In October 2019, Maine Governor Janet Mills issued an executive order establishing the Elder Justice Coordinating Partnership (EJCP) to:

- Identify challenges to the prevention of, detection of, and response to elder abuse;
- Develop strategic priorities across the public and private sectors to prevent and respond to elder abuse; and
- Make recommendations regarding direct services, education, public policy, and data collection and evaluation, including legislative changes, if any.

Legal Services for the Elderly, with funding from the John T. Gorman Foundation, contracted with the Cutler Institute at the University of Southern Maine’s Muskie School of Public Service to support the work of the EJCP, including the development of this final report, the *Maine Elder Justice Roadmap*.

This *Roadmap* describes why it is imperative that, in a society that values justice for all, we seek creative solutions for preventing, detecting, and responding to elder abuse. The report outlines the purpose and organization of the EJCP and the process of its activities. It includes the final EJCP recommendations regarding direct victim services, public and professional education, public policy, and data collection and evaluation, as well as areas identified by the EJCP for further study.

Through a strong public-private collaboration, the EJCP presents this *Roadmap* as a resource accessible by all stakeholders. The recommendations provide a stepping-off point for ongoing public and private engagement in further developing and implementing the recommendations in order to decrease the incidence of elder abuse, increase the number of victims who seek and receive help, and improve the multidisciplinary response to elder abuse in Maine.

*A note on language:* the EJCP acknowledges that societal language used to describe aging, older people, and aging services is currently in transition. The word choices used in the recommendations have been influenced by elder abuse language used in Maine state statutes, regulations, and programming that has not yet been updated to reflect these changing norms. As public and private agencies and organizations implement these recommendations, the Partnership encourages addressing ageism through inclusive language that discourages marginalization.
Contents

1 Elder Justice is Justice for All
   EFFECTS AND RISKS OF ELDER ABUSE
   RESPONDING TO ELDER ABUSE THROUGH AN ELDER JUSTICE FRAMEWORK

6 The Elder Justice Coordinating Partnership
   SERVICE PROVIDERS PROPOSE A COLLABORATION
   GOVERNOR MILLS ISSUES AN EXECUTIVE ORDER
   CREATING THE MAINE ELDER JUSTICE ROADMAP

11 Roadmap Recommendations
   THE SCOPE OF THE ROADMAP RECOMMENDATIONS
   HOW TO NAVIGATE THE ROADMAP RECOMMENDATIONS
   DIRECT VICTIM SERVICES
   PUBLIC AND PROFESSIONAL EDUCATION
   PUBLIC POLICY
   DATA COLLECTION AND EVALUATION
   NEXT STEPS

36 Endnotes

39 Appendices
   DIRECT VICTIM SERVICES
   PUBLIC & PROFESSIONAL EDUCATION
   PUBLIC POLICY
   DATA COLLECTION & EVALUATION
   ELDER JUSTICE COORDINATING PARTNERSHIP MEMBERS
Elder Justice is Justice for All

“Elder abuse can and does happen to people you know.”

— EJCP MEMBER

In a society that values the just treatment of all people, elder abuse has implications for all of us. We all have the right to live free from the dehumanizing and disempowering effects of abuse, neglect, and exploitation. Yet research shows that elder abuse is common, with one in ten Americans aged 60 and older having experienced abuse in the past year.¹ It can include physical, emotional, or sexual abuse, along with neglect and financial exploitation, and it is most often committed by a trusted person, including intimate partners, adult children, and other family members.²³⁴ The impact elder abuse can have when perpetrated by a family member or trusted friend is devastating. People thrive on relationships and community, but that is often destroyed when those we love inflict harm on us in any fashion.
Effects and risks of elder abuse

The effects of elder abuse are far reaching and sobering. For example, older adults who experience fraud and exploitation are at risk of financial ruin, at the very time when they may need resources to pay others for care and support. An examination of Adult Protective Services (APS) and Legal Services for the Elderly (LSE) data shows that older Mainers who have experienced financial exploitation, often perpetrated by a family member or close contact, collectively lose an average of $4 million per year, leaving many unable to meet their basic needs and even their ability to survive.

The health effects of elder abuse and exploitation are no less severe and include higher rates of depression, anxiety, and self-reported poor health, as well as increased emergency department, hospital, and nursing facility use. Elder abuse and exploitation impact not just the individual, but also the public programs that pay for their health and long-term services and supports. For example, older Mainers who experience financial exploitation cost the Medicare and Medicaid programs over $13,000 more per person per year compared to older adults who are not abused or exploited.

The human toll is the most tragic—older adults who experience abuse are three times more likely to die within a decade compared to older adults who have not been abused. This scourge costs people their very lives, denies families of their loved ones, and deprives all of us of valued citizens who volunteer, mentor, educate, and remain productive and important members of our Maine communities.

The World Health Organization recognizes that elder abuse is an important global public health issue, and that the COVID-19 pandemic increased its occurrence. While common, elder abuse is often unreported. Based on the current prevalence rate, there were over forty thousand Mainers over age 60 who experienced some form of abuse in 2020, but research shows most abuse cases are never reported to authorities. Older adults may be reluctant to report abuse out of shame or fear: of the perpetrator; of getting family members, especially adult children, into trouble; of losing a caregiver, even if they are the abuser; of losing autonomy.

In 2020

Over 40,000 Mainers age 60+

EXPERIENCED SOME FORM OF ABUSE

Risk factors associated with experiencing elder abuse include having poor physical health, functional disability and dependence, cognitive impairments/dementia, poor mental health, low income/socio-economic status, substance use issues, prior victimization, shared living situations, and limited social support. When these risk factors are present and we don’t have the supports in our families and communities to manage...
them, we can fall prey to others who step in to “help.” A lack of available direct care workers exacerbates these vulnerabilities, especially in rural areas where support services as well as elder abuse response services may be more limited, contributing to isolation.\textsuperscript{17,18}

Negative stereotypes based on one’s age (ageism) may interfere with the recognition and reporting of elder abuse.\textsuperscript{19,20,21} For example, ageist attitudes, such as viewing older people as less competent and capable than younger people, can result in not believing older people when they do report abuse.\textsuperscript{24} Our own internalized ageism—the product of our adoption of the negative beliefs imposed by society—decreases our sense of self-worth, our ability to be and remain productive, and can cause us to feel unworthy of help or to think that the abuse is somehow our fault.\textsuperscript{25,26}

Why some people commit abuse, neglect, and exploitation of older adults is a complex question. Trusted family members or caregivers may be at risk of perpetrating elder abuse due to factors such as having substance use issues, problems with their own physical health, behavioral health problems, financial dependency on the older adult, and previous victimization.\textsuperscript{25} Other known and trusted persons, including legal or financial professionals, may take advantage of the trust situation to address their own financial shortfalls or difficult personal situations.\textsuperscript{26}

### Responding to elder abuse through an elder justice framework

Elder abuse is a community problem that warrants a multidisciplinary, community-based solution. Responding to elder abuse through justice-oriented approaches protects our right to live free from abuse and holds accountable those who infringe on that right.

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**The federal Elder Justice Act\textsuperscript{27} defines “elder justice” from two perspectives:**

**Societal**

Efforts to prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation; and to protect older adults with diminished capacity while maximizing their autonomy.

**Individual**

Recognition of an older adult’s rights, including the right to be free of abuse, neglect, and exploitation.

---

\textsuperscript{†} For more information on the risk factors associated with elder abuse and how to recognize it, visit The National Center on Elder Abuse FAQs.
Maine’s responses to elder abuse have reflected this justice-oriented approach. State and local government agencies, community organizations, businesses, and individuals often work together to craft solutions that stop the abuse from happening while preserving the autonomy of older adults who have experienced abuse.

The state agency with authority to respond to allegations of elder abuse is Adult Protective Services (APS) within the Office of Aging and Disability Services, Department of Health and Human Services. APS has authority to open an investigation in cases when the adult is either incapacitated or dependent and is experiencing or at risk of experiencing abuse, neglect, or exploitation. An investigation involves steps to ascertain whether the allegations of abuse, neglect, or exploitation are accurate (based on a preponderance of the evidence standard), frequently working with other partners such as law enforcement, as well as immediate safety planning with clients as needed.

When an adult is dependent on others for care, wholly or partially, and has decision-making capacity (i.e., not incapacitated), APS intervention is a voluntary service. In other words, a dependent adult who is experiencing or at risk of abuse, neglect, or exploitation may decline APS involvement.

APS often collaborates with other agencies and organizations when working on cases, and these private sector victim services providers and other government agencies at the federal, state, county, and local levels also provide a broad range of services to victims not being assisted by APS.

“The annual number of Maine APS elder abuse investigations have been increasing over the years.”

Source: Maine APS. Totals represent the number of Screened-In APS Reports involving a client age 60+ where the allegations included abuse, neglect (caregiver neglect or self-neglect), or exploitation.

AGENCIES AND ORGANIZATIONS THAT RESPOND TO ELDER ABUSE

Adult Protective Services · Area Agencies on Aging · Elder Abuse Institute of Maine · Legal Services for the Elderly · Long-Term Care Ombudsman Program · Maine Coalition to End Domestic Violence · Maine Coalition Against Sexual Assault · Maine Prosecutors · Office of the Attorney General · Office of Securities · State, county, and local law enforcement · United States Attorney’s Office

“We are recognizing just how crucial it is that a cross-disciplinary approach will address the abuse and generational trauma that some older people experience.”

—EJCP MEMBER
Maine is nationally recognized for its public agency and private organization collaborative approaches to elder abuse. To name just a few: in 2011, a cohort of public and private organizations formed the Maine Council for Elder Abuse Prevention (MCEAP). Dedicated to addressing and stopping elder abuse from happening through a multidisciplinary, coordinated response, MCEAP addresses gaps in knowledge about elder abuse and fosters information sharing and coordination between agencies, organizations, and the public. Its Senior$afe® training program, developed in 2014 for financial services personnel, served as the basis of the 2018 federal Senior Safe Act.‡

As another example of Maine’s collaborative approach, in 2014, then Maine Attorney General Janet Mills formed the Task Force on Financial Exploitation of the Elderly. The law enforcement-based Task Force identified barriers to prosecuting these crimes, including perceptions among criminal justice professionals that financial exploitation is a family or civil issue; a lack of training in handling financial crimes against older adults; and an inadequate legal framework for prosecuting elder financial exploitation. The work of the Task Force resulted in several statutory changes addressing these barriers, including defining financial exploitation as grounds for a protective order.§

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<tr>
<th>MAINE COUNCIL FOR ELDER ABUSE PREVENTION (MCEAP)</th>
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<tr>
<td><strong>Sharing knowledge and best practices</strong></td>
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<td><strong>Collaborating</strong></td>
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<td>▶ Council Meetings</td>
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<td><strong>Raising awareness</strong></td>
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<td>▶ World Elder Abuse Awareness Day</td>
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<td>▶ Bumper Magnet</td>
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<td>▶ Speakers Bureau</td>
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<td><strong>Targeted professional training</strong></td>
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<tr>
<td>▶ Senior$afe®</td>
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<td>▶ RADAR card for law enforcement</td>
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Despite this rich history of collaboration, Maine has not had a leadership structure in place to support the public and private sectors in developing shared strategic priorities to address elder abuse—until now.

‡ For more information about MCEAP, visit Maine Council for Elder Abuse Prevention. For more information about the federal Senior Safe Act, visit U.S. Securities and Exchange Commission.

§ For more information about the Task Force’s work, visit the Office of the Attorney General.
THE GOVERNOR’S RESPONSE

The Elder Justice Coordinating Partnership

“To be effective in combating this growing health, justice, financial and social crisis, Maine must set strategic priorities—across the public and private sector.”

— GOVERNOR JANET MILLS’ EXECUTIVE ORDER 11, FY 19/20
Service providers propose a collaboration

In March 2019, six private sector organizations, particularly aware of the extent of the problem of elder abuse and actively engaged in community response to it, came together under a Memorandum of Understanding (MOU). Leaders of the Elder Abuse Institute of Maine, Legal Services for the Elderly, Long-Term Care Ombudsman Program, Maine Association of Area Agencies on Aging, Maine Coalition Against Sexual Assault, and Maine Coalition to End Domestic Violence declared their intention to work together in a coordinated and collaborative manner with public sector leaders and partners.

Building on this momentum, these organizations requested Governor Janet Mills to create a leadership and planning group of public and private sector leaders to develop a set of strategic priorities for improving the prevention, detection, and response to elder abuse. The leaders also agreed, as part of the MOU, to participate in this leadership group and to help develop specific recommendations to be published as the Maine Elder Justice Roadmap.

Governor Mills issues an executive order

In response, Governor Mills established the Elder Justice Coordinating Partnership (EJCP, or the Partnership), by executive order on October 23, 2019. Governor Mills established clear objectives and tasks for the EJCP:

**Purpose**

1. Identify challenges to the prevention of, detection of, and response to elder abuse;
2. Develop strategic priorities across the public and private sectors to prevent and respond to elder abuse; and
3. Make recommendations regarding direct services, education, public policy, and data collection and evaluation, including legislative changes, if any.

**Results**

- Decrease the incidence of elder abuse in Maine;
- Increase the number of elder abuse victims who seek and receive help in stopping abuse; and
- Improve the multi-disciplinary response to elder abuse.
The Governor appointed a diverse group of leaders from throughout Maine, including federal, state, county, and local leaders. Equally diverse are the organizations represented from the private sector including representatives from the six organizations who spearheaded the creation of the EJCP. The leaders bringing the strength of their knowledge, ingenuity, and commitment to the EJCP were from the following agencies and organizations:

“We all want Maine to be a safe place to grow old. This Executive Order moves us toward that goal.”

—JAYE MARTIN, Executive Director of Legal Services for the Elderly

ELDER JUSTICE PARTNERSHIP MEMBER AGENCIES AND ORGANIZATIONS

PUBLIC SECTOR

➤ Co-chair: Maine Office of Securities
➤ Maine Chiefs of Police Association
➤ Maine Department of Health and Human Services, including representatives from:
  ➤ Adult Protective Services
  ➤ Center for Disease Control and Prevention
  ➤ Division of Licensing and Certification
  ➤ Office of Aging and Disability Services
  ➤ Office of Behavioral Health
  ➤ Office of Child and Family Services
➤ Maine Department of Public Safety
➤ Maine Office of the Attorney General
➤ Maine Prosecutors’ Association
➤ Maine Sheriffs’ Association
➤ Maine State Police
➤ United States Attorney’s Office

PRIVATE SECTOR

➤ Co-chair: Legal Services for the Elderly
➤ Elder Abuse Institute of Maine
➤ Maine’s Area Agencies on Aging
➤ Maine Coalition Against Sexual Assault
➤ Maine Coalition to End Domestic Violence
➤ Maine Long-Term Care Ombudsman Program

A representative of Disability Rights Maine was appointed to the Partnership and participated in initial activities but was unable to continue their active participation.
Creating the *Maine Elder Justice Roadmap*

The members of the Partnership served as willing and enthusiastic volunteers, but their work required support. The John T. Gorman Foundation provided a grant to fund a professional consultant to assist in designing and facilitating meetings, and to fund a research team from the Cutler Institute at the University of Southern Maine’s Muskie School of Public Service to assist in designing, fielding, and analyzing a survey to collect preliminary information about the response to elder abuse in Maine, and to develop the *Maine Elder Justice Roadmap.*

Inspired by the federal *Elder Justice Roadmap,* the Maine *Roadmap* features recommendations for improving the response to elder abuse across four priority areas: direct victim services; public and professional education; public policy; and data collection and evaluation. Some recommendations fit into these discrete categories. However, reflecting the need for a multidisciplinary approach to elder justice, the Partnership recognizes that some recommendations may not fit neatly into a single domain or may fit in multiple domains. Although mail, telephone, and internet-based financial scams are pervasive, the Partnership focused its efforts on elder abuse and exploitation committed by a person in a position that involves an expectation of trust.

