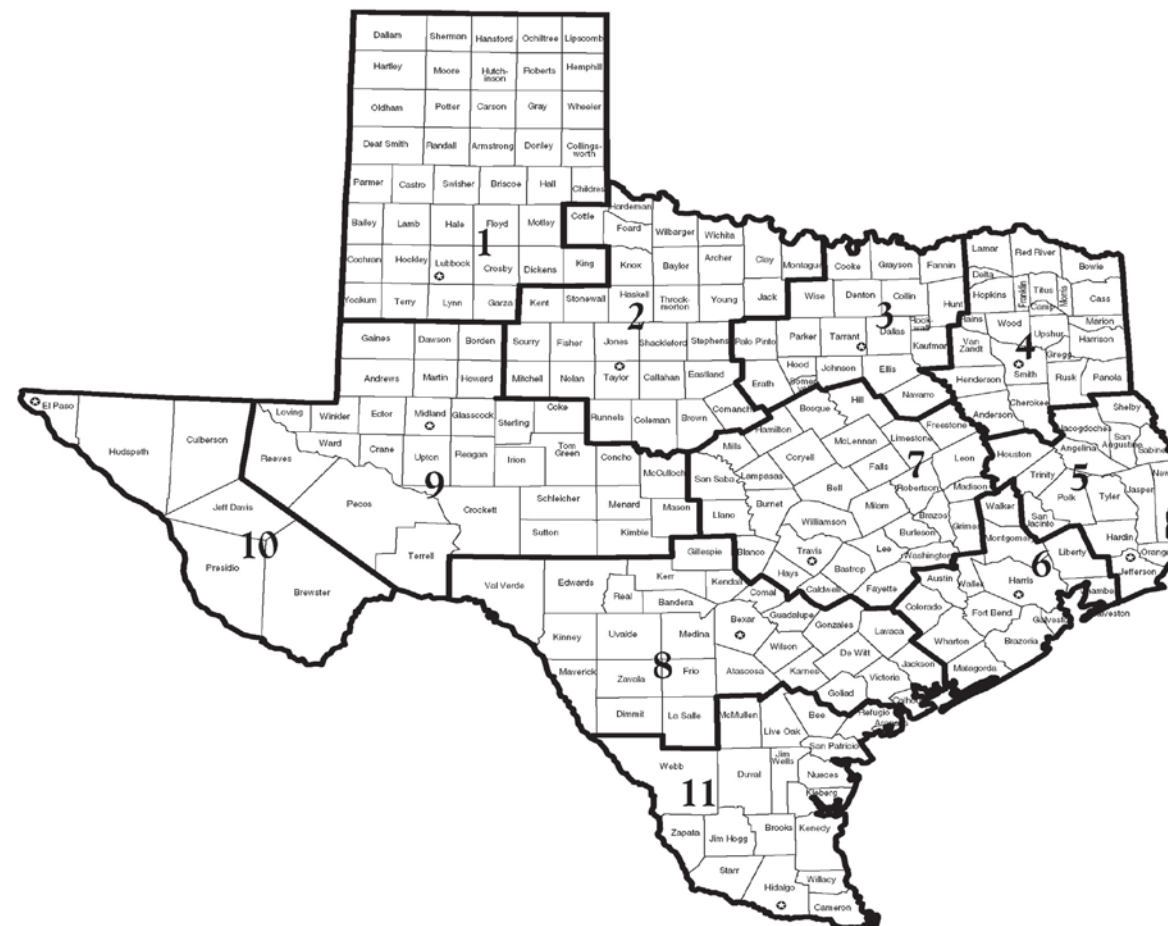
...when differences between rates by category of abuse are examined, the data reveals a rate of **financial abuse** in urban counties that is nearly **double** that reported in rural counties.



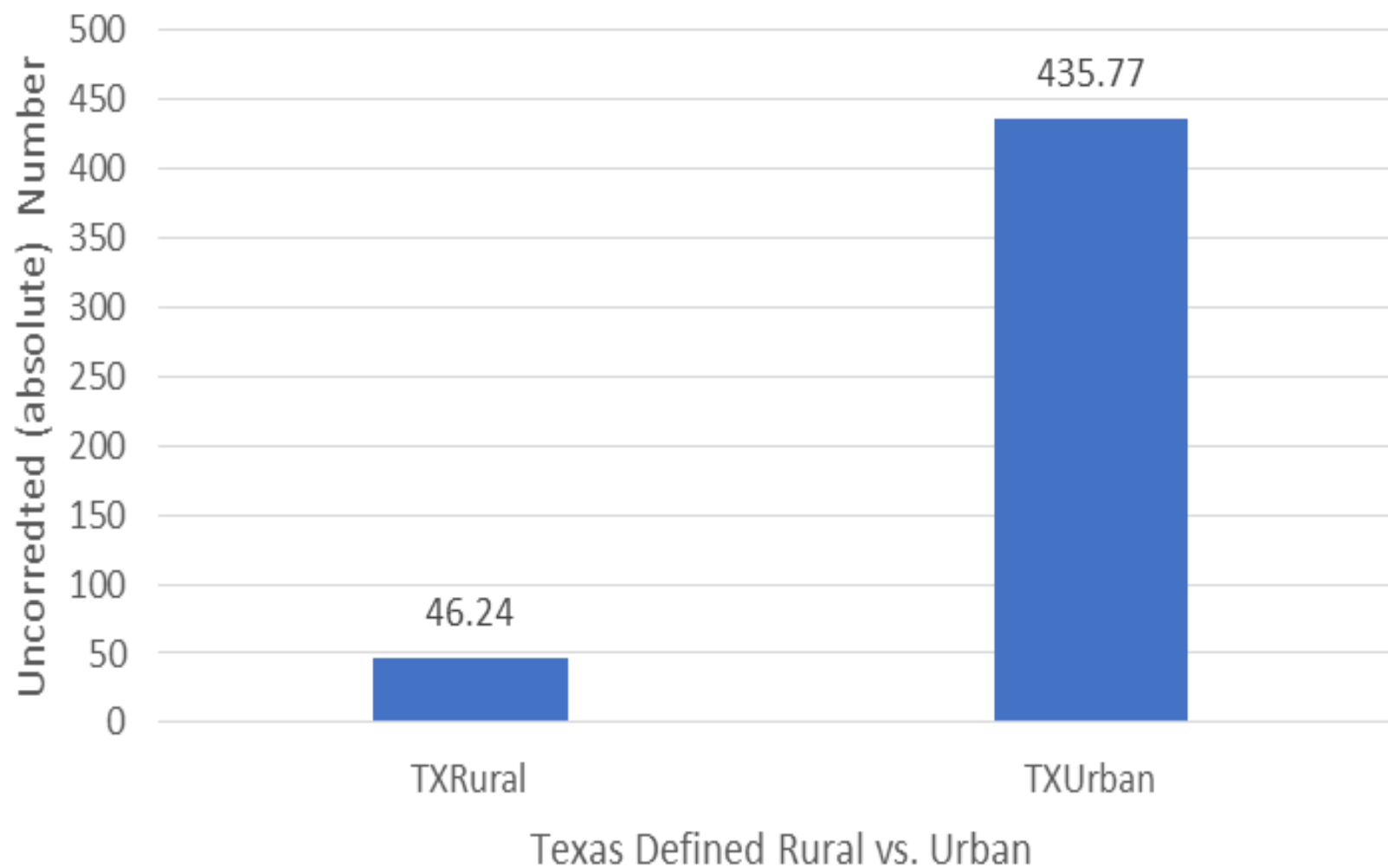
The most **rural** area included a **higher** proportion of **neglect** allegations (66.1%) compared to the other five types which ranged from 21.2% to 48.9%.



