

**Title VI Webinar
Tribal Elder Protection Team Toolkit
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Speakers: Jacqueline Gray, NIEJI, University of North Dakota; Sloan Henry, NIEJI, University of North Dakota; Talitha Guinn-Shaver, Department of Justice

Operator: Thank you for standing by. At this time, all participants are in a listen-only mode until the question-and-answer session of today's call. At that time, if you'd like to ask a question, please press star 1. Today's conference is being recorded. If you have any objections, you may disconnect at this time. I would now like to turn the meeting over to Tara Nokelby. Thank you and you may begin.

Tara Nokelby: Thank you. Good afternoon or good morning to those of you on the West Coast and thank you for joining us today. My name is Tara Nokelby, and I will be facilitating your webinar. Today's webinar will be on Tribal Elder Protection Team Toolkit. And we will have our speakers, Jacque Gray and Sloan Henry with me at UND, and Talitha Guinn-Shaver at the Department of Justice. There will be a question-and-answer session at the end of the presentation. At that time, you may press star 1 to open up your phone line or you can put your question in the chat, and I can read that aloud. This presentation is also being recorded and will be posted on Older Indians at a later date. And at this time, I will pass it over to Sloan.

Sloan: Good morning or good afternoon. My name is Sloan. I am a member of the Turtle Mountain Band of Chippewa. And first, I would like to say thank you all for giving us this opportunity to talk about our tribal elder protection team toolkit. It's important to note that with these documents that were created, we try to be really as general as possible so that each tribal community can modify them to fit their own tribal customs and practices. So right now, we'll go over and talk about the tribal elder protection team toolkit. You can find it on our website at nieji.org. You can locate the toolkit on the main page of the Nieji website. There is an online version that you can follow through just by clicking through the sections, and also there are downloadable PDFs that can be printed off. On the webpage, you will find the following sections: Section 1 is Introduction to the Elder Protection Team Toolkit, Section 2 is How to Use the Tribal Elder Protection Team Toolkit to Develop Your Own Team, Section 3 is Developing Tribal Elder Abuse Code, and Section 4 is Discuss the Roles and Responsibilities of Various Team Members, and then Section 5 has some additional resources that were created about cultural sensitivities. So, on the webpage, you will find the following sections. Each one holds useful information on the relevant topics, including in each of the sections. There are...way too much information to be covered, that we're going to cover today in the webinar. So, we're just gonna briefly cover some of these sections, and really focus on answering the questions at the end that you may have about the toolkit. The first section of the Toolkit is Introduction to the Tribal Elder Protection Team. So, what is the Tribal Elder...EPT? Tribal EPT is also commonly referred to as a multidisciplinary team. It is a group of professionals, elders, family members, and community members from diverse disciplines. The team provides comprehensive assessment and consultation in addressing elder abuse concerns. The EPT provides assistance to their clients to promote coordination among the various programs available to the elders. This includes

improving communication among the professionals and the most important thing is involving the elders as a central focus of the group to be specific to the Native American Elder Protection Team. As some non-Native teams may not include the elder in the conversation. The EPT may be as diverse as their communities in which they serve. But at the same time, we also recognize that you do not include the elderly or family members or caregivers in your EPT meetings, could be monthly, weekly, or however you set up your meetings, as confidentiality is a very important aspect of the team member.

So, why create an elder protection team? To reduce stereotypes, improve standardized protocols, improve the responses to the elders, improve communication and coordination among services or programs in your area, and provide training for professionals, and also to have a standardized reporting procedure. Why are elder protection programs different? The elder protection programs vary due to available infrastructures in your communities, the jurisdictional considerations that apply to your tribe or your tribal community, availability of traditional judicial systems, tribal and state civil or criminal court. So, here are some considerations that may be helpful when creating a tribal elder protection team. There are many more examples that are included on the full documents that are available online, but right now we're just gonna cover, briefly cover, a few of these considerations. First off is defining the responsibilities and functions for each of your members of your elder protection team. What it means to have membership in the team. Defining the purpose of the elder protection team meeting. How are you going to review cases? What intervention procedures the members will take, and how you're gonna prevent elder abuse, neglect, and exploitation. Defining the roles and responsibilities of members, which will include confidentiality, any additional training or any other needs that are required from each member. And we'll cover some of those a little bit later on in the webinar. And finally, the community awareness and prevention. How will you be incorporated into your local community to address elder abuse concerns?