**A survey informs the work**

After a kickoff meeting in September 2020, the Partnership members responded to a survey framed around the four priority areas, not only from their own point of view, but also by soliciting and collecting feedback from their colleagues within their respective fields. For each priority area, members identified current strengths, gaps and challenges, and best practices they would like to see adopted in Maine.

In addition to Partnership members, over a dozen key stakeholders from other organizations who regularly interact with older adults were invited to participate in the survey. Demonstrating their enthusiasm and dedication to this work, all Partnership members completed the survey, as did representatives from seven of the additional organizations.

**ADDITIONAL STAKEHOLDER ORGANIZATIONS**

- AARP
- Alzheimer’s Association
- Maine Bankers Association
- Maine Credit Union League
- Maine Health Care Association
- Maine Hospital Association
- Maine Immigrant Rights Coalition
- Maine Medical Association
- Maine Primary Care Association
- Muskie School of Public Service
- SAGE
- University of Maine Center on Aging
- University of New England

**For more information about the survey, contact**

kimberly.i.snow@maine.edu.
Recommendations emerge

Four meetings were held in the first half of 2021, each centered on one of the four priority areas. At each meeting, a report of survey results around one topic area sparked conversations in breakout sessions of smaller groups of members. Throughout the meetings, members worked together to create lists of related action items, which were then streamlined in a set of discrete recommendations.

The EJCP co-chairs asked members of the Partnership to flesh out each recommendation around the following questions:††

- How would the recommendation be implemented?
- Who would the likely lead agencies or organizations be, and who are key partners?
- How would the recommendation further one or more of the desired results of the Roadmap?
- If funding is needed for the recommendation, what are possible sources of funding for this initiative?
- Would legislation be required to implement this recommendation?

Coming to agreement

During summer and fall 2021, the recommendations with their expanded material were shared back with the full Partnership to establish a common understanding among members and to provide sufficient information for evaluating the merits of each recommendation. The members then participated in four online straw polls to see where they agreed on each recommendation’s probability of successful implementation and degree of impact on increasing prevention, detection, and response to elder abuse. These polls formed the basis of discussion and eventual ratification of recommendations to be included in the Roadmap. Three facilitator-led Partnership meetings were held in September through November 2021 to finalize the recommendations included in the Roadmap.

†† The Supplemental Material found in the appendices of this Roadmap is based on the assigned members’ answers to the five questions. The material does not present a comprehensive analysis of the issues surrounding a particular recommendation. Rather, it represents contributing members’ knowledge of the challenges and gaps that a recommendation aims to address as well as their understanding of how a recommendation might be implemented. The material is a starting point for discussion and further development of the recommendations.
THE ELDER JUSTICE COORDINATING PARTNERSHIP

Roadmap

Recommendations

“When people ask me, ‘What can I do about this major problem?’... I want you to find something that you’re interested in, educate yourself on that, have an opinion, and then let that opinion be known.... It just takes you getting involved.”

—EJCP MEMBER
The scope of the *Roadmap* recommendations

Throughout their work, EJCP members discussed how current challenges in the health and social service systems enable abusive situations to occur and prevent people from living healthy, independent lives free from abuse. For example, when we don’t have adequate housing that meets our needs as we age or can’t find help with daily personal care, we can become dependent on family members who may not have the resources and skills to help us, nor the best of intentions.

Addressing the gaps in available health care, behavioral health services, long-term services and supports, accessible housing, transportation, food security, and other areas would benefit all Mainers and mitigate some of the risk factors for abuse that older people experience. For example, improving the critical shortage of direct care workers would help us stay healthy and safe in our chosen communities. Increasing accessible public transportation options and developing walkable routes through towns would help all of us maintain our independence and connection to our communities and reduce social isolation. These types of structural changes benefitting all Mainers are a key part of elder abuse prevention.

This *Roadmap* does not make recommendations to address the challenges in the current health and social service system as outlined above. Rather, it focuses specifically on Maine’s response to elder abuse committed by persons of trust such as family members or caregivers.

*The Roadmap provides recommendations regarding actions that the public and private sectors can take today in the areas of direct victim services, public and professional education, public policy, and data collection and evaluation to:*

- Decrease the incidence of elder abuse in Maine;
- Increase the number of elder abuse victims who seek and receive help in stopping abuse; and
- Improve the multi-disciplinary response to elder abuse.

“Elder abuse is a problem in our state, and we must not allow ourselves to look the other way.”

—EJCP MEMBER
How to navigate the *Roadmap* recommendations

Each topic area begins with a snapshot of the strengths, gaps, and challenges in elder abuse response as identified by the Partnership members and other stakeholders in the September 2020 survey. These snapshots are followed by the Top Priority, Secondary, and For Further Study recommendations in each topic area.

**TOP PRIORITY**
Recommendations with broad agreement among members that have high probability of successful implementation and high impact on elder abuse

**SECONDARY**
Recommendations that were broadly supported by the members but that were viewed as having less potential impact than the Top Priority or a lower probability of success if implemented

**FOR FURTHER STUDY**
Recommendations that require further information, input, and analysis before a determination as to the impact of the recommendation can be made

For each recommendation, there is a clickable link to supplementary information used by Partnership members to evaluate the recommendations. These materials provide a high-level description of how each recommendation could be implemented (Implementation), which key leaders and partners could spearhead the effort (Leaders and Partners), how the recommendation meets the goals of the Executive Order (Achieving Results), and what funding sources and legislative action may be needed for implementation (Funding and Legislation).

The recommendations embody practical considerations of working within existing regulations and systems as well as creativity in suggesting new ways to address elder abuse. They are a resource for the Governor, legislators, program administrators, advocates, and other stakeholders in their efforts to create and sustain a culture of respect, safety, choice, and justice for all Maine's citizens.
Direct Victim Services

“Direct victim services”‡‡ is defined as those services provided to victims§§ of elder abuse by any within a broad range of professionals, including first responders, Adult Protective Services, law enforcement, aging services personnel, victim advocates, prosecutors, and more. To develop these recommendations, the Partnership and other stakeholders identified Maine’s strengths, gaps, and challenges in direct victim services.

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<tr>
<th>KEY SURVEY FINDINGS: DIRECT VICTIM SERVICES</th>
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<td><strong>Strengths</strong></td>
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<tr>
<td>➤ “Maine is prioritizing elder abuse”</td>
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<tr>
<td>➤ Quality, knowledgeable direct service</td>
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<tr>
<td>personnel</td>
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<tr>
<td>➤ Presence of elder-specific resources</td>
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<tr>
<td>➤ Momentum toward collaboration between</td>
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<td>organizations all around the state</td>
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<tr>
<td>➤ Referrals are streamlined and straightforward</td>
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<td>➤ Clear mandated reporter requirements</td>
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<td>➤ Growing public awareness of elder abuse</td>
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‡‡ While the Executive Order identified “direct services,” the EJCP refined this description to “direct victim services” to focus attention on older adults who experience abuse.

§§ We use the term “victim” in this report for the sake of brevity. We recognize that not everyone who experiences domestic abuse and violence identifies with this term; some prefer the term “survivor” while others identify with neither of these labels. (Continued on the next page)
The following recommendations build on Maine’s direct victim services strengths and best practices from other disciplines and states to address the gaps and challenges in preventing, detecting, and responding to elder abuse. For additional details on these recommendations, see Appendix A: Direct Victim Services (DVS) Recommendations Supplementary Material on page 40.

**TOP PRIORITY**

- **Examine the staffing capacity at Adult Protective Services.**
  
  Although the volume of reports to Adult Protective Services (APS) has steadily increased over the years, the number of APS investigation staff has not. Increased staffing would allow APS to respond more rapidly and increase capacity to devote time to individual cases and collaborate effectively with other agencies.

  Read more in Appendix A on page 41

- **Develop and expand wraparound support services, including case management services, for victims of elder abuse based upon Adult Protective Services pilot.**
  
  APS is currently conducting a federally funded pilot project to provide wraparound support services for older adults who have experienced abuse, neglect, or exploitation (or self-neglect) and reside in Cumberland County or Aroostook County. Expanding similar service options to other elder abuse victims around the state will increase the number of older adults who receive help in stopping abuse, particularly through restorative justice practices.

  Read more in Appendix A on page 42

- **Increase the staffing capacity at Legal Services for the Elderly.**
  
  With increased staffing capacity, Legal Services for the Elderly (LSE) would be able to represent more individuals experiencing elder abuse and conduct more outreach.

---

Our laws name some abusive behaviors as crimes—thereby rendering the people subject to them “victims” of those crimes—but many behaviors used by abusive people are not against any law. Additionally, many people who are subject to criminal abusive behavior never seek help from the criminal justice system for a variety of valid reasons. When selecting language amidst this complex context, the EJCP first and foremost recognizes that behind any label we choose there is a human being who has been harmed.
to referral sources regarding available legal remedies and resources, improving the multidisciplinary response, and providing justice for older adults who experience abuse, neglect, or exploitation.

Read more in Appendix A on page 44

**Establish dedicated, statewide forensic auditing resources to support law enforcement in investigating financial exploitation cases.**

Increasing law enforcement and prosecutors’ offices access to this specialized accounting resource will result in more effective prosecutions. Increased successful prosecutions of fraud and exploitation encourages other older adults and their families to report these crimes. Effective prosecutions can deter those who might be tempted to take advantage of older adults for financial gain.

Read more in Appendix A on page 45

**Identify an assigned Elder Abuse Prosecutor within each District Attorney’s office that works with the Elder Service Officers.**

Experience from other states shows that the establishment of a dedicated elder fraud prosecutor makes it more likely that such cases are brought forward and resolved successfully, providing justice for older adults. A dedicated prosecutor would bring or develop expertise in this area and not have to “reinvent the wheel” each time. Successful prosecutions can deter other individuals from engaging in abuse and exploitation.

Read more in Appendix A on page 46

**Develop hub and spoke style investigative resources to increase specialized investigative resources and improve the response to elder abuse.**

Regionally based Elder Exploitation Investigators (hubs) would act as subject matter experts and resources for their surrounding law enforcement partners (spokes). These specialized investigators would proactively build credibility within communities to encourage reporting of elder abuse, contribute expertise to case investigations, conduct peer mentoring, and connect agencies with local multidisciplinary groups. These efforts would increase the number of victims that seek and receive help.

Read more in Appendix A on page 48
Form and support, through identification and dissemination of common definitions and best practices, and dedication of staffing by victim services providers, multidisciplinary groups that cover the entire state, whether municipal, county based, or regional, that are focused on raising awareness and improving the coordination of local response.

There is an extensive body of research on the potential benefits of multidisciplinary work when addressing elder abuse. Multidisciplinary groups benefit from sharing skills and expertise, building familiarity with resources from different disciplines, and providing the most up-to-date information on community services and resources available to help older adults who experience abuse, neglect, and exploitation more effectively. It is not contemplated that these groups would be focused on working on or responding to specific cases of abuse due to confidentiality challenges and considerations.

Read more in Appendix A on page 50 →

Create a central repository of information on elder abuse victim services for use by professionals working in the field.

Expanding the knowledge base of specific victim services available around the state will allow professionals responding to abuse, neglect, and exploitation to initiate a multidisciplinary response more effectively.

Read more in Appendix A on page 52 →

Develop protocols on how to coordinate victim services across professions/services.

Protocols increasing agency coordination would improve multidisciplinary response to elder abuse by reducing confusion among agencies, duplication of efforts, and information gaps.

Read more in Appendix A on page 53 →
Support and require Victim Witness Advocate programs located in prosecutorial districts across the state to develop and provide services specifically designed to meet the needs of older victims.

Victim Witness Advocates (VWAs) assist victims and witnesses as their cases proceed through the criminal justice system. Experience with domestic violence prosecution shows that consistent contact with victims increases the likelihood of continued victim involvement and cooperation with prosecution. Currently, two counties in Maine have only one VWA available to serve all crime victims within the entire county; nine of the other 16 counties only have two VWAs or Trial Assistants for the entire victim docket. Developing a position dedicated solely to elder abuse cases would help ensure advocates have the training, expertise, and time to best serve older victims of crime.

Read more in Appendix A on page 54 →

Support and require victim advocates in domestic violence centers and sexual assault support centers to develop and provide services specifically designed to meet the needs of older victims.

All regions of the state have developed a coordinated community response for survivors of domestic abuse and violence and sexual assault accessing the protection from abuse process, including collaboration with the courts, law enforcement, legal services, and local attorneys. While many persons over age 60 currently seek and receive services from these agencies, enhanced training, expanded outreach, and additional partnerships are necessary to better meet the need. Increasing awareness in the community that older adults are served by domestic violence and sexual assault providers would increase the number of victims of elder abuse that seek and receive help and thus benefit from these existing processes and partnerships.

Read more in Appendix A on page 58 →

Direct Public Health Nurse resources toward elder abuse victims, in particular home services, and ensure professionals have skill and capacity to meet needs.

Ensuring Public Health Nurses have the skills and capacity to meet the needs of older adults who experience abuse, neglect, and exploitation will improve the multidisciplinary response. As part of preventive home wellness visits, Public Health Nurses could provide education about resources available to address elder abuse.

Read more in Appendix A on page 60 →
Develop pilot projects based on the learnings from the Children’s Advocacy Center model to support elder abuse victims who are engaged with law enforcement or the Department of Health and Human Services.

Supporting a pilot project for elders based on the Children’s Advocacy Center approach would demonstrate whether this model can reduce trauma for victims and improve prosecutorial and non-prosecutorial outcomes as is it has in cases of child abuse. A highly trained forensic interviewer would interview older adults referred to the program, as opposed to the victim being separately interviewed by Adult Protective Services/law enforcement/prosecutors. This model would improve the multidisciplinary response and increase the number of victims seeking and receiving support.