Rural Texas APS Data (Catherine Bingle)



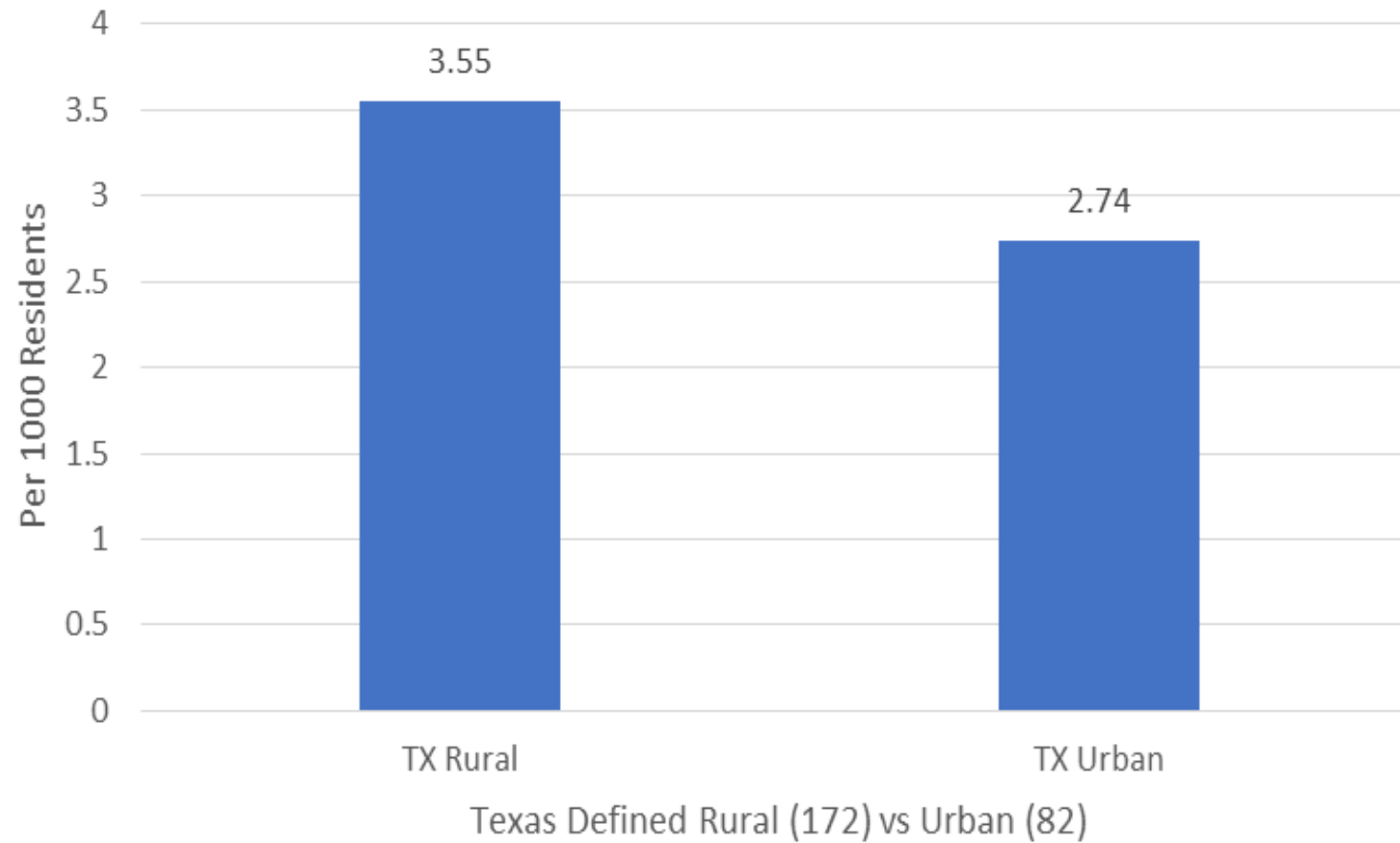
Number of Validated Cases x Texas-Defined Tract



Validated cases
including 18 and
older; not
differentiated by
type of abuse

$p < .001$

Texas-Defined Rural x Number of Victims per 1000

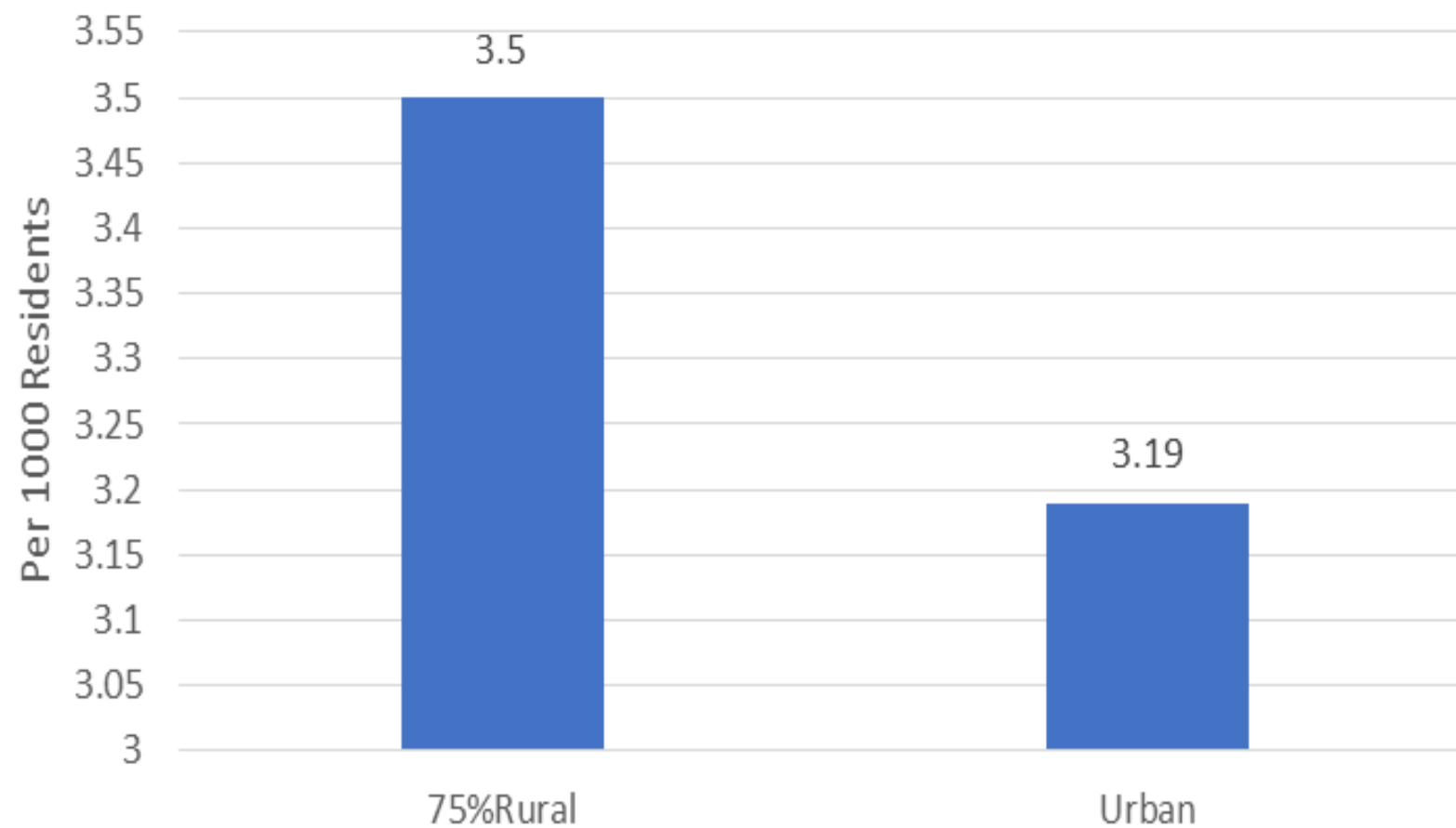


Non-significant Difference ($p=.053$)