Here we have the Tribal Elder Protection Team. All charts that we've created up on the top is the various ways that you might receive a report of a suspected elder abuse. Then it, depending on where that comes from, the report comes from, you'll go to your tribal victim service provider. Some places might have adult protection service [unintelligible], some might have a victims of crimes office that will investigate and do the follow-up of reports. And also, some may not have any of these programs established in their communities. So, then, a law enforcement may be responsible for doing the investigation of the report, report of elder abuse. So, depending on the risk that they see, if there's immediate danger, of course, they'll go to law enforcement to make sure that the elder is safe. If not, then the elder protection team coordinator will receive the case and then request assistance from other team members and coordinate with those the elder may need appropriate services from. And, of course, these all would be talked about in your monthly meetings. Whoever is presenting their case and coordinating follow-up care from various members of the elder protection team with the client until the case is resolved.

And section two, on the toolkit, you will find how to get started in developing your team, the benefits of having a team, and developing some roles. So, initiating a tribal elder protection team in your community may be complex, time-consuming, and can be difficult to plan. Taking the time to, in the developmental process, to consider all of the potential barriers and to identify areas of concern for your team members. This will greatly benefit the creation of a successful

EPT in your tribal communities. So, here are some ways that we identify, and of course the documents that you'll find online, we'll go through each step thoroughly and you'll get more information in the documents. But, today, we're just gonna talk about building our...point out these steps. So, building a team of professionals, identifying community needs, complete a statement of needs, develop organizational rules for your team, establish a tribal elder protection code if you don't already have one established, learning about state and tribal laws in your area, where [unintelligible] jurisdiction will apply, how it applied to your tribe, and other programs in your community.

Number seven, program considerations. This includes any...identifying any technical experiences available, such as computer resources, determining sufficient economic resources that are available in your area, determine the legal requirements or restrictions for an elder protection team. And these are based off of what is written into your tribal elder section codes, elder abuse codes. Develop a business plan and budgeting addressing operations for your team, and, of course, finding ways to have a sustainability plan for your team. Next, we will talk about what are some of the benefits to developing a team. It's important to remember that with this group of professionals will allow you to share the burden of investigating and responding to cases of elder abuse in a timely manner. Dealing with the court system for professionals, as well as the elderly clients. Some benefits to having your own tribal elder protection team are access to coordinate the services, receiving services across multiple agencies, increasing awareness of available services, also improved access to all the programs that the elder may need. And, of course, having a positive outcome for each of the elders.

Now, we'll talk about some barriers or challenges that a team may encounter. So, some of those may be having regular attendance. There might not be a large variety of agencies that could be represented in your community. A lack of commitment from representatives to attend meetings regularly, or lack of cases to present during a meeting. Also, there might be some frustration among the agencies in dealing with cases that might seem hard to resolve or solve. Maintaining confidentiality amongst all these agencies is also...may also create a barrier or a challenge. Cost and travel time, some communities may have a lot of, a large area on their tribal communities, and how are you gonna pay for gas or being able to get across, travel across, and how long it takes to respond to, to address these concerns. And, of course, there are also variations in some [unintelligible] manager reporters, their policies and procedures. The rules are very important during the initial development of a team. Over time, and with experience, these initial rules and procedures may change as your team begins to become more efficient at resolving cases depending on what you are, what is working for, or what is not working for, your team and your community. Some rules to establish are: Who is the leader of the team? Or as we refer to it your elder protection team coordinator. What are the goals of your team? What protocols and documents are you gonna need, such as case summary forms to use during your meetings? And why should you have a written commitment from each of your team members? And, of course, finally and most important, is how effective communication rules do you have for your team? How are you going to address and talk to each other in times when there might be differences in opinion about the care or follow-up of an elder client?

So, section 3 of the toolkit is, talks all about developing tribal elder abuse codes. There's a lot of information that we have in this section for developing your codes and also on the Nieji website

we also have templates that you can use to implement or to develop your criminal and civil elder abuse code for your tribe. You can find these online, on the website to get more information. Like I said, there's a lot to cover in some of these, and it will just be more beneficial for those of you that seek it out yourself on the website and get those resources.