Read more in Appendix A on page 62

Develop a uniform elder abuse response and investigation protocol to be used by all agencies involved in investigating these cases.

Uniform elder abuse response and investigation protocols would guide officers through an investigation, including contacting relevant partners and stakeholders such as local advocates, legal services, prosecutors, victim advocates, and Adult Protective Services. The protocol would include lists of local partners with special skills or training in interviewing older adults who experience abuse, ensuring law enforcement agencies throughout the state have a consistent set of tools to investigate and respond to elder abuse, neglect, and exploitation.

Read more in Appendix A on page 65

FOR FURTHER STUDY

The EJCP did not identify any direct victim services recommendations for further study.
Public and Professional Education

“Public and professional education” refers to both public awareness, or the ability of the general public to identify and prevent elder abuse, as well as training and education for professionals, which enables professionals who regularly interact with older adults to effectively prevent, identify, report, and address elder abuse. To develop these recommendations, the Partnership and other stakeholders identified Maine’s strengths, gaps, and challenges in public and professional education.

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<thead>
<tr>
<th>KEY SURVEY FINDINGS: PUBLIC AND PROFESSIONAL EDUCATION</th>
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<tr>
<td><strong>Strengths</strong></td>
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<tr>
<td>▶ Greater awareness of elder abuse among the general public</td>
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<tr>
<td>▶ Strong training programs among some professional groups, specifically the financial and banking industry, long-term care ombudsman, domestic violence, and sexual assault service providers</td>
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<tr>
<td>▶ Existing elder-abuse specific trainings, online trainings, and resources</td>
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The following recommendations build on Maine’s public and professional education strengths and best practices from other disciplines and states to address the gaps and challenges in preventing, detecting, and responding to elder abuse. For additional details on these recommendations, see Appendix B: Public and Professional Education (PPE) Recommendations Supplementary Material on page 67.

While the Executive Order identified “education,” the EJCP refined this description as “public and professional education” to reflect the need to educate older adults, their families, and the general public as well as professionals in health care, social services, financial services, and others about elder abuse, how to report it, and how to respond.
TOP PRIORITY

- **Add specific elder abuse investigator training to the offerings from the Maine Criminal Justice Academy, similar to what specialized domestic violence investigators receive. The training could be part of an Elder Service Officer certification program. Create an elder justice unit in law enforcement agencies.**

  Elder Service Officers (ESO) training would educate and sensitize police officers, deputy sheriffs, State Troopers, and others to abuse affecting older adults including financial exploitation, scams, physical and sexual abuse, and other issues. With the training and specialization of an ESO, a law enforcement agency would have in-house expertise on available resources among public and private partners, should assistance be needed. The ESO would be highly visible in the community thereby helping to prevent and raise awareness of elder abuse, neglect, and exploitation.

  Read more in Appendix B on page 68 →

- **Expand and enhance training of Adult Protective Services staff and community partners.**

  Current onboarding training required of new Adult Protective Services (APS) staff includes modules on field safety, forensic interviewing, motivational interviewing, Alzheimer’s disease and dementia, mental health, and others. Establishing an e-learning platform for APS training, as well as additional continuing education trainings, would further formalize the training program and monitor staff progress through the courses. Expanding available trainings from community organizations would help improve the multidisciplinary response to elder abuse, neglect, and exploitation.

  Read more in Appendix B on page 71 →

- **Mandate training for mandatory reporters and enhance the trainings given to individuals and groups by Adult Protective Services and others on mandatory reporting responsibilities.**

  This recommendation can be implemented in multiple ways: 1) development of more targeted online mandated reporter trainings geared towards specific professions (e.g., law enforcement, EMS, medical professions, caregivers); 2) enhancing Adult
Protective Services’ capacity to deliver more regular in-person/live trainings. It is likely that increasing the number of individuals aware of red flags of abuse and making current mandated reporters aware of their duty to report would help in stopping abuse experienced by older adults.

Read more in Appendix B on page 73 →

**SECONDARY**

- **Train law enforcement personnel, with a particular focus on troop commanders, on the local service providers available to victims in the geographical area they serve.**

  Maine Sheriffs’ Association, Maine Chiefs of Police Association, and Maine State Police have already established top-down processes for sharing information among districts and local law enforcement offices. Leveraging these processes to include information on available services for victims of elder abuse, and establishing a training curriculum for all Maine law enforcement to attend through mandatory training, will improve Maine’s multidisciplinary response to elder abuse.

  Read more in Appendix B on page 75 →

- **Work with and through the “Age-Friendly Communities in Maine” program to raise awareness of elder abuse and available resources.**

  Maine is home to over 100 communities carrying the designation of “age-friendly.” This network is a natural vehicle for an organized education campaign to raise awareness of elder abuse, neglect, and exploitation which could include written educational materials, articles for community newsletters, presentations to leaders of these communities, and trainings for individual communities.

  Read more in Appendix B on page 77 →

- **Provide more training to volunteers and employees who interact with older adults (outside of elder abuse response professions and mandated reporters) about red flags and abuse response.**

  This recommendation would create a greater awareness of warning signs of and how to respond to elder abuse, neglect, and exploitation. When more community-based volunteers and staff are trained, it will lead to an increase in the identification
of victims and potential victims. Annual training, including for volunteers, will also enhance the multidisciplinary approach to addressing the issue by expanding the pool of service providers.

Read more in Appendix B on page 79 →

**Sustain, expand, and enhance the use of Public Service Announcements to raise public awareness.**

Public awareness campaigns have proven beneficial both in the prevention of and response to all forms of elder abuse. Through developing content with input from victims and victim services providers and utilizing all available mediums, a sustained, statewide public awareness media campaign will raise awareness and provide guidance for older adults in how to report abuse, receive assistance, and prevent it from happening.

Read more in Appendix B on page 80 →

**Routinely and consistently train health care providers about elder abuse beyond just mandatory reporting.**

Through leveraging existing training programs and incorporating them into licensing programs and continuing education curricula, health care professionals can be made more aware of the risk factors of abuse and how to intervene before a crisis occurs.

Read more in Appendix B on page 82 →

**FOR FURTHER STUDY**

**Provide a peer-to-peer support program for new victims from those who previously experienced abuse.**

Specific agencies would offer a peer-to-peer support group for people who have been victims of very specific incidences of elder abuse, neglect, and exploitation. These groups could be offered in-person or by telephone and facilitated by an experienced support group facilitator and/or licensed clinical social worker. These support groups could both improve the multidisciplinary response to elder abuse and increase the number of victims that seek and receive help in stopping abuse.

Read more in Appendix B on page 83 →
Produce videos that guardians, conservators, and agents under Powers of Attorney would be required to watch regarding duties and limitations and require that the video be viewed before these substitute decision-making methods can be put into place.

Many states have pursued this type of effort as it relates to guardianship and conservatorship, in many cases producing both a video and written guide that are also available to the public on the court’s website. Those being appointed are then required to review the materials. The Consumer Financial Protection Bureau has also produced starting points for written guides that states can modify to confirm with their state statutes. These efforts in other states are highly replicable.

Read more in Appendix B on page 85 →
Public Policy

“Public policy” includes the publication of laws, regulations, and guidance on elder abuse by local, state, and federal government entities; implementation and enforcement of existing law; initiatives that support, evaluate, and develop new policy to prevent elder abuse; and infrastructure and entities with capacity to lead, track, and analyze policy change. To develop these recommendations, the Partnership and other stakeholders identified Maine’s strengths, gaps, and challenges in public policy.

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<th>KEY SURVEY FINDINGS: PUBLIC POLICY</th>
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<td><strong>Strengths</strong></td>
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<tr>
<td>Leadership in Maine’s government</td>
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<tr>
<td>and private sector</td>
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<tr>
<td>Prioritization of elder abuse as an issue to be addressed</td>
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<td>Existing elder abuse specific policies in many areas</td>
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The following recommendations build on Maine’s public policy strengths and best practices from other disciplines and states to address the gaps and challenges in preventing, detecting, and responding to elder abuse. For additional details on these recommendations, see Appendix C: Public Policy (PP) Recommendations Supplementary Material on page 87.
TOP PRIORITY

- **Regularly convene the Elder Justice Coordinating Partnership to monitor and guide implementation of the Roadmap.**

  The Elder Justice Coordinating Partnership could be convened twice per year under the authority of the Department of Health and Human Services Commissioner and charged with reviewing and monitoring the implementation of the Roadmap by the public and private sector partners. Alternatively, a standing cabinet or council could be established via legislation to ensure the continuation of this work into the future.

  Read more in Appendix C on page 88

- **Add an attorney’s fee provision to the Improvident Transfer of Title Act.**

  Currently an award of attorneys’ fees is not possible under this statute. If a provision were added to allow for that, it would provide an incentive for private attorneys to take on more exploitation cases. This would expand the availability of civil legal services to victims of financial exploitation and increase the number of victims who receive help in stopping abuse.

  Read more in Appendix C on page 89

- **Restructure and update the statute on the Maine Elder Death Analysis Review Team.**

  The Maine Elder Death Analysis Review Team was formed in 2003. The original purpose was to identify whether systems with the responsibility to assist or protect victims of elder abuse were sufficient or whether they needed adjustment or improvement. The statute is out of date and does not ensure that appropriate cases are brought forward to the group. There is also a lack of administrative support for this team.

  Read more in Appendix C on page 90
SECONDARY

- Use the Department of Health and Human Services (DHHS) contracting authority to require that entities receiving state or federal funding to support the provision of services to elder abuse victims meet minimum quality standards.

  Through collaborating with victim services providers to develop uniform quality standards and minimum expectations in areas such as new and annual staff training on serving older adults; use of standardized cross-referral protocols; and participation in municipal, county-based and/or regional elder abuse task forces, DHHS could improve the multidisciplinary response to elder abuse.

  Read more in Appendix C on page 92.

- Expand the list of professionals subject to mandatory reporting obligations to include tax preparers and financial institution personnel (and others as may be covered by other states but not by Maine).

  Tax preparers and other financial institution personnel are often in the best position to detect possible financial abuse and exploitation. Enacting statutory changes to encourage early reporting by these professionals could prevent such exploitation or enable the successful recovery of the older person’s assets before the perpetrator has exhausted the funds.

  Read more in Appendix C on page 93.

- Place responsibility on employers in some licensed/regulated settings, such as health care, to ensure compliance/reporting where they employ mandated reporters; address employers requiring reports to go to employer first and maybe discouraging the report.

  The rules for licensing of non-nursing home medical facilities and assisted housing facilities could be revised to adopt the Centers for Medicare and Medicaid Services (CMS) Abuse training standards that are in the CMS Nursing Home Conditions of Participation. The most effective approach would be to establish a statutory requirement for all employers of professionals and individuals who are considered...
mandatory reporters under the Maine Adult Protective Services Act to ensure that their staff complete mandatory abuse reporting training annually or at least every two years.

Read more in Appendix C on page 94 →

**Adopt rule to require assessment of licensed facilities on whether their mandated reporting policies are aligned with state law.**

The rules for the licensing of facilities and agencies that provide care and services to older adults could be amended to ensure facilities’ policies and procedures direct any individual who observes or suspects abuse to immediately report to Adult Protective Services. This change could reduce the number of employers trying to inhibit reporting or hide instances of abuse from regulatory agencies and should be accompanied by the imposition of fine or sanction on any employer inhibiting or delaying staff from submitting a mandated report.

Read more in Appendix C on page 96 →

**Reintroduce the Securities Victims’ Restitution Fund legislation.**

Previous legislation proposed the creation of a Fund to provide financial assistance to victims of securities violations. More victims may seek and receive help in stopping financial exploitation when there is greater hope of obtaining a portion of the restitution ordered.

Read more in Appendix C on page 97 →

**Increase the use of restorative justice approaches in cases of elder abuse for use in criminal justice, financial enforcement, and guardianship systems.**

Restorative approaches to justice focus on repairing the harms done to a victim or a community and require that the alleged abuser take accountability for the damage done. Many older adults experiencing abuse do not want the person harming them to be punished, as that person is often a caregiver or family member with their own struggles. Restorative justice approaches are particularly appealing to address elder abuse because they offer the opportunity to reduce existing harm, prevent future harm, and better address the needs and wishes of victims and communities.

Read more in Appendix C on page 99 →
Amend the Assisted Housing Rules to adopt the same or similar federal requirements contained in the Centers for Medicare and Medicaid Services (CMS) Abuse Regulations applicable to nursing homes.

Requiring assisted living facilities to adhere to similar federal requirements for nursing facilities would decrease the incidence of elder abuse and improve the multidisciplinary response by increasing training and competence of mandatory reporters to fully understand what is abuse and how to report. Increased and early reporting could result in quicker action on the alleged abuser, thus decreasing the probability of multiple victims.

Read more in Appendix C on page 102 →

FOR FURTHER STUDY

Create a study group or task force to look at restitution for administrative, civil, or criminal actions committed against a person (assault, exploitation of personal resources, theft).

Maine’s current criminal restitution collection statute calculates restitution owed by merging the total amount of loss from the crime with the offender’s ability to pay. Consequently, the restitution ordered is often significantly lower than the actual loss. Studying other states’ approaches will inform meaningful improvements to Maine’s system and encourage victims to seek and obtain financial help after being victimized.

Read more in Appendix C on page 104 →

Study the ability of the probate courts to monitor and enforce statewide standards and training for guardians and evaluate options for Maine to create a program for guardianship screening, training, and monitoring.

This prevention-focused recommendation would increase the probate court’s ability to monitor and enforce guardianship standards, screening, and training. It could also lead to increased reports if someone suspected misconduct and was able to confirm it by turning to these resources in the courts.

Read more in Appendix C on page 106 →
Study whether to update statutes around reporting including when Adult Protective Services needs to report and what that path looks like to get it to law enforcement.

Further study would be necessary to understand all relevant roles and responsibilities of affected entities. This could be in the form of a stakeholder process that would review current statutes and policies as well as potential gaps and recommendations for change in areas of job responsibilities and lines of authority.

Read more in Appendix C on page 107 →
Data Collection and Evaluation

“Data collection and evaluation” encompasses research and data collection on the prevalence and scope of elder abuse, tools and research to detect elder abuse, and prevention and intervention methods which are most appropriate and effective for this unique issue. To develop these recommendations, the Partnership and other stakeholders identified Maine’s strengths, gaps, and challenges in data collection and evaluation.