Validated cases
including 18 and older; not
differentiated by type of abuse



Census Tract vs. Number of Victims



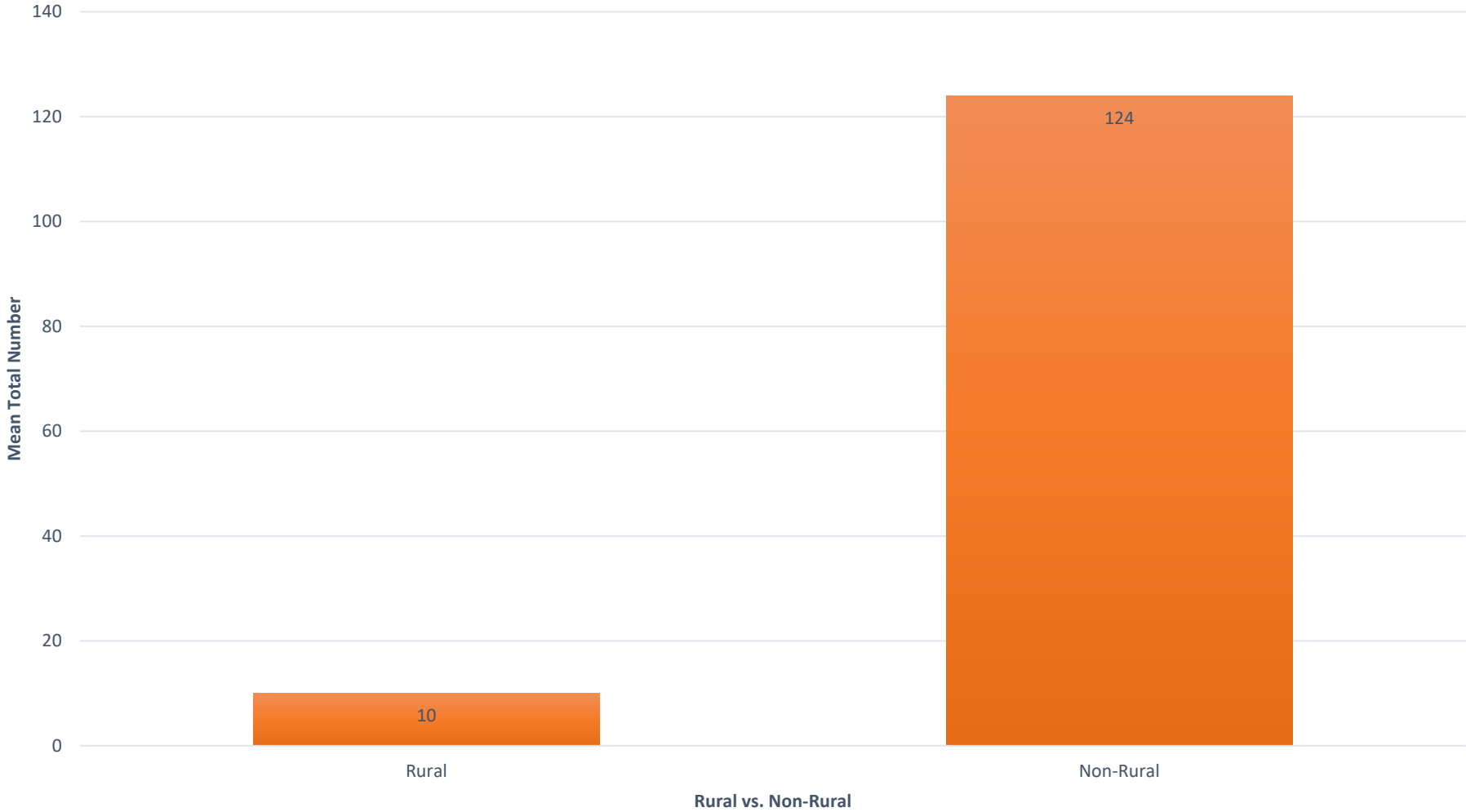
75-100% Rural (76) vs. Urban (178)

Non-Significant ($p=.475$)

%Rural 75% to 100%

Validated cases; 18 and older;
not differentiated by type of
Abuse

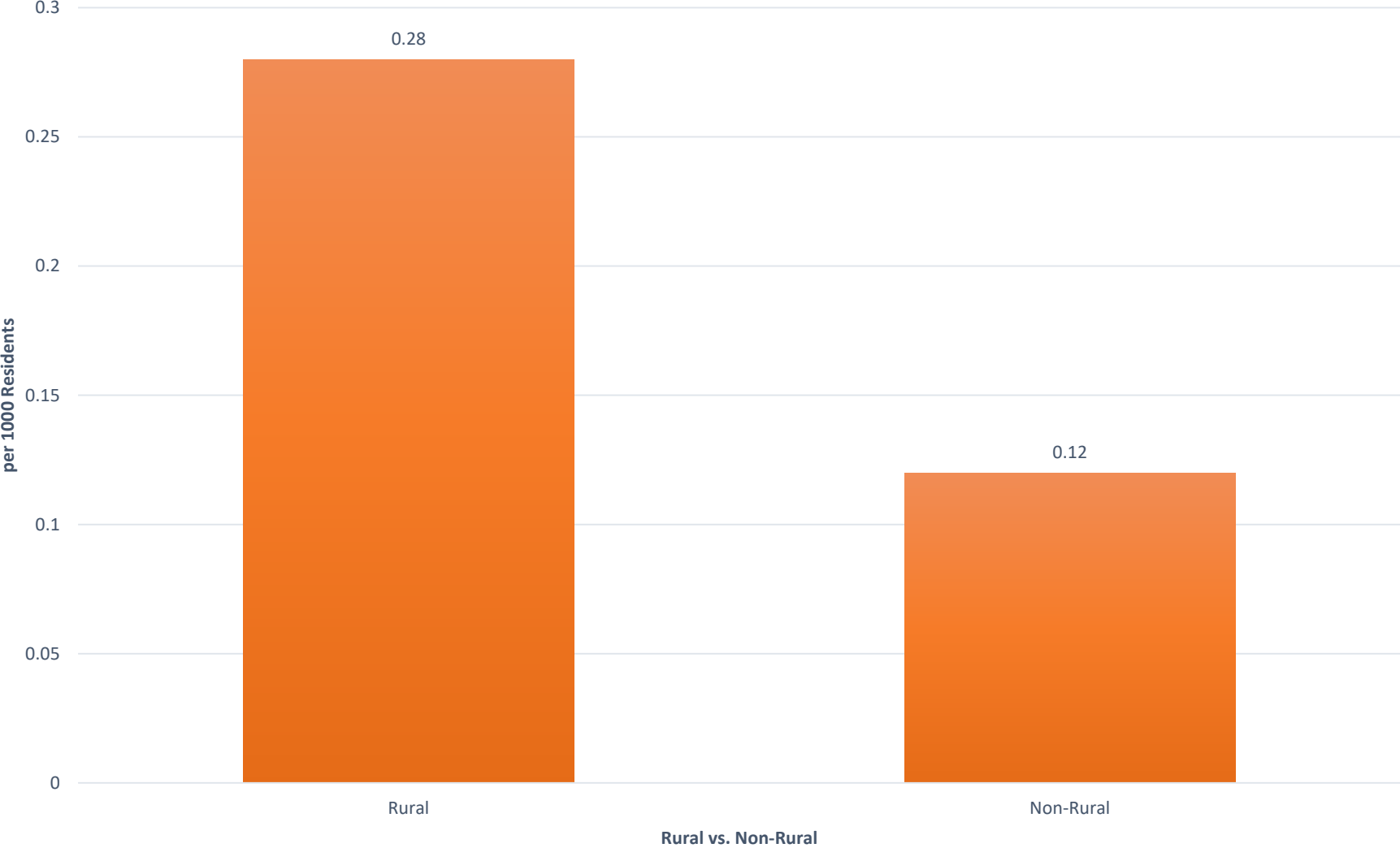
Texas APS Financial Exploitation x Rural Status