So, now we will briefly cover some of the rules and responsibilities for the members of your team. Many of the rules are the same for each of the members, and some members may have a little bit more responsibility depending on the professional agency in which they represent. So, for example, so far here are some of the members of your team: your elder protection team coordinator, the social worker, an ETS worker, medical service representative, tribal housing authority representative, and a law enforcement officer representative. So, here are some of the roles and responsibilities for each of the members. These are ones that are all the same, and each of your members should be doing these, having these goals and responsibilities. So, representing the professional agency, so you're gonna have to designate who from that agency or program will be the main contact for your team. Provide information about the elder protection team to their agency staff. Making referrals and sharing current information with the EPT when appropriate, keeping in mind confidentiality procedures and policies. Provide brief summary report during the meeting. Coordinate with other EPT representatives to provide expert input, review of cases, and a follow-up for each of the clients. Conduct case investigations and interventions as appropriate from your agency, your agency's policies or procedures. And also act as a liaison between the EPT and their agency.

Now, we'll kind of go through each of these members that we identified briefly. So, probably the most important of the team is the coordinator. Some tribes, some tribal communities are able to hire a full-time EPT coordinator as they may have funding to sustain this position, where other tribal communities may not have the funds available. In these cases, they would require a highly motivated individual who would volunteer their time into this position. They might also serve dual roles where somebody might be a director of a Title VI program or another elderly service program, and that person may choose to step up and serve as the coordinator for the Elder Protection Team. The most important roles of this person is being the team facilitator, ensuring that the team is properly managed. There might be some more administrative procedures and tasks that this person would do, like sending out meeting alerts, creating the meeting agenda, setting up the location and time of meeting, receiving and reviewing the completed case summaries, gathering the elder information, facilitating discussion among the team members, arranging training and other agency overviews, case follow-up and client tracking, and, of course, the EPT meeting follow-up with all of the members.

Next, we have your social worker on your elder protection team, and there may be more than one or more depending on kind of services available in your community. This team member is available to assist an elderly person or will arrange for an alternate whenever they are unavailable. This person would potentially be responding to crisis situations, coordinate medical and community responses for the client, assessing the elder's needs, referring clients to community resources, facilitate client access of benefits that are available in your community, assist in detection, investigation when appropriate, intervention and prevention, and of course following up with the client and your elder protection team. Additional roles of the social worker--and, of course, these have a lot more information and details on the full documentations

that are found on the website--conducting a comprehensive assessment will include client's information gathering, the client's cognitive functioning, some other legal information, what is the client's physical environment that they are in, social support, the client's physical health and psychological health. It is also suggested that the social worker should ask their clients about their day-to-day activities in a natural, conversational way to gather the verbal and behavioral cues about how the elder is being treated, as well as do the additions aspects are also important.

Next, we have the tribal APS member. So, every state does have an APS department, but not all tribal communities will have an APS worker that is available in their communities. Some tribes may have an office of victims of crime or a domestic violence program where suspected reports of elder abuse may be reported. Other tribes may rely on an elderly protection program to conduct the investigation. And here are some of their roles and responsibilities: accepting the elder's needs and [unintelligible], responding to crisis situations, coordinate medical [unintelligible], act as a liaison between agencies, refer clients to community resources and services, assist with detection and investigation when appropriate, intervention and prevention of elder abuse, and coordinate with tribal court system, law enforcement, as well as provide follow-up for the elderly client and the EPT members.

So, then some tribes may not have a designated office to report suspected cases of elder abuse. And sometimes, these reports will then fall onto the tribal law enforcement department for investigation and follow-up of the reported elder abuse. Next, we will be talking about the medical service representative. Their role is additional to what everybody else is doing...to make referrals to the elder protection team, coordinate communication between healthcare and elder protection team, provide expert input in reviewing and reviewing of the case, and provide follow-up with the elderly and the EPT team members. Additional responsibilities may include implementing that safety screening. These can be conducted annually in their, during their healthcare appointment. Although there is no right way to implement the screening, an annual safety screening should be conducted. Elder safety screening procedures are implemented in various medical office settings. Each office may have their own set of procedures and practices for conducting an elderly safety screening. Before you conduct a medical office safety screening, you should call your local area agency on ageing, adult protective services office, or Title VI programming to ensure that you have the appropriate contact information that you will need when referring a patient. Also, an elder abuse protocol is to make sure that the elderly person, client, patient has time to tell their stories, as their story is really important. And also, have the assessment evaluate level of cognitive functioning so you are able to understand the responsibility to make decisions for self. And if there are any cognitive or physical impairments that may impact their activities of daily living. And, of course, those that are more at-risk for experiencing abuse, neglect, and exploitation.