### KEY SURVEY FINDINGS: DATA COLLECTION AND EVALUATION

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<th>Strengths</th>
<th>Gaps</th>
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<tr>
<td>▶ Experts, researchers, and research fellowships dedicated to elder abuse, and collaborations between researchers and organizations serving older adults&lt;br&gt;▶ Dedicated elder abuse investigators&lt;br&gt;▶ Existing data being tracked and collected by various agencies and organizations, including the number and types of abuse complaints, demographics, and victims served&lt;br&gt;▶ Growing awareness informs better tracking and identification of victims, as well as existing screening systems&lt;br&gt;▶ Existing reports on aging across the state and the impact of elder abuse</td>
<td>▶ Communication among agencies&lt;br&gt;▶ Limited time and resources to collect, analyze, and evaluate data&lt;br&gt;▶ Distribution of existing data&lt;br&gt;▶ Infrastructure to collect and synthesize existing data in a consistent format</td>
<td>▶ Funding, time, and resources for data collection and evaluation&lt;br&gt;▶ Capacity for data collection lacking&lt;br&gt;▶ System follow-through to track one case over time across stages, agencies, and organizations&lt;br&gt;▶ Stigma and fear&lt;br&gt;▶ Insufficient reporting and underreporting</td>
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The following recommendations build on Maine’s data collection and evaluation strengths and best practices from other disciplines and states to address the gaps and challenges in preventing, detecting, and responding to elder abuse. For additional details on these recommendations, see Appendix D: Data Collection and Evaluation (DCE) Supplementary Material on page 108.
TOP PRIORITY

- **Create a Maine Criminal Justice Academy minimum standard on data collection for law enforcement. Create and implement a document that law enforcement fills out to capture data on older victims.**
  
  Currently, there is no consistent tool in place throughout the state to assist responding or investigating officers with elder abuse case investigation and triage. A standardized document to use during the investigation of these complex cases would empower law enforcement to take the proper steps when dealing with elder victims of crime, provide those responsible for screening and prosecuting cases to have a clearer, more consistent lens when reviewing cases, and would result in better outcomes for victims.

  Read more in Appendix D on page 109 →

- **Examine capacity and resource needs in order to publish an annual report of Adult Protective Services (APS) data and analyze APS data to identify trends and patterns and develop ongoing recommendations for system improvement.**
  
  Adult Protective Services currently collects data included in the state’s 2021-2022 Biennial plan for Adults with Intellectual Disabilities or Autism. APS would welcome opportunities to increase capacity and resources to assist with ongoing data analysis to enhance APS services. Because there is no current funding source allocated for this additional capacity, a possible grant opportunity would need to be explored or a budget initiative would need to be presented to the legislature for consideration.

  Read more in Appendix D on page 111 →

- **Create a comprehensive catalogue/list of victim services interventions to get an understanding on exactly how many specific discrete services (units of service) are available to older victims.**
  
  Maine has a comprehensive variety of services available to assist older Mainers, but it is not clear exactly what services or how much assistance is available across the state, or if the existing services are enough to meet the need. Inventorying the services and
resources available to elder abuse victims would help service providers understand what is available to victims, where services are available and where they are not, and where there are gaps or redundancies. This understanding would help providers around the state better deploy resources to meet victims’ needs.

Read more in Appendix D on page 112 →

SECONDARY

**Explore the development of a process for collecting data on coordination between law enforcement and Adult Protective Services (APS), including data on APS referrals to each District Attorney’s office and prosecution of such cases.**

While APS and law enforcement currently coordinate on individual reports of abuse, neglect, and exploitation, both are limited in their ability to share aggregate data to inform their practices. Improving the data sharing capabilities between APS and law enforcement, including District Attorneys’ offices, would enhance insight into the issues facing older adults and improve coordination efforts to address these cases.

Read more in Appendix D on page 114 →

**Obtain and disseminate population-level elder abuse prevalence data with the goal of improving awareness of and response to these crimes.**

Many social change movements have benefited from using population-based data to build awareness of the scope of the issue and to move communities toward action and solutions. The Maine Crime Victimization Survey could be used to establish population-based prevalence data as well as to better understand the perspectives of victims of elder abuse regardless of whether they accessed victim services or criminal or civil legal systems. Gathering and disseminating this population-level data would increase awareness of the issue’s scope and provide data specific to the needs and perspectives of elder abuse victims.

Read more in Appendix D on page 115 →
FOR FURTHER STUDY

- Explore the ability of law enforcement to obtain and access data regarding non-arrest calls to law enforcement involving older adults, with the goal of identifying older adults that may be at risk for abuse.

  Many law enforcement agencies across the state have daily wellness check programs designed specifically for individuals who live alone and may not have daily in-person visits. Compiling data on the number of programs and how many older individuals are reached could be important information for local policy makers. If agencies could track the number of calls where a person over the age of 60 is involved and categorize the type of call or the person’s relationship to the call, non-arrest call data could be used to extrapolate statewide victimization rates. This could be important information if you are establishing a specialized prosecutor in the District Attorney’s office.

  Read more in Appendix D on page 116 →

- Using the services of researchers and an evaluator, conduct a comprehensive study and evaluation of data collection and gaps across all elder justice stakeholders. The study and evaluation should include: evaluation of a granular report using GIS mapping of risk factors overlaid with prevalence of demographics across the state including the nature of household and availability of services by geographic area; a review of the nature and scope of elder abuse/maltreatment as compared to scope of public health mission; and, using the information obtained and evaluated, the feasibility of creating a uniform system-wide data collection protocol, including a central database with regular statewide reporting of the information captured.

  The development of data sets, including the sources, approaches to the data collection, and analysis, differs significantly depending upon who the stakeholder is, the purpose for the data collection, and the intended use of the data. Further study is recommended to determine the types of data that would be beneficial in assessing and addressing elder justice needs and then determine whether public sources for that data exist and, if not, whether it is reasonable and feasible to require the collection of such data by particular entities.

  Read more in Appendix D on page 118 →
Next Steps

Now that we have a Roadmap, where do we go from here?

The EJCP presents this Roadmap not as an end, but as a beginning. Partnership members have already committed to moving many of the recommendations forward.

Depending upon the specific recommendation and role of a member or other leader, next steps may include:

- Identifying those recommendations a leader is uniquely qualified to move forward and taking responsibility for moving the initiatives forward;
- Convening partners to collaborate on a recommendation;
- Drafting and passing legislation as suggested in a recommendation; and
- Identifying and allocating funding sources to move a recommendation forward.

Through continued efforts to collaborate across public and private sectors, Maine's leaders will bring expertise and ingenuity to shine a light on elder abuse and make necessary changes in how Maine responds to it.
Endnotes


24 Storey (2020), p. 7-8. When making a parenthetical citation in the text of the paper, this should be (Storey, 2020)
25 Storey (2020), p. 3-6. When making a parenthetical citation in the text of the paper, this should be (Storey, 2020)


Appendices

APPENDIX A: DIRECT VICTIM SERVICES
RECOMMENDATIONS SUPPLEMENTARY MATERIAL

APPENDIX B: PUBLIC & PROFESSIONAL EDUCATION
RECOMMENDATIONS SUPPLEMENTARY MATERIAL

APPENDIX C: PUBLIC POLICY RECOMMENDATIONS
SUPPLEMENTARY MATERIAL

APPENDIX D: DATA COLLECTION & EVALUATION
RECOMMENDATIONS SUPPLEMENTARY MATERIAL

APPENDIX E: ELDER JUSTICE COORDINATING PARTNERSHIP MEMBERS
APPENDIX A

Direct Victim Services

RECOMMENDATIONS SUPPLEMENTARY MATERIAL

“Direct victim services” is defined as those services provided to victims of elder abuse by any within a broad range of professionals, including first responders, Adult Protective Services, law enforcement, aging services personnel, victim advocates, prosecutors, and more.

The following material is based on information provided by EJCP members to the Partnership to inform their evaluation of the Direct Victim Services recommendations on their potential to achieve the goals of preventing, detecting, and responding to elder abuse and the ease/likelihood of successful implementation. It provides a high-level description of how each recommendation could be implemented (Implementation), which key leaders and partners could spearhead the effort (Leaders and Partners), how the recommendation meets the goals of the Executive Order (Achieving Results), and what funding sources and legislative action may be needed for implementation (Funding and Legislation). The material is a starting point for further discussion and elaboration by those who move these recommendations forward.

* While the Executive Order identified “direct services,” the EJCP refined this description to “direct victim services” to focus attention on older adults who experience abuse.

† We use the term “victim” in this report for the sake of brevity. We recognize that not everyone who experiences domestic abuse and violence identifies with this term; some prefer the term “survivor” while others identify with neither of these labels. Our laws name some abusive behaviors as crimes—thereby rendering the people subject to them “victims” of those crimes—but many behaviors used by abusive people are not against any law. Additionally, many people who are subject to criminal abusive behavior never seek help from the criminal justice system for a variety of valid reasons. When selecting language amidst this complex context, the EJCP first and foremost recognizes that behind any label we choose there is a human being who has been harmed.
TOP PRIORITY RECOMMENDATION

Examine the staffing capacity at Adult Protective Services.

**Implementation**

To increase the staffing capacity of Adult Protective Services (APS), additional funds need to be allocated to APS personnel in the state's budget to support hiring of additional APS employees.

**Leaders and Partners**

The lead agency would be the Department of Health and Human Services.

**Achieving Results**

Adult Protective Services is the program within state government with authority to respond to allegations of abuse, neglect, and exploitation to protect incapacitated and dependent adults. The volume of reports to APS has steadily increased over the years, though the number of APS investigation staff has not similarly expanded. This recommendation would allow APS to respond more rapidly and with greater capacity to devote time to individual cases and collaborate effectively with other agencies. This recommendation would therefore increase the number of older adults receiving help in stopping abuse (potentially decreasing the recidivism rate of clients with repeat reports to APS) and improve the multidisciplinary response to elder abuse by allowing APS staff to devote sufficient time to connecting clients with services and providing a “warm handoff” to those services as appropriate.

**Funding and Legislation**

This recommendation would require a legislative/budget initiative to be either fully funded with state general funds or partially funded with state general funds with Medicaid administrative match if appropriate. If consistent federal funding for Adult Protective Services programs becomes available, federal grant funding (with approval from the Administration for Community Living) may also be an option to fund this initiative.

Return to this recommendation on page 15 →
TOP PRIORITY RECOMMENDATION

Develop and expand wraparound support services, including case management services, for victims of elder abuse based upon Adult Protective Services pilot.

Implementation

From July 2019 through July 2021, Maine Adult Protective Services (APS) conducted a pilot project providing wraparound support services for APS clients over 60 years old who have experienced abuse, neglect, or exploitation (or self-neglect) and who reside in Cumberland County or Aroostook County. The pilot project was made possible through a federal demonstration grant opportunity to state APS programs. APS has since expanded the program to all counties through a subsequent federal grant opportunity. With this federal support, APS established a contract with an organization (Elder Abuse Institute of Maine) that employs advocates who receive referrals directly from APS when a client expresses interest in working with an advocate and engaged researchers to analyze data associated with the project to evaluate the program’s impact. Once a referral is received, advocates assist clients to identify their most immediate needs (e.g., housing, personal assistance with activities of daily living (ADLs), medications, doctor appointments, transportation, legal needs, financial management) and then help to advocate for and coordinate these services. They help people get access to public benefits (e.g., SNAP, MaineCare). They help people reestablish relationships with family members and often assist people navigate long-term care placement (helping with applications, and ultimately, moving into placement). To implement this recommendation longer term, stable funding through a legislative/budget initiative or ongoing federal funding would be required to support the contracts associated with this program.

Leaders and Partners

The lead agencies would be the Department of Health and Human Services and community partner organization(s) via contract (either via competitive bidding process or sole source).

Achieving Results

By expanding the available service options to older adults who have experienced abuse, neglect, or exploitation, this recommendation will increase the number of older adults who receive help in stopping abuse, particularly through restorative justice practices used by advocates and wraparound supporters. Abuse, neglect, and exploitation perpetrated by those close to an older adult (often family members) is frequently an ongoing problem, and wraparound services reduce the likelihood that a client will continue experiencing maltreatment undetected and unsupported. Likewise, this recommendation improves the
multidisciplinary response to elder abuse by expanding the network of individuals providing
direct support to older adults and building on those connections to link the older adult with
established services to meet many needs, including medical, financial, and residential needs.
Finally, this service option can prevent abuse for those clients referred due to self-neglect;
often these individuals have high needs and little formal support, making them vulnerable to
abuse and exploitation. By providing wraparound services which connect them to systems of
support, the potential for future abuse is minimized.

**Funding and Legislation**
State funds through a legislative/budget initiative; state funds with MaineCare matching funds
if services provided are MaineCare-eligible; federal grant funds if consistent grant funding is
anticipated (unknown at this time).

Legislation would be required to secure a consistent state-funded budget for the service.

Return to this recommendation on page 15 →
TOP PRIORITY RECOMMENDATION

Increase the staffing capacity at Legal Services for the Elderly.

Implementation

When the Maine Elder Justice Roadmap recommendations are implemented, more victims of elder abuse will be identified and seek help. With additional funding, Legal Services for the Elderly (LSE) would add attorneys to represent these victims and would conduct more outreach to referral sources regarding available legal remedies and resources. The funding received by LSE from the Department of Health and Human Services (DHHS) under the federal Victim of Crime Act has been set at a flat amount since 2017. It does not cover the current level of service being provided by LSE, let alone allow for expansion of services. In addition, there are restrictions on the use of these federal funds, and LSE must use other sources of funding to meet the full range of legal issues faced by older victims.

LSE also receives funding from the state under a contract with DHHS. The state funding level has been set at a flat amount for over 25 years. The state funding makes up very little of the funding required by LSE to provide the current level of service, let alone allow for future increases in demand. If state funding for LSE were increased, it would help LSE to meet the full range of legal problems faced by older victims and help more victims.

Leaders and Partners

The Department of Health and Human Services and the Governor’s Office.

Achieving Results

If LSE had more resources dedicated to addressing elder abuse, it would decrease the incidence of abuse, increase the number of victims that seek and receive help, and improve the multidisciplinary response.

Funding and Legislation

Possible sources of funding include both federal grant funds and state funds.

Legislation would not be required for the allocation of additional federal grant funding to LSE. In the case of increased state funding, if it were included in the DHHS budget, the only legislative action required would be the approval of the budget.

Return to this recommendation on page 15 →
TOP PRIORITY RECOMMENDATION

Establish dedicated, statewide forensic auditing resources to support law enforcement in investigating financial exploitation cases.

Implementation

The recommendation would be implemented by creating the position of a dedicated forensic accountant with statewide jurisdiction to support law enforcement investigations and prosecutors’ offices in elder financial exploitation cases.

Leaders and Partners

The most logical lead agency would be the Investigations Division of the Office of the Attorney General. It is anticipated that the Office of the Attorney General, with a dedicated elder fraud investigator and prosecutor, will be investigating the most complex of the elder financial abuse cases and providing assistance and consultation to other law enforcement agencies, including accounting support if necessary.