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

p < .001

Texas APS Financial Exploitation x Rural Status

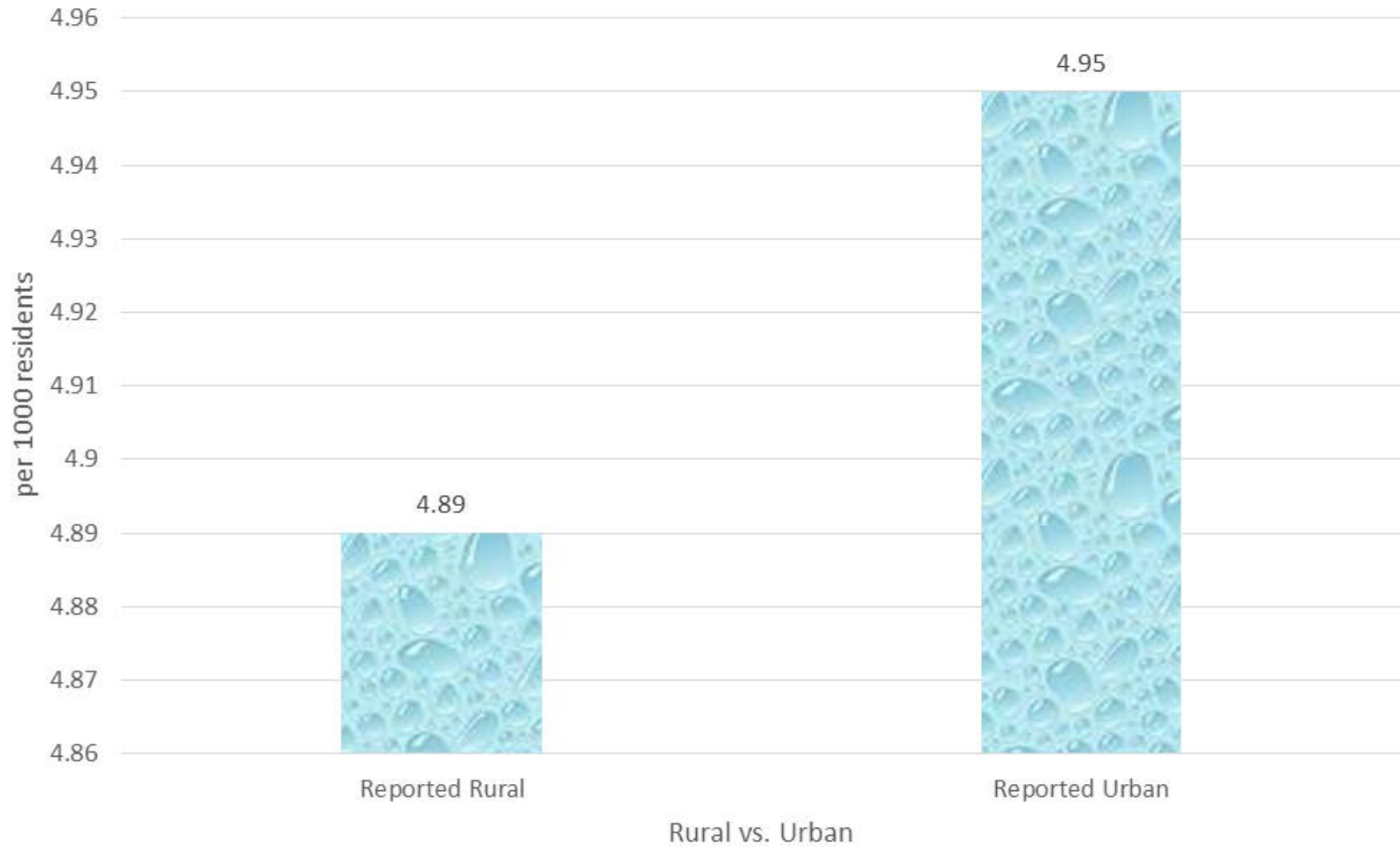


- 65 & older
- FE Only
- TX Defined Rural
- Investigations

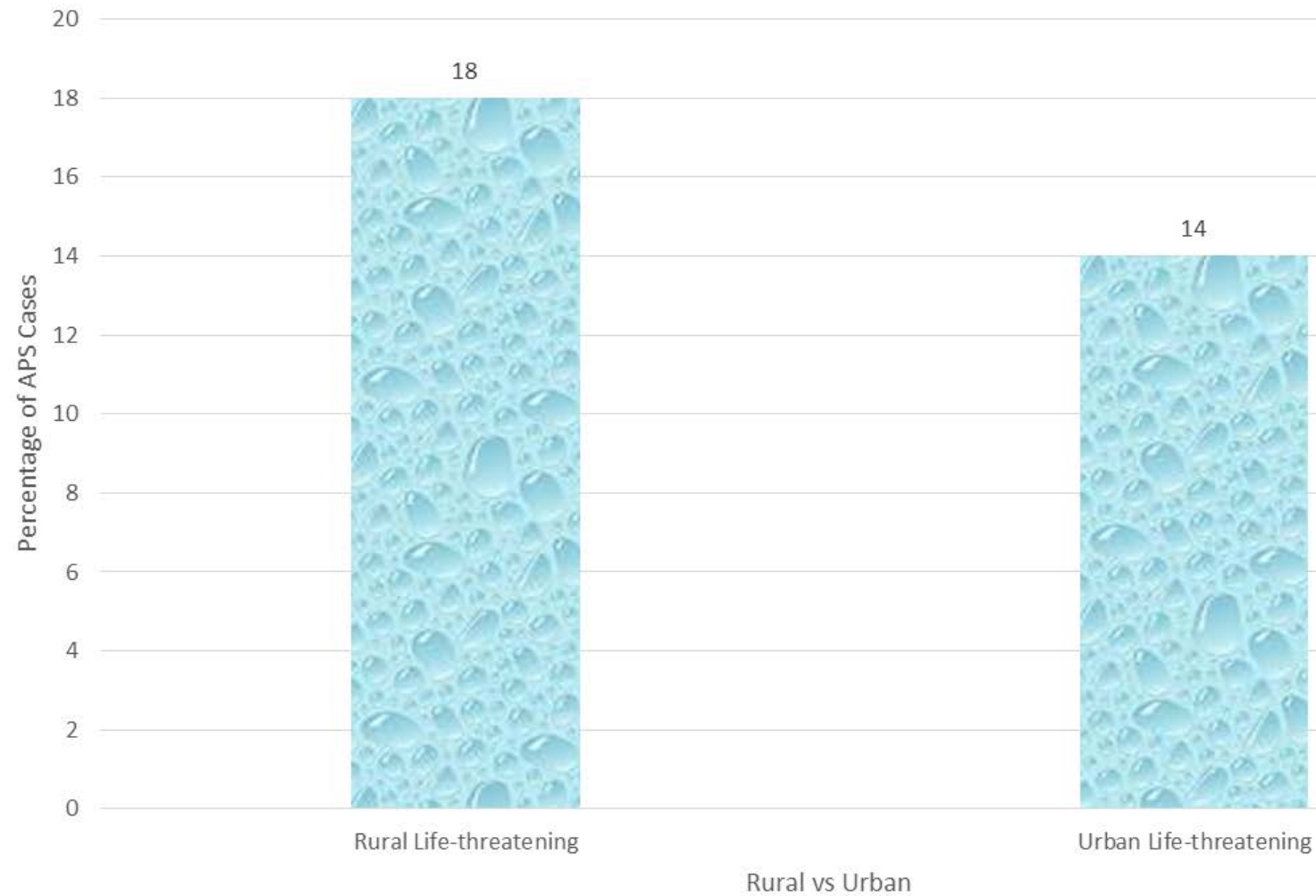
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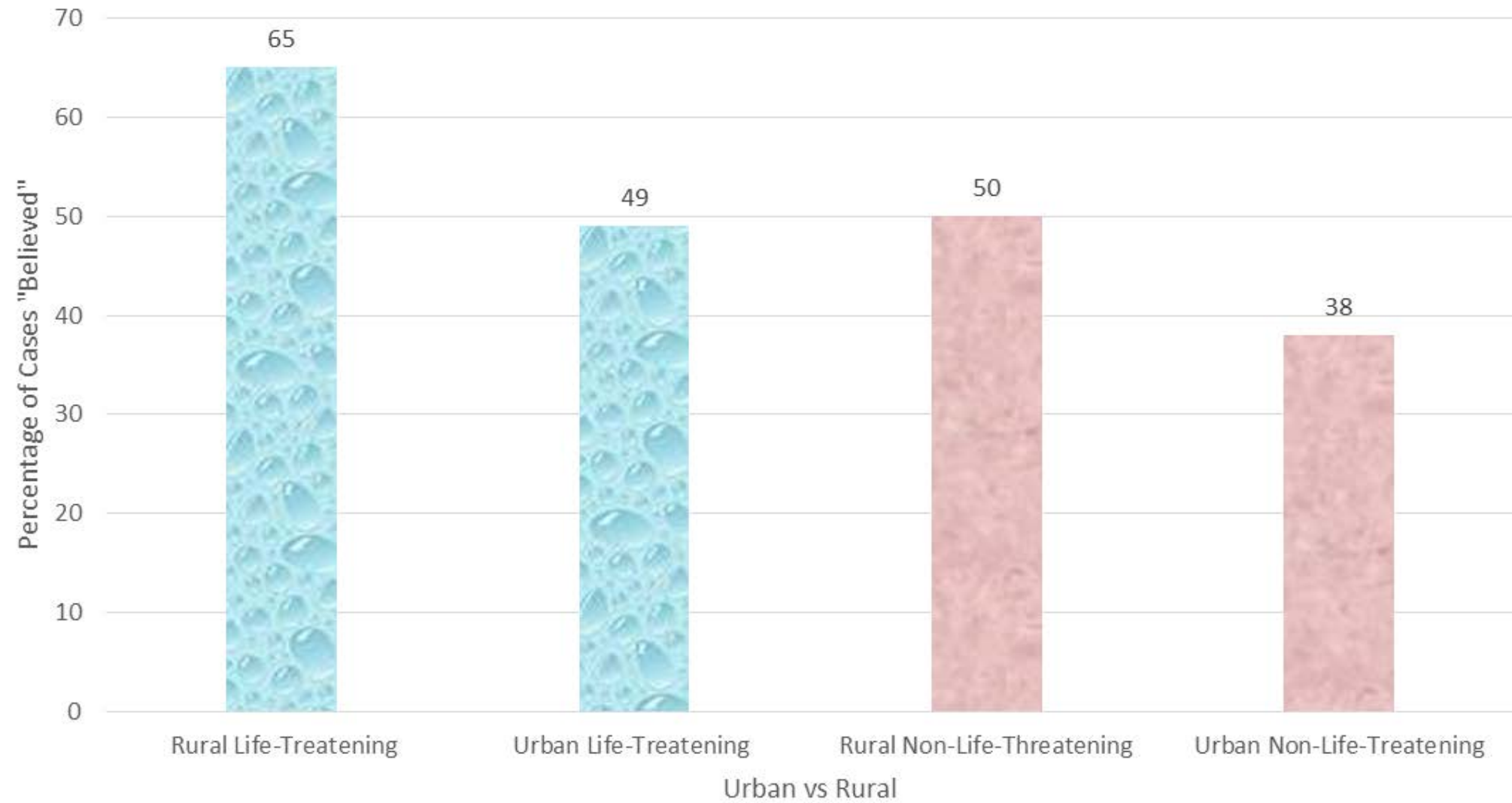
1990-1991 Missouri APS Reports x Census Tract