Also, be aware of the language that the client is using. Cultural sensitivities and aspects of their traditional practices that differ from other ethnic groups while working with your Native American elderly. It's important to consider the role that community and family in aspect of the Native American culture. So, here are some cultural considerations for capacity assessments for your medical EPT member. Consider cultural issues when conducting capacity assessments. The person from diverse backgrounds and experiences may not perceive structured tests as being aligned with their worldviews. Some issues with the current cognitive impairment tests include

language barriers or issues. Native American memories are related to an oral tradition of storytelling. The words that the elderly are expected to remember also need to be relevant to their lives. So, some words may be meaningless and harder to remember. So, other cultural variables include, of course, language, economic status, and other expectations of institutions. Examples would be there might be a reluctance to go to a hospital setting as there might be some ties with historical trauma or maybe the elderly person experienced some institutional trauma, such as boarding schools or other things like that. Also, the perceptions of the role of family in the elderly care can also have an impact on assessing their capacity and decision making.

Another member is the tribal housing authority representative. This person can assist in collaboration of services, make referrals to the elder protection team, assist with detection, investigation, intervention, and prevention, of course follow up to ensure that the resolution of any concerns, follow-up support and assistance to other elder protection team members. Law enforcement officers might have a lot more responsibility than some of the other members as they might be the only one who are investigating the suspected elder abuse case. This is also very important where...important to follow up with your agency's investigation procedure. This process will vary depending on your state, tribal, and federal jurisdiction. So, this law enforcement representative may be responding to crisis situations, coordinating medical and emergency responses for the client, sharing client information with the elder protection team when appropriate keeping in mind the confidentiality and investigation procedure, especially if they lead to a court case. Physical detection, investigation, intervention, and prevention, providing expert input of reviews of cases and follow-up during meetings, [unintelligible] provide support and assistance to other members.

So, in section 5, there are some additional resources, documents that are provided in the toolkit. They are more of cultural sensitivity resources, so one of them is "Responding to Elder Abuse Neglect of a Native Elderly Person", interview questions for neglect or physical abuse, recommendations for developing tribal relationships, and typical working in tribal communities. So, now, we will move on and we'll have Dr. Gray talk to us about restorative justice approaches.

Dr. Gray: Thank you, Sloan. I think you can see from all the things that Sloan has gone through that there is a lot of information and resources available in this toolkit. What I wanted to talk a little bit about though is restorative justice because in our tribal communities we really don't like to go through the prosecution with a lot of these situations if they can be avoided. A lot of times, people don't report because there may be fear of prosecution of a family member, and with that family member being prosecuted they may no longer have the caregiver available because they feel the person that could provide that care. There is also going to be fear of retribution by the caregiver or family member who is taking advantage of the elder. So, we need some alternatives that address the issue, but at the same time, help preserve the family. And this provides that. First of all, we have to take into consideration the safety of the elder. And their, depending on what's going on, their safety comes first. Then, finding ways to resolve the issues, and this is where the elder protection team can be very helpful, coming up with alternatives to resolve some of the issues without involving the legal system if at all possible. And what we're really wanting to do is help that elderly person age in place, be able to stay at their most productive placement as long as possible. And then also be able to provide some support to the caregiver because it may be the

stresses on that caregiver are contributing to the abuse or neglect. When we talk about restorative justice programs, there are a few things that are being done that are really innovative in some of our communities. One of the first things is community policing, which is Operation Golden Sheal out of the [unintelligible] agency, the BIA Police and Social Services have come together to do when the police aren't on other calls, they try to make drop in visits on at-risk elderly each day just to say "Hi", just maybe have a cup of coffee, change a light bulb, see how things are going. And this helps reduce the elder abuse because, one, they're developing the relationship with the elderly, and two, others that might take advantage of the elderly person know that the police are dropping by and they're more likely to report if something is occurring.

Another program that is being developed is a tribal elderly guardians council that helps with fiduciary responsibilities in managing the elderly person's money and other resources. Some are culturally based, like an elders council where whenever there is an elder that is harmed or neglected that person that is involved is brought before an elders council to instruct them in how they need to be behaving towards the elderly person and telling them what they need to do to make things right. The family restoration program out of Tohono O'odham utilizes with the treatment plan to do remediation of what types of things are going on before it gets referred on to court. As long as the family works the treatment plan and things improve, that's the ultimate goal. And if they aren't willing to do that, then they may have to go on with the court-related process. Native peacemakers is through the Native American Rights Fund, and it's a mediation type of program that does involve the legal system but not the criminal system. And then, as we said, the tribal elder protection team is really what we've seen be very effective in Indian Country and that Sloan has outlined. And then the other would be utilizing deferred prosecution and deferred sentencing programs. And these are all more positive family-centered types of approaches. This is some of the resources and information that we've put together for this tribal elder protection team. And, at this point, I'm gonna hand it off to Talitha Young Shafer from the Department of Justice to talk about their elder justice resources.