Achieving Results

By having an accounting professional analyze the financial records, we will have more effective prosecutions. More effective prosecutions would encourage reporting by victims and the investment of investigative resources by law enforcement agencies. Effective prosecutions should deter others who might be tempted to take advantage of older relatives or other older victims for financial gain.

Funding and Legislation

Possible funding sources include grants through the federal government.

Legislation would be necessary to add the position of forensic accountant for elder fraud cases in the Office of the Attorney General.

Return to this recommendation on page 16 →
TOP PRIORITY RECOMMENDATION

Identify an assigned Elder Abuse Prosecutor within each District Attorney’s office that works with the Elder Service Officers.

Implementation

Each District Attorney’s office would designate an Elder Abuse (EA) prosecutor to handle elder fraud and abuse crimes. Some prosecutors already have had specialized training, and the current Assistant Attorney General assigned to elder fraud prosecutions is planning to develop training for prosecutors and investigators. It has been the experience in other states that the establishment of a dedicated elder fraud prosecutor makes it more likely that such cases will be brought and resolved successfully. For the EA prosecutor to be effective, they should have access to dedicated investigative resources and a regional elder fraud and abuse task force, similar to the domestic violence (DV) model.

The key to successful prosecution is a dedicated unit which includes both prosecutorial and investigative resources. Currently there are few officers who can tackle intensive financial exploitation cases—especially because most officers have a full plate of regularly assigned duties. They often turn to a prosecutor for detailed guidance, and the prosecutor also has a very full plate of regularly assigned duties. In many cases of elder fraud and abuse, time is of the essence, and currently, prosecutors do not have the resources to make the investigation move faster. If each prosecutorial district had a dedicated EA prosecutor who could work closely with a dedicated investigator, the cases could be identified and investigated more quickly and thoroughly.

Leaders and Partners

The lead agencies would be the eight elected District Attorney (DA) offices, the Office of the Attorney General, and the corresponding law enforcement agencies. The key partners would be Adult Protective Services, local chiefs of police, the area elder advocacy organizations, and regional elder abuse task forces.

Achieving Results

Increasing the number and success of elder fraud prosecutions could deter other individuals who might be tempted to exploit older relatives or older adults in their care. If victims and their families understand that such cases have adequate resources for investigation and prosecution, they might be more likely to come forward. By linking the prosecutor to a regional elder abuse task force, the victim could be linked to a seamless delivery of services
throughout the course of the investigation and prosecution.

As highlighted above, the number one barrier to successful prosecution is time. Often, especially in financial exploitation cases, obtaining evidence is complex and requires investigative techniques that an investigator and prosecutor might not be aware of (e.g., obtaining financial records). A dedicated prosecutor would be able to develop an expertise in this area and not have to “reinvent the wheel” each time an issue is raised. If the prosecution team is stable, it will necessarily follow that they will become familiar with other individuals and agencies working on different aspects of elder abuse issues, making a multidisciplinary approach more viable.

**Funding and Legislation**

Federal grants may be available.

Department of Justice STOP (Services, Training, Officers, Prosecutors) grant funding might be available, but the uncertainty of this type of funding would undermine the sustainability of the program. As legislative approval to create new positions to replace currently grant-funded positions is never a given, the best long-term solution would be for the state to fund EA prosecutors from the outset. A worst-case scenario would be for the legislature to mandate each prosecutorial district to dedicate a prosecutor to elder abuse without creating state-funded positions. While Assistant District Attorneys are state employees funded as part of the Attorney General’s budget, all other employees in the District Attorneys’ offices are county employees.

Legislation would be required if additional positions are necessary. There may also need to be amendments to the Maine Criminal Justice Academy standards to require an Elder Service Officer in each law enforcement agency.

Return to this recommendation on page 16 →
TOP PRIORITY RECOMMENDATION

Develop hub and spoke style investigative resources to increase specialized investigative resources and improve the response to elder abuse.

Implementation

The hub component of this proposal would include several regionally based detectives who would act as subject matter experts and resources for their surrounding law enforcement partners. These Elder Exploitation Investigators (EEIs) would ideally maintain a 50:50 focus (proactive and reactive). The investigator in this position would be a full-time certified law enforcement officer, sponsored by their current law enforcement agency (much like the Maine Drug Enforcement Agency model), with a history of elder justice knowledge and demonstrated initiatives. The spoke component of this recommendation would include officers stationed with their home departments who act as designated points of contact and local champions.

This recommendation envisions both reactive and proactive responses to elder abuse.

Reactive—the EEI would:

- Assist departments with their caseload investigations relating to crimes against older adults.
- Help guide currently assigned case officers through to case resolution, as many officers aren’t certain how to complete cases related to elder crime, especially when there are civil overtones.
- Aid case officers in providing appropriate resources to victims and witnesses alike.

Proactive—the EEI would:

- Provide peer-to-peer education to frontline responders about older adult issues including cognitive considerations when assisting older adults, how to prove elements of crimes against older victims, guardianship and conservatorship red flags, and how these impact a criminal investigation and/or prosecution.
- Provide education to older adults on how to protect themselves from becoming victims of crime.
- Prepare statistical data to document generalized and specialized knowledge about crimes against older adults and what needs to be developed to help reduce
incidence of crime against older adults in the future.

- Develop community resource guides based on region for frontline responders to distribute on duty.

**Leaders and Partners**

Depending on the funding and overall strategy, a three-person team with a designated subject matter expert in the south, central, and northern portion of the state could be established. Partners would include the organizations and agencies represented on the Elder Justice Coordinating Partnership and all aspects of the criminal justice system.

**Achieving Results**

The proactive and reactive nature of this recommendation would have a positive impact on all of the Roadmap goals. As statistics show, only one out of 24 victims of elder abuse currently report the abuse. The specialized investigators referred to in this recommendation would ultimately decrease the staggering incidence of elder abuse in our state by proactively building credibility within communities, contributing expert case investigation, conducting peer mentoring, and connecting agencies with local multidisciplinary groups. These efforts will increase the number of victims that seek and receive help. Even when a crime is not contemporaneous, frontline responders can more appropriately work together with other professionals to provide victim safety going forward.

**Funding and Legislation**

There may be potential federal grant opportunities.

No legislation is required to implement this recommendation.

Return to this recommendation on page 16 →
SECONDARY RECOMMENDATION

Form and support, through identification and dissemination of common definitions and best practices, and dedication of staffing by victim services providers, multidisciplinary groups that cover the entire state, whether municipal, county-based, or regional, that are focused on raising awareness and improving the coordination of local response.

Implementation

There is an extensive body of research that points to the potential benefits of multidisciplinary work when addressing elder abuse. This work can take a variety of forms and includes groups of professionals who gather to raise local awareness of elder abuse and improve the local response. There are currently at least six active groups of this kind in Maine, and of those, three have been in existence more than a decade. The others have been in existence at least five years. Those involved with these efforts in Maine uniformly express the value in establishing relationships across disciplines. Groups are also formed to work on cases or do case reviews. Examples of this in Maine include the Adult Protective Services Financial Abuse Specialist Team (FAST) advisory group and Maine Elder Death Analysis Review Team. This recommendation does not involve a group that would conduct case specific work.

As used in this recommendation, the multidisciplinary groups that will be expanded and supported are defined as follows as derived from the Response to Abuse in Later Life: A Self-Assessment Workbook for Coordinated Community Response Teams published by National Clearinghouse on Abuse in Later Life:‡

A collection of professionals from various disciplines and professions, including governmental entities and community-based organizations, including non-profits, which share responsibility for preventing and responding to elder abuse and provide services in a common, defined geographic area. These groups work toward the goal of ending elder abuse and improving the community response. Activities include educating the community about elder abuse, becoming familiar with available victim services and resources, and advocating for the rights of abused older adults. It may also include generating resources to support the group’s activities.

‡ See Response to Abuse in Later Life Workbook for more information.
Research supports the member and community benefits of this type of multidisciplinary group. Members gain enhanced skills and expertise through a dynamic, reality-based learning experience. They also gain familiarity with resources, approaches, and perspectives of multiple disciplines and service networks and can share up-to-date information on community services. The larger community benefits through improved local service response. Multidisciplinary teams are often able to identify systemic gaps or problems, a common outcome of this work. Systemic problems include service gaps, breakdowns in communication or coordination between agencies, and the need for education, training, and public policy. These groups provide a forum for evaluating how well a community is serving older adults and crafting systems change.

There is also extensive best practice information available to support this work. Here is just one example: Consumer Financial Protection Bureau Community Network Guidance.

**Leaders and Partners**

Leaders of the involved professionals could be convened to develop a plan for how to develop and support more of these groups, whether they are organized by municipality, county, or region. A consultant could be used to support this process. This would be done with the understanding that once the plan to develop more groups is in place, and the needed supports are identified, the Governor and/or applicable Commissioners would direct participation across disciplines within the public sector. In addition, the Department of Health and Human Services could require participation by any private entity receiving funding for victim services. The Maine Council for Elder Abuse Prevention is a resource that could provide support for this work, and it has shown an interest in doing that.

**Achieving Results**

This would further all three results.

**Funding and Legislation**

The one-time costs of developing a plan could be covered by grant funding and, if not, by a very modest level of state funding. Once a plan is in place, if there is broad agreement that this is an essential element in improving the response to elder abuse in Maine, this can be accomplished through the allocation of available staffing resources.

No legislation is required to implement this recommendation.

Return to this recommendation on page 17 →
SECONDARY RECOMMENDATION

Create a central repository of information on elder abuse victim services for use by professionals working in the field.

Implementation
This recommendation could be implemented by compiling a list of the elder abuse victim services available statewide and related information (e.g., statutes that apply to prosecute cases of abuse, neglect, exploitation), and posting to a website that is available to professionals and other members of the public.

Leaders and Partners
The likely lead agency would be the Department of Health and Human Services (DHHS), and key partners would include any agency providing services to older adults.

Achieving Results
Increased availability of information on services for older adults would likely increase the number of older adults who receive help as professionals responding to abuse, neglect, and exploitation would have a greater knowledge base and could initiate a multidisciplinary response more readily.

Funding and Legislation
Depending on the location of the central repository, funding may not be necessary. Use of the existing maine.gov – DHHS website structure would likely not have a significant cost requiring start-up or ongoing funding support. The Department could monitor the list to keep it current with support from partner agencies.

No legislation is required to implement this recommendation.
SECONDARY RECOMMENDATION

Develop protocols on how to coordinate victim services across professions/services.

Implementation
Organizations that coordinate to provide victim services would jointly draft and implement protocols related to how and when the organizations communicate on specific cases, recognizing statutory requirements and related confidentiality barriers/limitations that may exist. Establishing clear lines of communication between agencies can also serve as a basic protocol that improves coordination among service providers. Depending on the nature of the protocols, implementation may require staff training and possible cross-training between agencies.

Some protocols already exist (e.g., communication/coordination between the Division of Licensing and Certification and Adult Protective Services (APS); APS sharing information with the Office of the Chief Medical Examiner).

Leaders and Partners
This would depend on the organizations enlisted to develop protocols and the nature of each protocol needed.

Achieving Results
Protocols increasing agency coordination would likely improve the multidisciplinary response by reducing confusion among agencies, duplication of efforts, and information gaps.

Funding and Legislation
It is unclear whether funding is needed to implement this recommendation. It is possible that protocol development may be limited by agencies’ current capacity/volume of work. If additional personnel are needed to assist in this effort, funding via a legislative budget initiative or grant would be necessary.

Protocols that align with current legislative authority would not require legislative changes. If legislative authority includes barriers that need to be overcome, then legislation would be required.

Return to this recommendation on page 17 →
SECONDARY RECOMMENDATION

Support and require Victim Witness Advocate programs located in prosecutorial districts across the state to develop and provide services specifically designed to meet the needs of older victims.

Implementation

The likely path to implementation would be expansion of the Victim Witness Advocate (VWA) programs throughout the state. Each of the prosecutorial districts throughout Maine currently has a VWA program with at least one VWA who provides victim services intended to assist victims and witnesses as their cases proceed through the criminal justice system. (Exceptions are Androscoggin, Franklin, and Cumberland counties, where Trial Assistants fulfill the same functions in cases involving older victims.)

VWAs are responsible for assisting prosecutors with fulfilling their statutory victims’ rights obligations (including victim notification, consultation, and assisting with victim impact statements), helping victims prepare Victims’ Compensation applications and gather necessary documentation for restitution requests, explaining the criminal justice process, accompanying victims to criminal court proceedings, advocating for victim needs within the criminal justice system, including disability accommodations and language services, and making referrals to community partners to address other needs arising from the victimization. VWAs are available during normal business hours during the week and generally do not provide crisis-level support or case management services. Older victims receive prosecution-based victim services from Victim Witness Advocates across the state every single day.

Adequate staffing within prosecutors’ offices is a major issue. Currently, two counties in Maine have only one VWA available to serve all crime victims within the entire county; nine counties only have two VWAs or Trial Assistants for the entire victim docket. While overall crime rates may be gradually decreasing in Maine, victim cases, particularly victim cases involving complex needs such as domestic violence, sexual assault, child physical and sexual abuse, and elder abuse continue at a steady or increasing pace as the state redoubles efforts to increase reporting and effective prosecution. The COVID-19 pandemic has only increased demand for prosecution-based victim services, because while the criminal process may have stalled, interpersonal violence has increased, and victim/survivor needs have become more dire. In addition to their direct service work, many VWAs also serve on multiple high risk and/or coordinated community response teams intended to address domestic violence, sexual assault, and child abuse as well. The lack of adequate staffing can impact VWAs’ ability to spend sufficient one-on-one time with those they serve to build trust and limits the
time available to serve on coordinating committees, build collaborative relationships with community stakeholders, and seek training and support around best practices.

If properly funded, the VWA could assist older victims and their families in identifying resources as well as aiding them in navigating the court system. The advocate is also present in the courthouse and available to meet a victim/family member for court appearances and accompany them to various court proceedings. VWAs throughout the state are very busy. If a position was dedicated solely to elder abuse cases, it is more likely the advocate would have the training, expertise, and time to become familiar with particular issues relating to a particular victim and be better able to serve them. An example of some of the issues we have encountered are victims who have extreme difficulty hearing, victims who have no transportation, victims who are unable to understand exactly who the District Attorney’s (DA’s) office is and what their role is in the process. This is very time intensive work for an advocate.

VWAs face many challenges when serving older victims of crime. The greatest challenge tends to be hesitation to engage with the criminal justice process at all, and VWAs may be viewed as an extension of the prosecutor’s office which is pursuing charges against a loved one or someone else in a caregiver role; they may object to the prosecution and fear potential outcomes of criminal prosecution. The antidote to this challenge does not rest with the VWA alone, although VWAs taking the time to build trust, empowering victim/survivors to make their own choices, and making community referrals to address otherwise unmet needs (housing, transportation, and support with activities of daily living (ADLs), for example) can make a tremendous difference. Fundamentally, a victim-centered approach to prosecution that balances community accountability, victim safety, and victim choice is necessary as well.