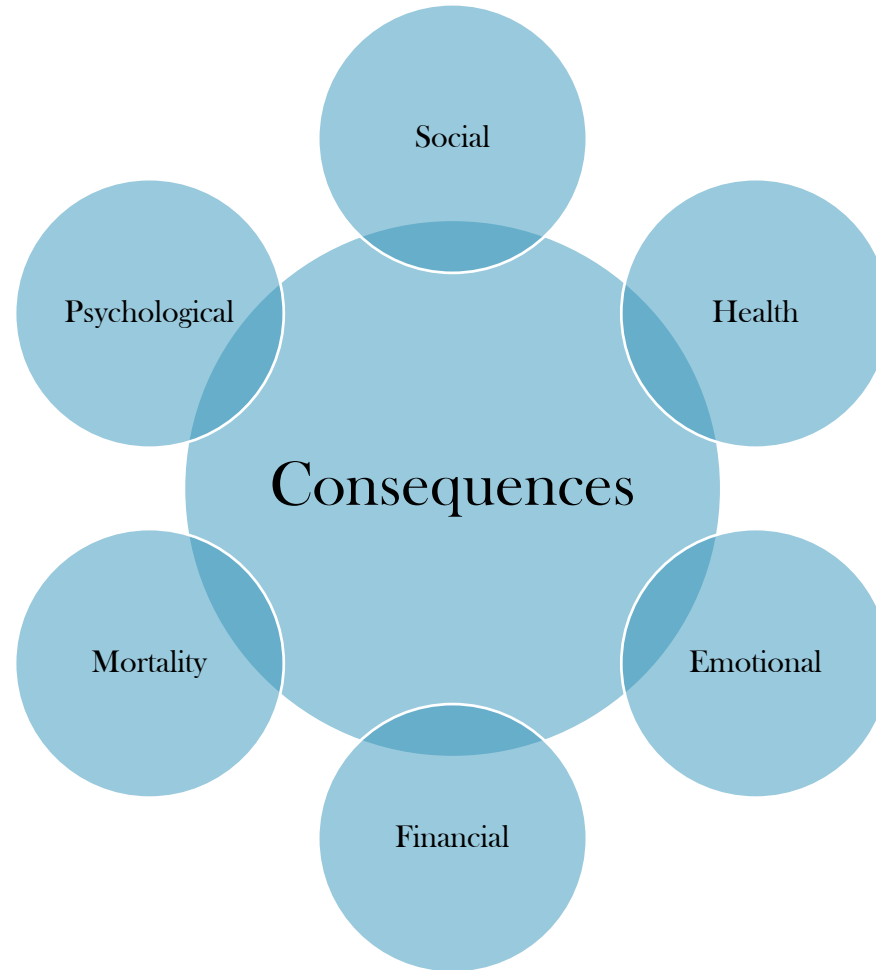
1990-1991 Missouri APS Cases Judged Life-Threatening x Census Tract



Substantiated x Threat Status x Census Tract



Absence of Rural Elder Abuse Research





Rural Service Providers

Rural APS: 48 cases

vs

Urban APS: 46 cases

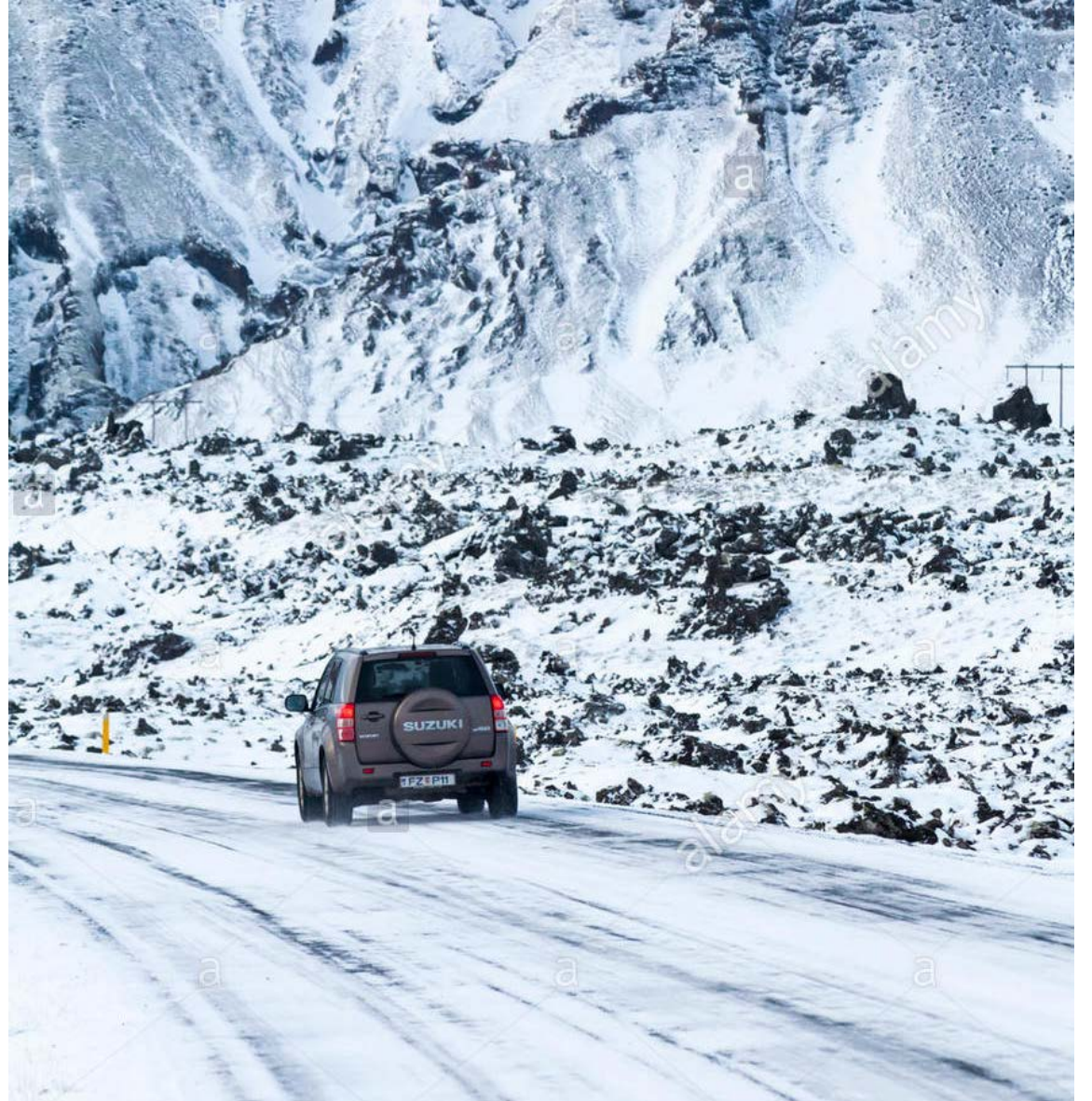




Challenges for Rural Service Providers

- 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

AgingToday

the bimonthly newspaper of the American Society on Aging

A Day in the Life of an APS Worker in Rural America

posted 10.31.2017



Tags : Aging Today Caregiving Healthcare & Aging Policy and Advocacy Health & Wellness
Legal & Ethical Issues Education



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 these 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 neglectful or abusive circumstances and to live relatively independently.