Talitha: Hello, everyone. Thank you so much for having me today. I really consider it an honor to be able to talk with all of you and to present here with Sloan and Jacque. So, thank you so much for the invitation. It looks like my slides have started in reverse, so I'm just going to move back to the beginning of my presentation. I think that this toolkit is gonna be really fantastic for everyone. I'm so happy to see that it has been created. And it just really is outstanding content. And really my purpose today is just to kind of tell you a little bit about what we're doing here at the Elder Justice Initiative and how we can collaborate and lend support to both what Nieji is doing and to what many of you may be doing in the field.

So, my role within the elder justice initiative is I am the multidisciplinary team technical advisor. So, one of the forms of multidisciplinary teams was discussed earlier. I give free technical assistance out to anyone who is trying to build a multidisciplinary team in their area. So, I just wanted to let you know who we are and what we are doing. So, the Elder Justice Initiative supports the Department's enforcement and programmatic efforts to combat elder abuse. And we do this by both starting the department by keeping those in the department apprised of what's happening on the, in the community in regards to elder abuse and elder justice. And we also work with professionals who are looking to us to provide support to them. If you take a look at our elderjustice.gov website, you can see that there are lots of really great resources for many

professions, and there is a section there that is specifically for multidisciplinary teams. And we really try to support the work of multidisciplinary teams. We also have a toolkit. I think that the toolkit that Sloan presented to you is probably going to be the most useful toolkit for Native communities because it's customized to what you will need. However, I am going to also let you know that this toolkit exists as well and that if there are any resources that you want to pull from it, you are welcome to have it for free. It's on the website elderjustice.gov, and you can take our forms and customize them if you need them. You can utilize any of the services that we provide. If you have a specific request for materials or simple documents, I can help you try to get connected to those things. I provide free phone and email consultations. Sometimes I even go out and do site visits in communities and help them in a more hands-on manner get their team up and going. And we also host other webinars and educational opportunities, all of which are free and open to anyone. And here's a link that takes you directly to the toolkit. And so, this will be available in your materials today, and you can go directly there if you would like to see that elder justice initiative toolkit.

This is what you'll see when you get to the landing page. If you want to find out more about what's happening to us, with us, you can go to the MDT announcement section or you can go straight to the toolkit. And I just wanted to briefly show you what it will look like once you're there. Chapter content is on the left. And then all of the resources and sample documents that you can use are here on the right. And they're all links and they're all things that you can download for free. Here's just a little image to show you what our toolkit looks like. And I just wanted to put myself out there as is a person who is really happy and honored to support you in the work that you're doing around multidisciplinary teams, and I'm one additional support. And I just wanted to get on and say that I think that the toolkit that Nieji has produced is really just wonderful and so timely. And with that, I am going to hand it back over to our presenter to wrap us up here and to take questions.

Tara: So, again, if you have any questions, please feel free to press star 1 or you can put your questions in the chat on WebEx and I can read those aloud.

Operator: I'm sorry. If you'd like to ask a question. Please press star 1 and record your first and last name clearly when prompted. Your name is required to introduce your question over the phone.

Jacque: Tara, this is Jacque Gray. And I just wanted to say here before we get some questions in that we wanted Talitha presenting with us because we want people to see that they can have both/and, it's not either/or. And we do work collaboratively together, so not to feel like they have to make a choice or anything.

Talitha: Right, thank you for that clarification. That's great. I think it's good for people to know that they're supported from a diverse group of people who are happy to help them.

Tara: All right, so I do not see anything, any questions coming in and I don't believe we have anything being patched through. Is that correct? Operator?

Operator: No questions at this time.

Tara: Okay, perfect. So, thank you so much for joining us. Thank you to our speakers for the great presentation. If you do want the presentation or either of them, please put your email address in the chat or you can email me. And again, thank you so much and I hope you have all a great day.

Jacque: And again, Tara. I will just send in a couple of plugs that I will be in Kansas City for the cluster training March 13th and 14th and I'll be doing a workshop on putting together an elder abuse code, and then in April we'll be in Alaska in Anchorage if, I know there are people from several states planning to attend that three-day training addressing elder abuse that we'll be doing up there.

Tara: Perfect. Thank you.

Operator: Alright. That concludes today's meeting. Thank you, everyone.

Unidentified speakers: Thank you. Thanks.