VWAs also may struggle maintaining direct contact with older victims who are under guardianship or Power of Attorney (POA), who move frequently, or who live in care facilities. VWAs report an inability to locate older victims in care facilities due to federal Health Insurance Portability and Accountability Act (HIPAA) regulations that prevent the facility from revealing whether an older victim is a resident. Communication also may be impeded due to hearing issues on occasion.

Until January 2021, when the Office of the Attorney General instituted a new grant-funded pilot program to institute a statewide coordinator position, VWAs also lacked centralized, consistent training, support adopting new best practices, and statewide stakeholder collaboration. (The lack of VWA representation on the Elder Justice Coordinating Partnership, for example, is emblematic of this gap.)

Efforts are currently underway to renew previous efforts to provide standardized foundational training for new VWAs (the Maine Victim Assistance Academy) and to provide advanced-level training on cutting edge topics for those who are more experienced. The new VWA Coordinator recently hosted a virtual training with Legal Services for the Elderly (LSE) to provide an overview of their legal representation programs and tips for effective
direct service work with older adults. In general, VWA positions tend to be relatively low paid compared to others and therefore, prior experience and relevant education among new recruits tends to be limited. Training is essential. VWA positions overall receive a relatively small amount of federal grant funding administered through the Office of Child and Family Services (OCFS), and existing funding levels are stagnant, including funding for training. Additionally, VWAs need support to adapt national best practices to their local offices. The VWA Coordinator position is helping to address these needs, at the very least by reaching out to partner organizations like LSE to increase collaboration and bring new information and support to VWAs.

In sum, fully implementing this recommendation will require: 1) access to training on best practices for addressing older adult victimization and serving older crime victims; 2) additional VWA staffing to the extent implementation of this recommendation requires expansion of existing services or new responsibilities for VWAs. Another aspect of implementation to consider is whether to expand law enforcement-based victim service programs, which currently exist in Portland and Bangor and is an emerging national best practice for meeting victims where they are and can help address the challenge of older victims either not trusting or not wanting to report and/or participate in the criminal justice process.

**Leaders and Key Partners**

The Maine Prosecutors’ Association and each county DA office would be the lead agencies. The Maine Victim Witness Advocate Coordinator (VWAC) Pilot Program of the Maine Office of the Attorney General (Criminal Division) is a key partner along with local Elder Abuse Task Forces and Adult Protective Services.

**Achieving Results**

This recommendation can increase the number of victims seeking and receiving help and improve the multidisciplinary response. Experience with domestic violence prosecution shows that consistent contact with victims increases the likelihood of continued victim involvement and cooperation with prosecution. The responsibility for “solving" the problem is removed from the victim and placed in the hands of the state. Having a point of contact within the District Attorney’s office (VWA) would help to decrease victim apprehension and increase cooperation. Further, older victims present unique challenges. An advocate would be able to identify a good family member POA or guardian with whom to communicate, or if communicating directly with a victim, strategize to overcome unique communication problems which might exist. Something as simple as an advocate meeting a victim at the door of the courthouse can soften the experience for victims. With the goal of greater offender accountability, anything which keeps the prosecution active is beneficial. It would be expected that this advocate would form a relationship with both a dedicated elder abuse prosecutor.
and investigator and could be brought in very early in the process to assist the victim in locating and accessing needed services. One advocate has suggested a checklist which could be used once a case is flagged as an elder abuse case in order to make an assessment of the victim and identify possible needs and referrals.

**Funding and Legislation**

Currently, VWA positions are funded locally through individual counties, with small Victims of Crime Act (VOCA) assistance grants supporting portions of some positions in five prosecutorial districts. It is unlikely all counties would increase funding to create an elder abuse dedicated VWA. The possible funding sources are grants (e.g., US Department of Justice grants through the Office for Victims of Crime and the Office of Violence Against Women, including formula funds administered by Maine Department of Public Safety and Maine OCFS, as well as direct discretionary grants) or the creation of state-funded advocates in each prosecutorial district.

Currently, prosecution-based victim advocacy is not statutorily required for victims of any type of crime, including crimes against older adults. Likewise, prosecutors’ offices are not required to provide specialized victim services for any type of crime. Legally, most victim rights obligations rest with prosecutors, who in turn delegate aspects of their responsibilities to VWAs. Establishing norms and best practices for prosecution-based victim services across the board is also one of the goals of the VWAC pilot program grant currently underway in the Office of the Attorney General.

Accordingly, legislation would not be required unless new state positions are created or if the decision were made to mandate that each district dedicate an advocate to elder abuse cases, in which case, funding and staffing would be required to avoid watering down the current VWA program.
SECONDARY RECOMMENDATION

Support and require victim advocates in domestic violence centers and sexual assault support centers to develop and provide services specifically designed to meet the needs of older victims.

Implementation

Court advocates at Domestic Violence Resource Centers and Sexual Assault Centers currently provide support for individuals in filing for Protection from Abuse and Protection from Harassment Orders. These specially-trained advocates provide victim/survivor centered, trauma-informed support, including assistance with understanding and filling out required forms, accompaniment to court to file papers or attend hearings, and collaboration in strategizing for the safe and effective service and implementation of any resulting court orders. This is a core service of these agencies; thus, a foundation of staffing, supervision, and training is in place. While many persons over age 60 currently seek and receive services from these agencies, enhanced training, expanded outreach, and additional partnerships are necessary to better meet the need.

Data needed: It would be helpful if the judicial branch (or other relevant stakeholders) could provide regional and/or court specific data regarding how many Protection from Abuse and Protection from Harassment petitions are currently being filed by older victims. And, if the goal is criminal court advocacy as well, the number of older adult victims of crime by a family or household member. That would help programs assess the extent to which this population is already being served, current capacity as compared to the need, and any additional resource requirements. (Domestic violence and sexual assault advocates are already doing this work, but they only know the numbers that they serve, not the number presenting to the court overall.)

Implementation of any expanded/specialized services should/would involve:

- Conversations and planning with leadership at each of the Domestic Violence Resource Centers and Sexual Assault Centers.
- Assessment of training needs and delivery of training for staff of issues specific to cases of elder abuse.
- Coordination with community partners—to at a minimum include the judicial branch, legal services providers (who have their own service priorities), probate courts, and agencies primarily working with elder populations to ensure that appropriate
referrals are made to and from Domestic Violence Resource Centers and Sexual Assault Centers.

- Depending on the scope of need identified, implementation may also warrant additional staff.

**Leaders and Partners**
A partnership of the Maine Coalition to End Domestic Violence and the Maine Coalition Against Sexual Assault would lead coordination of expanded or specialized services for the regional centers in partnership with the court advocacy project leadership. Key external partners in an expanded court advocacy project would include Legal Services for the Elderly, the Area Agencies on Aging, Adult Protective Services, the Judicial Branch, and likely the probate courts (and health care providers and other likely entry points).

**Achieving Results**
Without data that informs the universe of current need, it is challenging to identify the extent to which a focused effort around this recommendation would drive desired outcomes. However, ensuring that older victims are well positioned to obtain the court outcomes necessary to keep an abusive person from continuing to cause harm would necessarily decrease the incidence of elder abuse. All regions of the state have developed a coordinated community response for survivors of domestic abuse and violence and sexual assault accessing the protection from abuse process, including collaboration with the courts, law enforcement, legal services, and local attorneys. Increasing awareness in the community that older adults are served by domestic violence and sexual assault providers would increase the number of victims that seek/receive help and thus benefit from these existing processes and partnerships.

**Funding and Legislation**
Legislation would not need to be implemented. However, depending on the ultimate goals, the buy-in and willingness to collaborate of relevant stakeholders would likely be necessary (both statewide and regional partners) for successful implementation of expanded and specialized services by these court advocacy projects.

Return to this recommendation on page 18 →
SECONDARY RECOMMENDATION

Direct Public Health Nurse resources toward elder abuse victims, in particular home services, and ensure professionals have skill and capacity to meet needs.

Implementation

It would be implemented via referrals.

The Maine CDC would “ensure professionals have skill and capacity to meet the needs to victims” through training and education for our Public Health Nurses (PHNs).

The referrals would come from Adult Protective Services (APS) and/or law enforcement, or Emergency Medical Services. Maybe APS could help educate/train PHN about the needs of victims and families impacted by elder abuse.

Referrals come through our PHN Referral System (same number as Cradle ME—but there are different programs for Adults vs Maternal and Child Health). There are policies in place for home visiting protocols.

Leaders and Partners

Adult Protective Services, Maine Council for Elder Abuse Prevention, Elder Abuse Institute of Maine.

Add Spectrum Generations and possibly, the folks currently contracted for Maine ASA Maximus may also be helpful.

The lead would be the Office of Aging and Disability Services, as well as the Maine Area Agencies on Aging.

Office of Aging and Disability Services (OADS); Area Agencies on Aging; Maine Legal Services for the Elderly; Health Care Providers are key partners.

Achieving Results

This recommendation would address the last result of the Roadmap, to “improve the multidisciplinary response to elder abuse.” The first two (decrease incidence and increase reporting) are of course preventative, and Maine CDC would really only be reaching out to victims, post-abuse.

As a preventative approach, perhaps the topic can be highlighted in some Public Service Announcements or a social media campaign to educate the public about the current incidence and prevalence in our community. It could focus on highlighting risk factors,
acknowledging stressors of caregivers and decreasing stigma for folks to reach out. Also, how, when, and who to reach out to if elder abuse is witnessed or suspected.

PHN can do preventative home visits (wellness visits) with education about resources available to address elder abuse.

**Funding and Legislation**

State and federal funds or Administration for Community living grants are possible funding sources.

It already falls under PHN statutes. No additional legislation for PHN; access to older adults exist currently and, as mandated reporters, PHN are aware of the process and statute.

**Additional Comments:**

Highlight working with Office of Aging and Disability Services (OADS) on this. They house adult protective and work closely with most/all of the resource groups and organizations that we would partner with in the communities. They also have a good data department and maybe we could work with them on targeting specific areas/groups.

PHN can play a role in community support services, such as the Thriving in Place model we see in some Maine communities. PHN can serve in an advisory capacity to those programs, as well as making home visits for older adults without access to other services.

PHN is the safety net for unmet needs and since the implementation of federal ruling that assures that people on Medicaid get the services needed—see Medicaid.gov—there are many more home care support services in place to meet the needs. If there are people without Medicaid, that might be when PHN is appropriate.

*Return to this recommendation on page 18*
SECONDARY RECOMMENDATION

Develop pilot projects based on the learnings from the Children's Advocacy Center model to support elder abuse victims who are engaged with law enforcement or the Department of Health and Human Services.

Implementation

The Elder Advocacy Center (EAC) would be an older adult-focused program where people from law enforcement, Adult Protective Services (APS), prosecution, mental health, medical and victim advocacy, and elder advocacy work together. A highly trained forensic interviewer would interview older adults referred to the program. This is a model which has reduced trauma for victims and improved prosecutorial and non-prosecutorial outcomes.

A coordinated response for elder abuse based on the Children’s Advocacy Center (CAC) model would begin with a mandated report to APS or allegation of elder abuse made to law enforcement. A member of law enforcement or APS will make a referral to the EAC which will live with the local CAC. EAC staff would be responsible for coordinating an appointment at the EAC with investigators, the District Attorney’s office, and the non-offending caregiver if appropriate. If the older adult is legally incapacitated, based upon an official finding such as a guardianship order, the EAC would invite the legally responsible party to be a part of the process unless that person was the alleged offender. If the guardian is the alleged offender, a representative from APS would act in their stead. If the older adult is not deemed legally incapacitated, they would have the choice to opt into the EAC process.

Once at the EAC, a specially trained forensic interviewer (the person conducting the older adult’s interview) will meet with the investigators and the non-offending caregiver (if applicable) to discuss what is known about the case. Next, the forensic interviewer interviews the older adult using a cognitively appropriate, legally sound protocol, while other team members watch via closed-circuit television or another HIPAA compliant video platform. The team members can alert the interviewer if they have additional questions partway through the interview. This process helps to ensure that each discipline gets the information it needs from the interview, while reducing the number of interviews for the older adult.

After the interview, a support advocate would meet with the older adult and their support system and caregivers to provide additional resources and referrals, answer questions, and talk about next steps. This wraparound approach helps bring services and support to older adults and caregivers instead of requiring families to navigate the systems alone. The support advocate can provide assistance during the forensic interview and can make referrals to a sexual assault advocate for ongoing support as the case progresses.
In addition to the streamlined forensic interview and support advocacy services, an essential function of the EAC would include the establishment of a collaborative and comprehensive Multidisciplinary Team (MDT), which includes local law enforcement, APS, prosecution, and other key disciplines. The MDT establishes specific policies and protocols which help EACs provide the best possible service to older sexual abuse victims and their non-offending caregivers.

**Key differences from the CAC Model:**

- **Rights Assessment:** A major modification would be a system or procedure to determine whether an older adult can opt into the model or is automatically engaged in the model due to guardianship status. There may need to be a process for deciding whether an evaluation needs to be done to determine decision-making and cognitive skills.

- **Mobile Model:** There may be different concerns regarding the types of spaces and accessibility issues for the actual physical locations of the interview. One possibility is a moving model, where the forensic interviewer comes to somewhere convenient, safe, and neutral for the older adult.

- **Elder Law Involvement:** This model will require Legal Services for the Elderly (LSE), family law attorneys, and probate attorneys to be much more involved as guardianships and conservatorships are handled in that system.

**Leaders and Partners**

Lead agencies would be CPS, law enforcement, and the Children's Advocacy Centers. Key partners would include APS, LSE, Maine Coalition to End Domestic Violence, and the District Attorneys.

**Achieving Results**

This model improves multidisciplinary response and increases the number of victims seeking and receiving support. However, it also addresses a range of the other recommendations supported by the Elder Justice Coordinating Partnership including increasing coordinated response, implementation of a hub and spoke model, increased multidisciplinary training, and others.

**Funding and Legislation**

We recommend a pilot project at CACs that are well established and rural to learn as much as we can regarding needs, gaps, successes, and challenges for the rest of the state. Two programs, the CAC of York County and the Penquis CAC, which serves Penobscot and Piscataquis Counties, are ideal pilot program sites. York County has an established, accredited
program that would be able to take on additional supports. Penquis supports Maine communities in the more rural, northern part of the state, including local tribal communities. Current federal funding opportunities include the Enhanced Training and Services to End Abuse in Later Life Program grant and grants for Outreach and Services to Underserved Populations; both could be a resource for the work of an Elder Advocacy Center. In Maine, Victims of Crime Act funds or a STOP (Services, Training, Officers, Prosecutors) grant could both fund a pilot. Estimated pilot project costs would be $60k in year one, and $120k in years two and three. Estimated statewide implementation would cost approximately $750k annually.