One APS Worker's Story

Until recently, former Virginia police officer Mandy Weirich 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 2,206 square miles, with 77,298 residents, of whom 18 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.

Weirich'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, Weirich'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

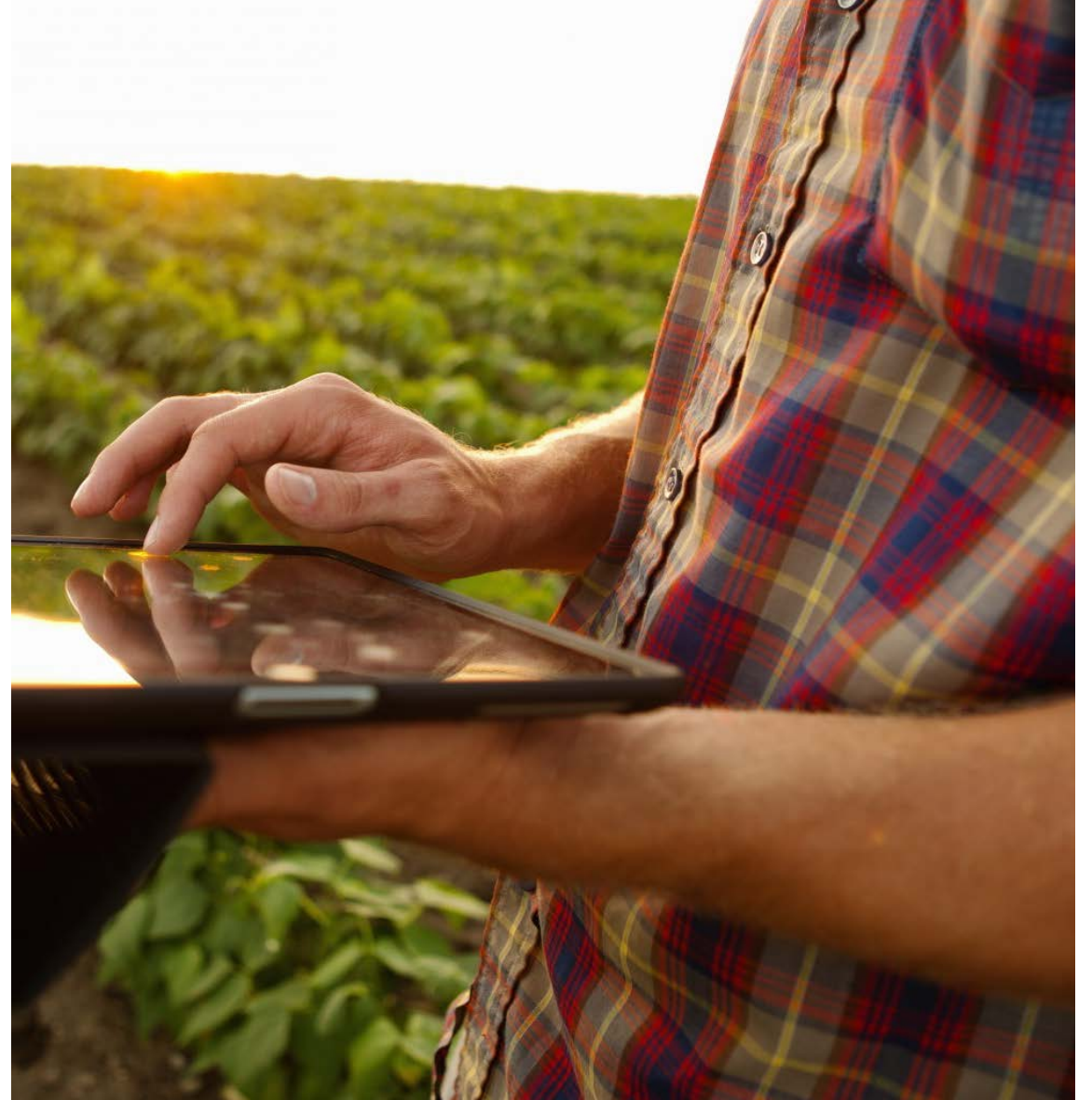
Rural Service Provers

Generalists

Understand rural culture

Committed & integrated into the community

Dual relationships

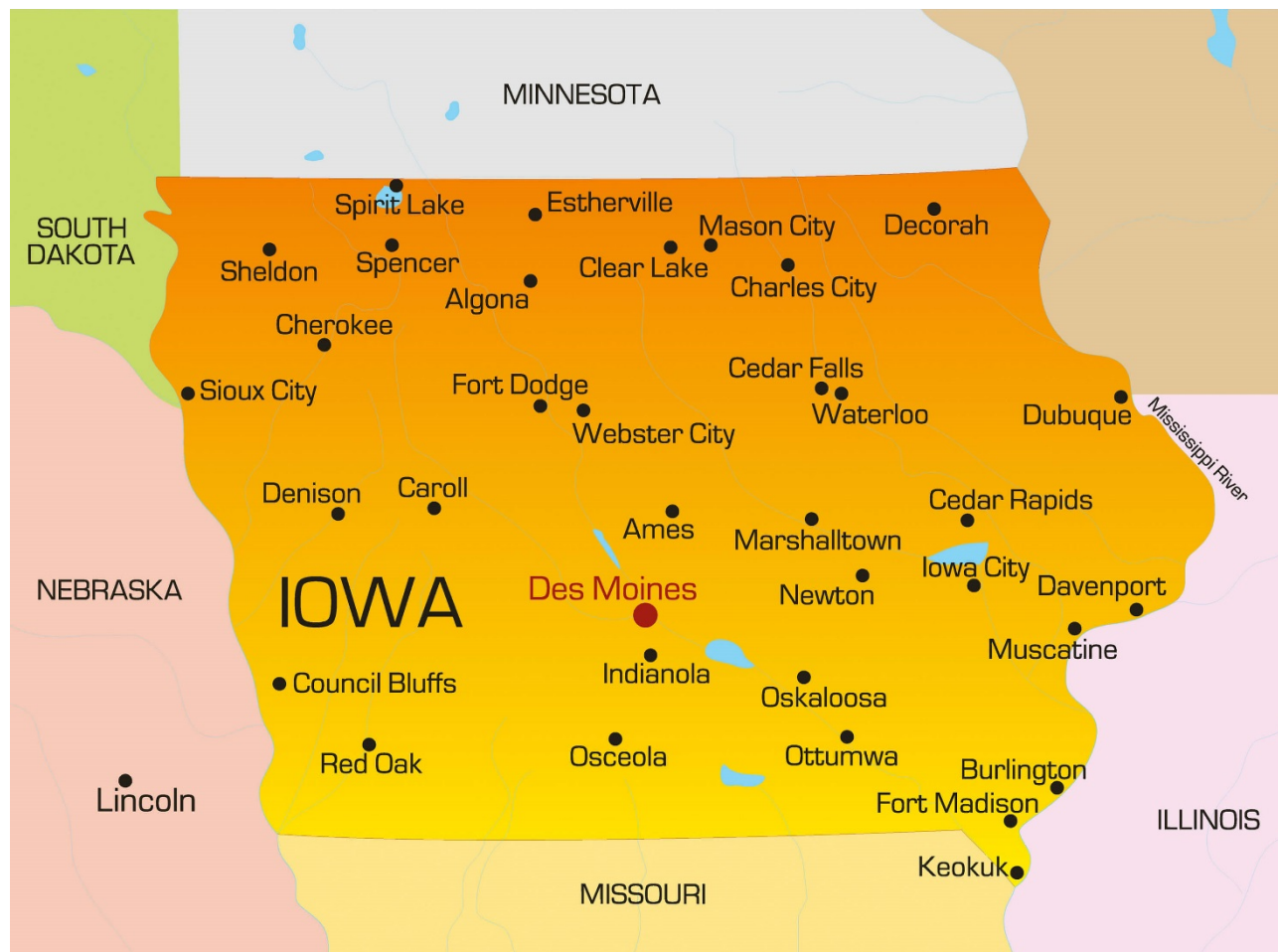




Rural & Tribal Elder Justice Summit Planning Activities

Rural and Tribal Elder Justice Summit

November 14-15, 2018

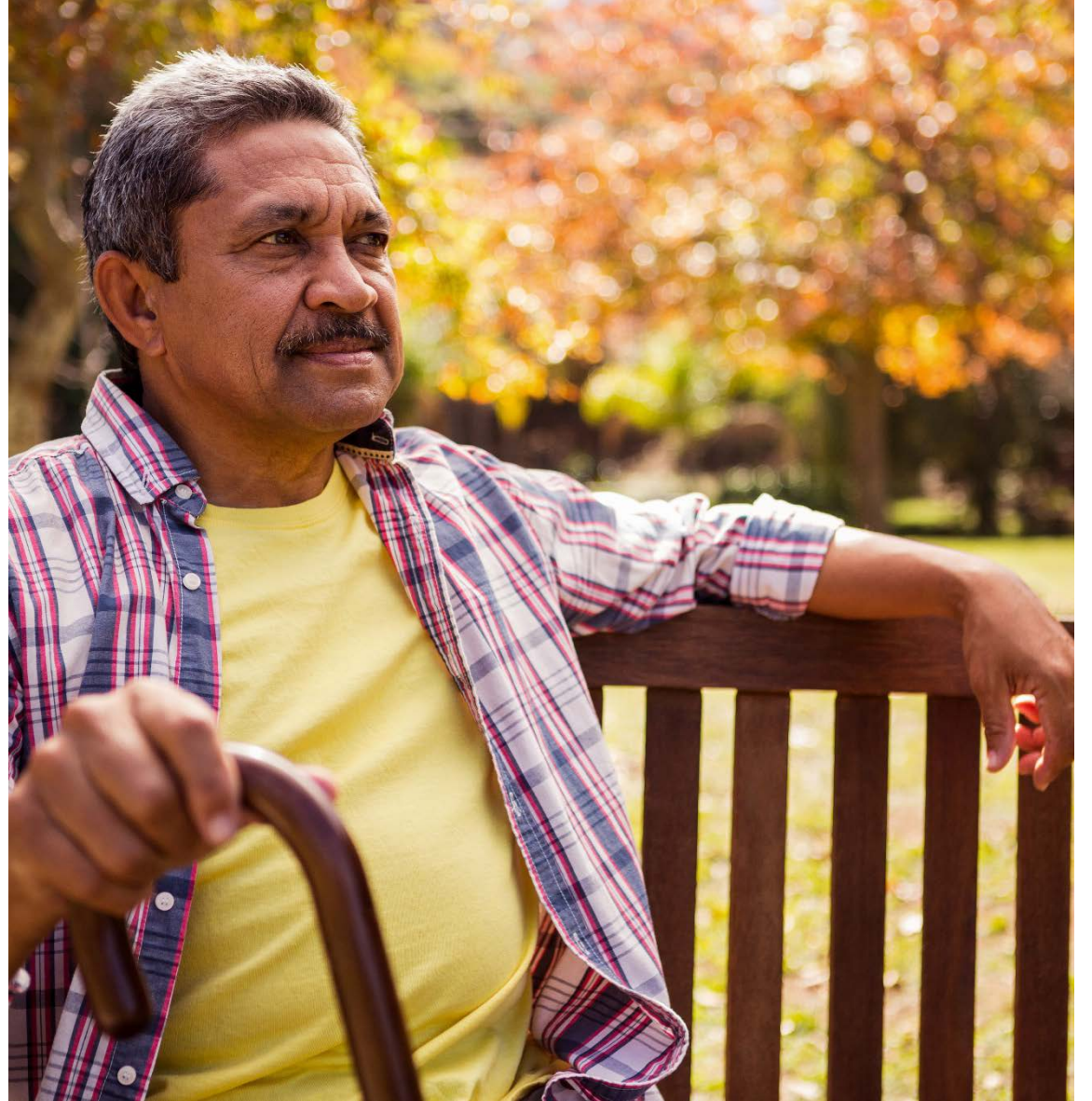


Conference Objectives

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)

EJ Website – Rural (screen shot)

Interagency Task Force on Agriculture and Rural Prosperity (October 2017)

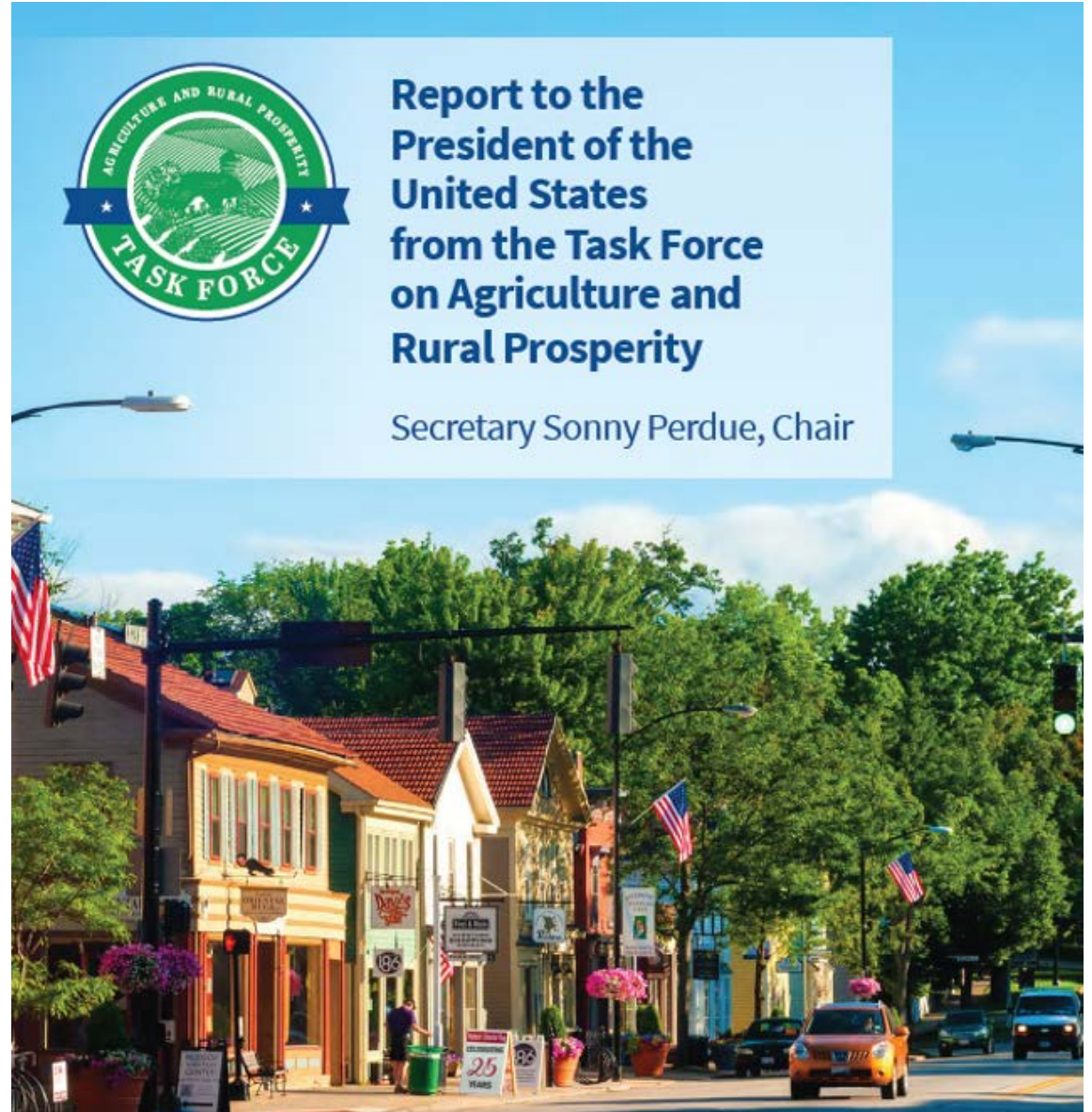
E-Connectivity

Quality of Life

Rural Work Force

Technology

Economic Development

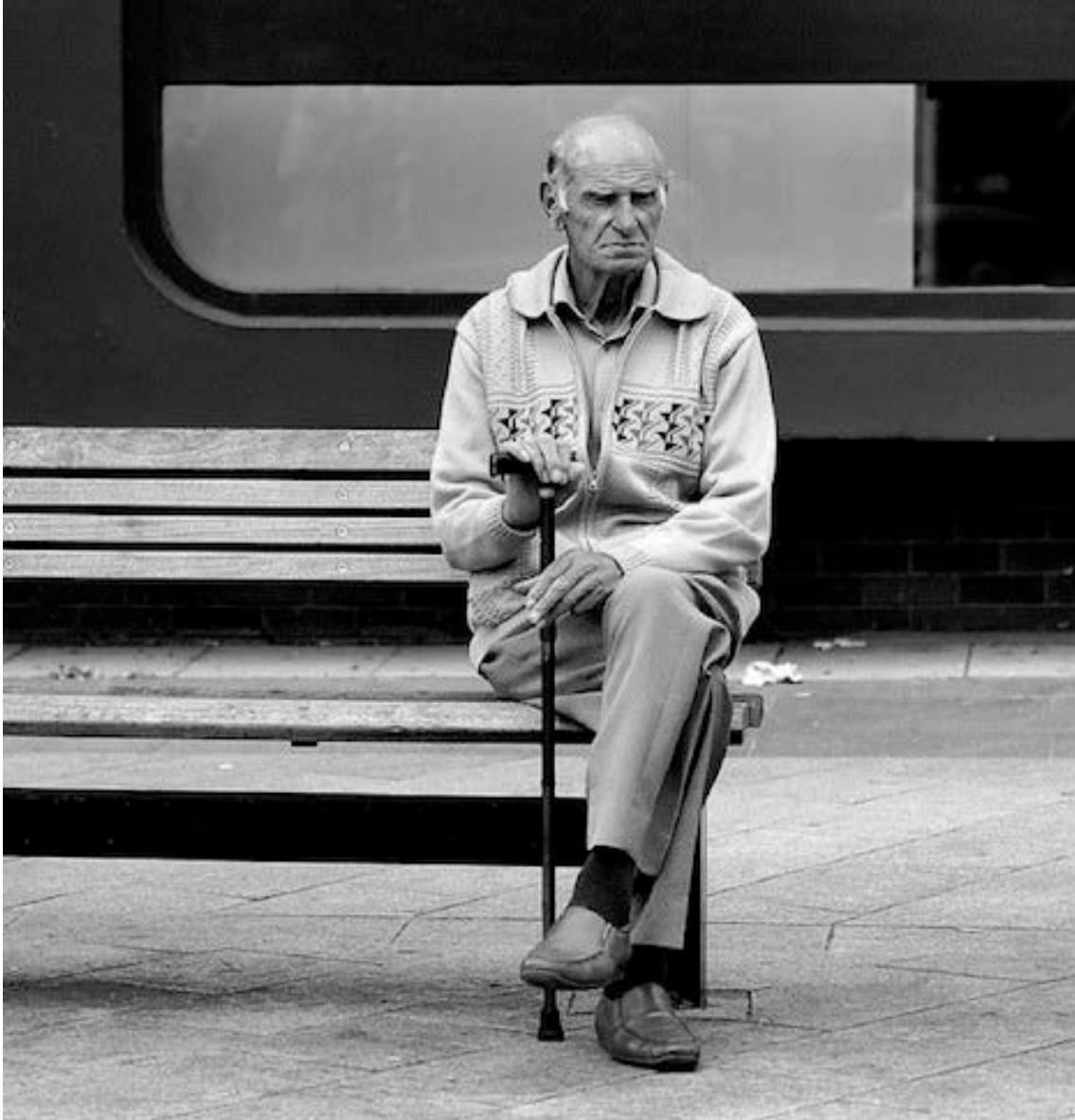


August 7-9, 2018
Portland, Maine



<https://www.prnewswire.com/news-releases/second-annual-rural-aging-summit-brings-focus-to-reversing-social-isolation-300693413.html>
<http://www.tivityhealth.com/connectivity-summit-2017/>

Loneliness & Social Isolation