A pilot could be implemented without legislation, but if implemented statewide, enacting legislation with similar protections included in the CAC statute would be recommended.

Return to this recommendation on page 19 →
SECONDARY RECOMMENDATION

Develop a uniform elder abuse response and investigation protocol to be used by all agencies involved in investigating these cases.

Implementation

Establish foundational training requirements for officers tasked with elder abuse/fraud investigations. This can be an eight-hour course, done virtually, to provide base-level awareness of the unique aspects of these cases.

1. Create an investigative checklist to guide officers through the investigations. This would include contacting relevant partners and stakeholders once the initial aspects of the investigation establish the nature and complexity of the case and any exigent circumstances that might include jeopardy of the victim.
   - Local advocates
   - Legal Services for the Elderly
   - Prosecutors and prosecution-based Victim Witness Advocates
   - Adult Protective Services

2. Establish a list of local partners who could be available to respond to assist the investigations and their hours of operation. These should include those with special skills/training on interviewing older victims.

3. Create a quarterly multidisciplinary meeting where recent cases are reviewed to ensure all available resources are being used to assist the victim.
   - Information and strategy to assist in moving stalled cases forward can also be discussed.
   - Identification of trends in areas and types of abuse/fraud.
   - Identification of needed law/policy changes.

Leaders and Partners

- State, local, county law enforcement
- Maine Criminal Justice Academy could assist with training guidelines
- Local elder abuse advocates
• Adult Protective Services
• Prosecutors/victim advocates could establish the quarterly meetings

Achieving Results
These recommendations could positively impact all desired results.

Funding and Legislation
Most of these initiatives would not require new funding.

No legislation is required to implement this recommendation.

Return to this recommendation on page 19 →
“Public and professional education” refers to both public awareness, or the ability of the general public to identify and prevent elder abuse, as well as training and education for professionals, which enables professionals who regularly interact with older adults to effectively prevent, identify, report, and address elder abuse.

The following material is based on information provided by EJCP members to the Partnership to inform their evaluation of the Public and Professional Education recommendations on their potential to achieve the goals of preventing, detecting, and responding to elder abuse and the ease/likelihood of successful implementation. It provides a high-level description of how each recommendation could be implemented (Implementation), which key leaders and partners could spearhead the effort (Leaders and Partners), how the recommendation meets the goals of the Executive Order (Achieving Results), and what funding sources and legislative action may be needed for implementation (Funding and Legislation). The material is a starting point for further discussion and elaboration by those who move these recommendations forward.

While the Executive Order identified “education,” the EJCP refined this description as “public and professional education” to reflect the need to educate older adults, their families, and the general public as well as professionals in health care, social services, financial services, and others about elder abuse, how to report it, and how to respond.
TOP PRIORITY RECOMMENDATION

Add specific elder abuse investigator training to the offerings from the Maine Criminal Justice Academy, similar to what specialized domestic violence investigators receive. The training could be part of an Elder Service Officer certification program. Create an elder justice unit in law enforcement agencies.

Implementation

Elder Service Officer (ESO) training would be modeled after the training offered by the Illinois Attorney General. It would be an intensive weeklong course that is designed to educate and sensitize police officers, deputy sheriffs, State Troopers, and others to issues affecting older adults. The training would include everything such as financial exploitation, scams, physical and sexual abuse. In addition to providing an important foundational component around interviewing older adults (as opposed to interviewing victims of other crimes), the specialized training will educate law enforcement officers (LEOs) on conducting these specialized investigations and identifying key governmental and community resources that can help with the investigation and wrap services around the older victim. From the law enforcement and the victim services perspectives, the implementation of specialized ESO training is a critical piece of the Roadmap for the future we are seeking to create. It will aid in bringing in the necessary resources for a specific situation. LEOs with an interest in protecting older adults would be offered ESO training. It would be offered but not mandated as it would be an intensive, 40-hour training intended to help interested LEOs develop a specialty in this area. Although agencies would not be required to have an ESO, they could promote it as an opportunity for LEOs to specialize in this type of community connection, outreach, and investigation. Informal conversations show that there is an appetite for this among police chiefs and sheriffs across the state. Over time, it may become more institutionalized.

It is helpful to note that this type of investigation may not be right for all LEOs. Not all LEOs are well suited to the complex and detailed nature of these investigations and to the complicated family dynamics. It will be important for agencies to find LEOs with the interest and foundational skill set and then give them the opportunity to participate in specialized training.

One question might be how the resource of an ESO would be used in the field. The ESO would become immersed in the intersecting issues facing older adults including safe housing, food instability, aging comfortably at home, as well as the risks for all forms of elder abuse.
including self-neglect, sexual exploitation, and various forms of financial exploitation. The ESOs could do risk assessments; participate in public events like health fairs to make themselves known and interface with the community as one path toward increasing referrals; and provide education materials to help prevent elder abuse in the first place. On top of community outreach, the same ESO would become the agency representative on an Elder Abuse Task Force and Triad, would participate in the agency telephone assurance program, and provide presentations for older adults in their communities, for example. After increasing the visibility of the ESO and making clear what the referral process is, the ESO would be responsible for taking in and handling any elder abuse referrals including investigation.

Leaders and Partners

Much like Illinois, it is suggested that the Office of the Attorney General, Public Safety, and the Criminal Justice Academy would be the lead agencies. Key partners would be the heads of all law enforcement agencies (State Police, Sheriffs, Chiefs) and members of the Elder Justice Coordinating Partnership who would be willing to assist with developing the curriculum and presenting content.

Achieving Results

All three desired results would be furthered in a significant way. With the training and specialization of an ESO, an agency would now have an in-house expert on how to proceed with referrals, including knowing who to go to for assistance with highly complicated cases. The ESO would be knowledgeable of available resources among public and private partners and would maintain these key relationships by participating on task forces, Triads, and the Financial Abuse Specialist Team. Additionally, they would be highly visible in the community, thereby helping to further prevention and raise awareness.

Funding and Legislation

Training at the Criminal Justice Academy is typically based on volunteer resources from within government. The Academy could leverage the expertise that exists within the state. When it is necessary to get into the technical aspects of the training like sexual exploitation of older adults, private sector expertise could be brought in to provide training and content. Building the curriculum might start by leveraging existing trainings like that used in Illinois and then public and private partners could meet with the Academy to map out a 40-hour block. Bringing in someone from Legal Services for the Elderly, Maine Coalition Against Sexual Assault, the Office of Securities, and others would accomplish the building of the training and putting a face on the appropriate referral resource.

A Triad is a national community policing initiative to meet the crime-safety needs of older adults. Triad is not an acronym, rather it is a partnership of three: law enforcement professionals, older adults, and community groups.
Once the curriculum is built and the trainers are recruited, the only real ongoing costs are for materials. Otherwise, the training could follow the Senior$afe® model where public and private partners voluntarily provide resources to help build curriculum and provide the training; it is believed that the cost of resources could be absorbed by the agencies and entities providing them. Funding for national trainers like Paul Greenwood or the training materials themselves might come from national settlement funds held by the Office of the Attorney General. To the extent additional written resources or tools might be developed, one possibility is to explore the use of law student interns or college students seeking to undertake a unique and discrete Capstone project.

No legislation is required to implement this recommendation.

Return to this recommendation on page 21 →
TOP PRIORITY RECOMMENDATION

Expand and enhance training of Adult Protective Services staff and community partners.

Implementation

Currently, Adult Protective Services (APS) has an onboarding training program that new staff are required to complete within the first eight weeks of their date of hire. Some trainings must be completed before an investigator begins shadowing other staff on investigations, which is another component of staff training. Because APS investigation staff are all licensed or conditionally licensed social workers, they are also required to complete all social work continuing education requirements, including domestic violence training, ethics, and others.

The current onboarding trainings include:

- Introduction to APS
- Field Safety
- Forensic Interviewing
- Motivational Interviewing
- Structured Decision Making—Safety Assessment
- Structured Decision Making—Intake Assessment
- Alzheimer’s Disease/Dementia
- Documentation
- Mental Health

Some trainings are presented as slide decks with voiceover so that staff can access the training at any time, and some trainings are presented live. While APS does not currently have funding for an e-learning platform, supervisors are responsible for ensuring that their team members have completed all applicable trainings and certificates of completion, and learning checks/quizzes accompany every training and are reviewed by the APS Training Manager.

Additional trainings focused on developmental disabilities and brain injury diagnoses and “Capacity Assessments/Guardianship Studies” are currently under development. Also, APS is working with the Office of the Attorney General to develop a training on presenting evidence in preparation for possible substantiation appeals. In addition, organizations like Legal Services for the Elderly and the Long-Term Care Ombudsman Program currently present to APS staff periodically to provide information on the services the organizations provide and how they can assist clients who are the subject of an APS report. APS regularly considers
adding additional onboarding training and development of ongoing educational training for current staff.

An e-learning platform would be valuable to further formalize the training program and monitor staff progress through the courses. Additional funding and positions would be required to expand the training program further.

**Leaders and Partners**

The Department of Health and Human Services Adult Protective Services would be the lead agency on this.

**Achieving Results**

In addition to current engagement with organizations like Legal Services for the Elderly and the Long-Term Care Ombudsman Program, engaging with more organizations to present to APS to provide information on the services they provide and how they can assist clients who are the subject of an APS report would be valuable and would improve the multidisciplinary response to abuse of older Mainers.

**Funding and Legislation**

Possible sources of funding would be through a budget initiative, legislative proposal, or federal grant funding.

Legislation would be required if a budget initiative or legislative proposal to increase funding is pursued.

*Return to this recommendation on page 21 →*
TOP PRIORITY RECOMMENDATION

Mandate training for mandatory reporters and enhance the trainings given to individuals and groups by Adult Protective Services and others on mandatory reporting responsibilities.

Implementation

The statute would need to be changed to make training mandatory. This could be modeled after the approach used in the child abuse area.

Currently, Adult Protective Services (APS) offers a general online training to mandated reporters that addresses the definitions of abuse, neglect, and exploitation (including examples of each and how to spot red flags). At the end of the training slide deck, the user is directed to a page to enter their name, organization, and profession, there is a short quiz, and upon completion of the quiz the user receives an electronic certificate of completion. APS receives a monthly report of the data collected through this process.

APS mandated reporter page and training: Mandated Reporter Information

APS webpage with general definitions and information: APS Information

APS also offers live trainings (in-person and online) to groups and organizations who request it—focused on the APS process and identifying abuse, neglect, and exploitation of incapacitated and dependent adults. APS tracks the total number of attendees (and their professions). The live trainings offer the opportunity to address questions that are more targeted to individual professions and identify red flags that certain professions are more likely to encounter.

This recommendation can be implemented in multiple ways: 1) development of more targeted online mandated reporter trainings geared towards specific professions (e.g., law enforcement, EMS, medical professions, caregivers), 2) enhancing APS’s capacity to deliver more regular in-person/live trainings.

Of note, there is currently a project underway funded by a Robert Wood Johnson Foundation grant awarded to the Elder Abuse Institute of Maine focused on exploring what barriers and challenges exist for mandated reporters and related stakeholder groups and whether a resource like a phone line to support mandated reporters better understand the duty to report can help mandated reporters make decisions on reporting, thereby helping clients at risk of or experiencing abuse, neglect, and exploitation.
Leaders and Partners

APS would be the lead agency on this recommendation. Key partners may include professional licensing boards and organizations employing or supporting mandated reporters. The Elder Abuse Institute of Maine would be a key partner regarding future “warmline” activities.

Achieving Results

While there are conflicting opinions nationally about whether there is an evidence-base to support that mandated reporting improves the lives of older adults and other dependent adult populations (see e.g., Mandated Reporter Brief), it is likely that increasing the number of individuals aware of red flags of abuse and making current mandated reporters aware of their duty to report would help in stopping abuse experienced by older adults.

Funding and Legislation

Possible sources of funding would include a budget initiative or legislative initiative or grant funding if available.

Legislation would be required to add positions to APS to expand capacity to deliver trainings directly. Legislation would also be necessary to make changes directly to the mandated reporting requirements in statute (e.g., permissible methods of reporting, mandating training).

Return to this recommendation on page 21 →
SECONDARY RECOMMENDATION

Train law enforcement personnel, with a particular focus on troop commanders, on the local service providers available to victims in the geographical area they serve.

Implementation

Improve resource awareness and training for law enforcement in elder abuse topics, resources, and partner agencies.

Leaders and Partners

- Maine Chiefs of Police have established several ‘districts’ throughout the state for meetings and information sharing. Assigning one chief as the elder abuse coordinator for each district could allow for improved information sharing and a broader knowledge of available resources in each district.
- Maine Sheriffs’ Association have an active group which could follow the protocol of having one sheriff lead the elder abuse liaison role to ensure area sheriffs also learn of resources and best contacts from each advocate group.
- Maine State Police have established a Troop Commander as the main elder abuse liaison and can coordinate on a troop level to establish working groups and dialogue with area partners statewide.
- Maine Criminal Justice Academy (MCJA) can work with the Office of the Attorney General and private sector elder abuse advocates to establish a training curriculum for all Maine law enforcement to attend through mandatory training, traditionally a two-to-four hour block. A more advanced 40-hour course could be created to have officers become ‘certified’ or otherwise recognized for advanced skills, knowledge, and ability in elder abuse response, investigation, prevention, and public education.

Achieving Results

These steps should improve the response, investigation, prosecution, and multidisciplinary response to elder abuse in each region.
Funding and Legislation

While many agencies have limited training funds, grant funds might assist in agencies being willing to commit to the more in-depth training beyond what is set by the MCJA as mandatory.

No legislation is required to implement this recommendation.

Return to this recommendation on page 22 →
SECONDARY RECOMMENDATION

Work with and through the “Age-Friendly Communities in Maine” program to raise awareness of elder abuse and available resources.

**Implementation**

Maine is home to over 100 communities carrying the designation of “age-friendly.” These individual towns and cities have come together—each in very different ways—to formulate a strategy for making their community more amenable to aging in place/community. These grassroots efforts are supported by AARP and the Tri-State Learning Collaborative on Aging (TSLCA), a Northern New England initiative, but their work is specific to the needs they identify in each town. Most of these initiatives are led and participated in by older people. Activities undertaken by the age-friendly communities are varied: some towns have designed accessible trails; others have created home modification/repair programs; others have addressed isolation and hunger issues through gleaning programs and volunteer-led meal programs; still others have encouraged local businesses to be more age-friendly by adding benches in front of grocery stores or launching home delivery. These are local efforts led by local people to help create communities in which people of all ages can thrive.