Smoking 15 Cigarettes a Day



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

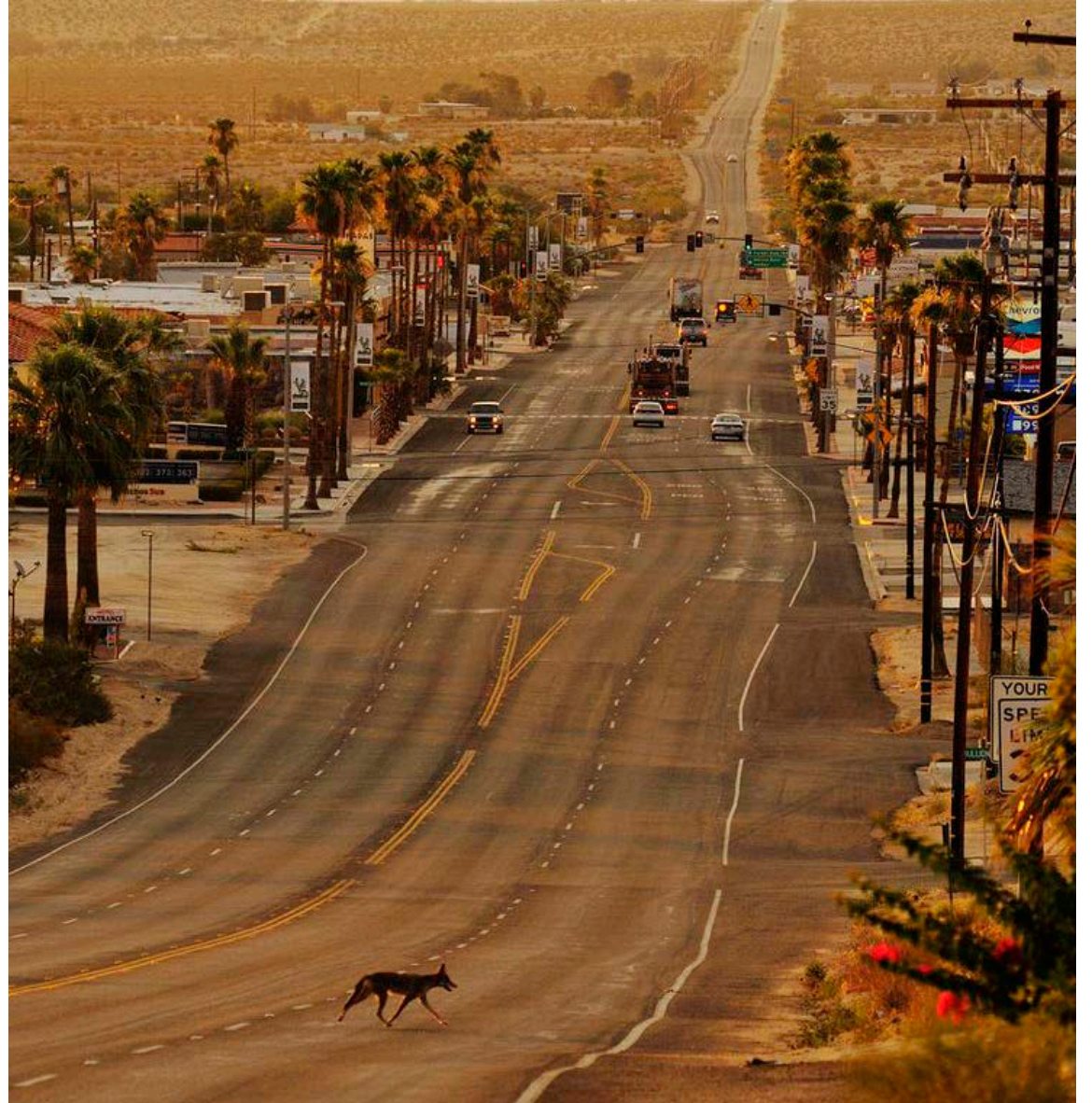
Information Gathering Methods

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

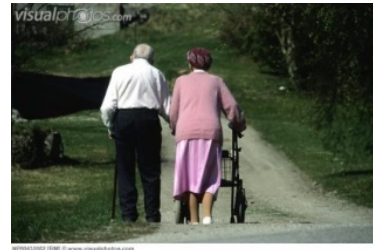
Professional commitment & compassion



Apply a Rural Lens (CMS)



What Are We Missing?



Thank You
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