“In a Livable, Age-Friendly Community, people of all ages can go for a walk, get around without a car, enjoy public places, work or volunteer, find the services they need, shop, socialize and be entertained, live safely and comfortably...and make their own town, city or neighborhood a lifelong home.” (AARP, Network of Age-Friendly Communities)

This network of over 100 communities—from Biddeford to Blue Hill, Castine to Mt. Vernon, Presque Isle to Elliot—could be a vehicle for an organized education campaign to raise awareness of elder abuse, neglect, and exploitation. This could be accomplished in several ways, from least intensive to most involved:

1. At a minimum, written educational materials could be created and distributed to each of the communities. (There is a network hub through AARP and the TSLCA.)

2. Articles could be put together that communities could include in their newsletters.

3. Presentations could be offered to leaders of these communities, who get together on a regular basis through their network hubs (monthly virtual event with partner organizations) or present at their annual all-community gatherings.

4. Presentations/training could be offered to individual communities, either by Zoom or, ultimately, in-person.
Leaders and Partners
An educational campaign could be designed by a collective of interested agencies from the Elder Justice Coordinating Partnership and beyond. AARP Maine is also a key partner.

Achieving Results
This recommendation gets the message of abuse, neglect, and exploitation to individual volunteers in over 100 communities across Maine—large and small—who know and care about their neighbors and their communities. This, in turn, would increase the number of victims that seek and receive help in stopping abuse. Often folks that work on age-friendly initiatives are longtime community members trusted by their neighbors; messages coming from these folks can carry weight and have significant influence.

Funding and Legislation
Foundation grant funding is a possible source of funding for this initiative.

No legislation is required to implement this recommendation.

Return to this recommendation on page 22 →
SECONDARY RECOMMENDATION

Provide more training to volunteers and employees who interact with older adults (outside of elder abuse response professions and mandated reporters) about red flags and abuse response.

Implementation

This could be implemented by any entity that already utilizes or is planning to utilize volunteers to increase service delivery. For example, all the Area Agencies on Aging (AAAs) in Maine have a volunteer base to assist with Title III Older Americans Act scope of services. Key to the success of addressing food insecurity among older adults is the Meals on Wheels program which is volunteer-based and designed to help socially isolated, homebound older adults. The training for any older adult service provider should be mandatory and occur on an annual basis.

Leaders and Partners

The lead agencies for developing the training could be Legal Services for the Elderly, the Long-Term Care Ombudsman Program, Adult Protective Services, and the Elder Abuse Institute of Maine. Key partners would be Office of Aging and Disability Services, Department of Health and Human Services, law enforcement, and the AAAs.

Achieving Results

This recommendation would extend the reach into the community around a greater awareness of red flags and the proper way in which to respond. When more community-based volunteers and staff are trained, it will lead to an increase in the identification of victims and potential victims. The training will also enhance the multidisciplinary approach to addressing the issue by including a wider pool of service providers.

Funding and Legislation

Federal grants may be an option to offset the costs of training, although costs are likely to be low as this recommendation envisions utilizing established volunteer programs.

Legislation may not necessarily be required for implementation.

Return to this recommendation on page 22 →
SECONDARY RECOMMENDATION

Sustain, expand, and enhance the use of Public Service Announcements to raise public awareness.

Implementation

Public awareness campaigns have proven beneficial both in the prevention of and response to all forms of elder abuse. The historical Public Service Announcement (PSA) campaign by Legal Services for the Elderly (LSE) as well as, more recently, the Office of Securities has increased contact with those organizations and, importantly, increased conversations within families about these and related issues. Indeed, the federal Elder Justice Roadmap includes recommendations specifically related to the need for a multi-faceted public awareness campaign including media, and Government Accounting Office reports have noted the need to address fragmented and under-resourced approaches. A cohesive multi-media public awareness campaign will be most successful if there are consistent resources dedicated to the mission of increasing public awareness at all levels and all possible points of contact.

An opportunity exists to identify a single convener to spearhead a multi-faceted, holistic, and sustainable public awareness campaign focused not only on raising awareness but addressing critical public health components associated with elder abuse. For such an approach to be successful, obtaining the services of an evaluator to do needs assessments and surveys would help support the evaluation of elder abuse (prevalence by county, age group, race, ethnicity, type of abuse) overall in Maine, the attainment of demographic and quantitative data, and help tell the story of elder abuse in Maine which could complement/support the validity of the messages.

Leaders and Partners

The Maine CDC would be the lead agency that could convene and direct a group of agencies committed to the effort. Key partners could be the Office of Aging and Disability Services and Adult Protective Services, Department of Professional and Financial Regulation Office of Securities, Department of Public Safety, and the Office of the Attorney General. A dedicated staff at the lead agency would be necessary for this effort to have the best chance of success.

Achieving Results

The recommendation would further all the desired results. Elder abuse would be prevented through increased awareness of the problem and how to protect oneself (prevent) as well as family and friends from victimization. The campaign would highlight appropriate available resources making it clear where victims can seek and obtain help and by having a single convening agency that spearheads efforts with other agencies. The lead agency would
develop a workplan in partnership with the key partnering agencies. Each agency would have a workplan deliverable that fits within each agency's capacity and infrastructure. The workplan will have targets so progress can be shown year to year. For example, a five-year project plan, with one-year work plans that support the success and completion of the five-year project plan, would help sustain this effort.

**Funding and Legislation**

Funding would be needed. Although the exact amount is unknown at this time, by way of example, the 2020/2021 PSA campaign undertaken by the Office of Securities in partnership with LSE cost $126,000 including the production of two PSAs and regular airing of the PSAs over a nine-month period on six major media outlets reaching all the markets in Maine, including rural areas. A multi-faceted and holistic public awareness campaign would require more resources, but the cost is less than one might anticipate. Sources of funding could include state funding and potentially federal grants.

Legislation would be required to the extent funding and positions would need to be included in a state budget.

*Return to this recommendation on page 23*
SECONDARY RECOMMENDATION

Routinely and consistently train health care providers about elder abuse beyond just mandatory reporting.

Implementation

Some training and education on assessing for elder abuse beyond mandated reporter training exists in Maine. One example is the course available through the University of New England Maine Center on Geriatric Education, a description of which can be accessed here.

To the extent additional opportunities might be made available, existing training programs in other jurisdictions that have proven successful might be leveraged in Maine if proper permissions could be obtained. Additionally, any such program might be presented to the Board of Licensure in Medicine for consideration as one of the three specialized training programs offered by the Board each year.

Any training that is either developed or modified should be broad enough in content to be valuable to a full range of medical and behavioral health professionals including doctors, nurses, nurse practitioners, physicians’ assistants, social workers, and the like.

Leaders and Partners

The lead agency would likely be the Department of Health and Human Services (DHHS), and key partners would be the Board of Licensure in Medicine, Maine Medical Association, and the UNE Maine Center on Geriatric Education.

Achieving Results

Increase in training can increase the likelihood that elder abuse would be identified early, and victims would receive help earlier.

Funding and Legislation

Possible grants, state budgetary funding for DHHS training initiatives, or the Board of Licensure in Medicine training efforts.

Legislation would be required if DHHS were to require additional staff.

Return to this recommendation on page 23 →
FOR FURTHER STUDY

Provide a peer-to-peer support program for new victims from those who previously experienced abuse.

Implementation
Specific agencies would offer a peer-to-peer support group for people who have been victims of very specific incidences of elder abuse, neglect, and exploitation. These groups could be offered in-person or by telephone and facilitated by an experienced support group facilitator and/or licensed clinical social worker.

These groups could be modeled after:

- Wise & Healthy Aging peer support program for romance scams in Los Angeles County, an ongoing telephonic support group facilitated by a clinical social worker for up to eight individuals at any time.
- Cybercrime Support Network peer telephonic support program (now in Mississippi and North Carolina) using 211 to direct people to support groups. The goal is to grow these groups nationwide. This is specific for people who have been victims of cybercrime; romance scams top the list (based on data from their fraud.org website).
- Evergreen Support Group (Vera House in Syracuse, NY). Domestic violence peer support. These are weekly in-person support groups for men and women over 50 who have experienced abuse in later life.
- Sage Maine offers telephonic support groups/coffee talks which could be a model for a peer support program, as well.

While the telephonic peer support groups as outlined above for older victims are in scant supply nationwide, there is evidence they provide a valuable service to an often underserved, very vulnerable and isolated group of victims. The challenge is finding participants and encouraging them to participate; telephonic support can reduce stigma and shame and can invite greater participation.

Leaders and Partners
211 Maine could be a source of potential referrals, as could Maine Office of Securities, APS, Area Agencies on Aging, and local law enforcement. Members organizations from the Maine Coalition to End Domestic Violence, the Maine Coalition Against Sexual Assault, and the Elder
Abuse Institute of Maine could support this work with appropriate resources. We could also seek support from Cybercrime Support Network whose goal is to promote the development of peer support networks statewide.

**Achieving Results**
These support groups could both improve the multidisciplinary response to elder abuse and increase the number of victims that seek and receive help in stopping abuse.

**Funding and Legislation**
Foundation grant funding and Victims of Crime Act funding are possible sources of funding.
No legislation is required to implement this recommendation.

*Return to this recommendation on page 23 →*
FOR FURTHER STUDY

Produce videos that guardians, conservators, and agents under Powers of Attorney would be required to watch regarding duties and limitations and require that the video be viewed before these substitute decision-making methods can be put into place.

Implementation

Many states have pursued this type of effort as it relates to guardianship and conservatorship, in many cases producing both a video and a written guide that are also available to the public on the court’s website. Those being appointed are then required to review the materials. The Consumer Financial Protection Bureau has also produced starting points for written guides that states can modify to conform with their state statutes. These efforts in other states are highly replicable.

While agents under Powers of Attorney are included in this recommendation, that effort would be more challenging. Although a parallel set of materials could be developed, it is less clear where that material would be housed. In addition, it is likely that at most it could be encouraged by the attorney preparing a Power of Attorney that the materials be viewed on a voluntary basis.

It is likely this will be very challenging to implement in Maine given our current Probate Court structure. A Commission is being formed to explore moving the Probate Court into the judicial branch. If this were to happen then the probability of success of doing this would increase dramatically.

Leaders and Partners

Legal Services for the Elderly; Maine State Bar Association; Judicial Branch (if Probate Courts are moved).

Achieving Results

This would be a prevention-focused activity. It could also lead to increased reports if someone suspected misconduct and was able to confirm it by turning to these resources.
Funding and Legislation

There would be one-time costs associated with producing the materials that could be covered by grant funding. The costs after that would be nominal.

No legislation is required to implement this recommendation.

Return to this recommendation on page 24 →
“Public policy” includes the publication of laws, regulations, and guidance on elder abuse by local, state, and federal government entities; implementation and enforcement of existing law; initiatives that support, evaluate, and develop new policy to prevent elder abuse; and infrastructure and entities with capacity to lead, track, and analyze policy change.

The following material is based on information provided by EJCP members to the Partnership to inform their evaluation of the Public Policy recommendations on their potential to achieve the goals of preventing, detecting, and responding to elder abuse and the ease/likelihood of successful implementation. It provides a high-level description of how each recommendation could be implemented (Implementation), which key leaders and partners could spearhead the effort (Leaders and Partners), how the recommendation meets the goals of the Executive Order (Achieving Results), and what funding sources and legislative action may be needed for implementation (Funding and Legislation). The material is a starting point for further discussion and elaboration by those who move these recommendations forward.
TOP PRIORITY RECOMMENDATION

Regularly convene the Elder Justice Coordinating Partnership to monitor and guide implementation of the Roadmap.

Implementation
There are at least two models for approaching this. As reflected in the Recommendation, given the current support for this work on the part of the Governor’s Office and her administration, the Elder Justice Coordinating Partnership (EJCP) could be convened twice per year under the authority of the Department of Health and Human Services (DHHS) Commissioner and charged with reviewing and monitoring the implementation of the Roadmap by the public and private sector partners.

An alternative approach would be to create a standing cabinet or council through legislation. This approach would require considerable advocacy resources that could otherwise be put toward other items in the Roadmap, but it would have the benefit of ensuring the continuation of this work long into the future.

Leaders and Partners
DHHS and the current members of the EJCP.

Achieving Results
This would support the successful implementation of the Roadmap, and the Roadmap furthers all three results.

Funding and Legislation
Additional funding would not be needed.

Legislation would not be needed unless a future administration was not supportive of continuing the work of the Partnership and it was necessary to pursue legislation at that time.

Return to this recommendation on page 26 →
TOP PRIORITY RECOMMENDATION

Add an attorney’s fee provision to the Improvident Transfer of Title Act.

Implementation
Currently an award of attorneys’ fees is not possible under this statute. If a provision were added to allow for that, it would provide an incentive for private attorneys to take on more exploitation cases. This is a feature included in the Model Civil Provisions on Elder Financial Exploitation (see page 20 and 21). There is also a 2016 law review article writing in support of this type of provision along with others intended to expand the availability of representation to victims of financial exploitation.

Leaders and Partners
The Governor could sponsor this bill or potentially the Attorney General. There may be other possible bill sponsors as well.

Achieving Results
This would expand the availability of civil legal services to victims of financial exploitation. This furthers the result of increasing the number of victims who receive help in stopping abuse.

Funding and Legislation
Funding is not needed for this.
Legislation is required to implement this recommendation.

Return to this recommendation on page 26 →
TOP PRIORITY RECOMMENDATION

Restructure and update the statute on the Maine Elder Death Analysis Review Team.

Implementation

This is from the Office of the Attorney General website:

The Maine Elder Death Analysis Review Team, MEDART, was formed in 2003 under the auspices of the Office of the Attorney General and is charged with examining deaths and cases of serious bodily injury associated with suspected abuse or neglect of elderly and vulnerable adults. MEDART is a multidisciplinary team whose membership includes representation from state, local and county law enforcement, prosecutors, chief medical examiner, victim advocates, sexual assault nurse examiner, licensing and regulatory services, elder services, adult protective services, emergency medical services, long-term care ombudsman, and adult mental health. MEDART meets at least quarterly to review selected cases, the purpose of which is to identify whether systems that have the purpose or responsibility to assist or protect victims were sufficient for the particular circumstances or whether such systems require adjustment or improvement. MEDART seeks to foster system change through recommendations aimed at improving the system for protecting persons from abuse and neglect, including modifications of statutes, rules, training, policies, and procedures.

At one time, Maine’s MEDART was held out as a national best practice model. MEDART has not issued a report since 2010. The statute is out of date and does not ensure that appropriate cases are brought forward to the Team. To make the Team more effective, one would have to: (1) fund a part-time staff person (as does the Domestic Violence Death Review Panel) to get cases for review; and (2) establish an approach that ensures cases are being referred for review.

Several states have review teams, and another step forward might be to explore how cases are identified and referred to teams in those other states.

Leaders and Partners

The members are spelled out in the statute.

Achieving Results

The review of deaths of older adults in cases of suspected abuse by this type of team is intended to identify system gaps and improve victim services. This is directly aligned with all three results.
Funding and Legislation

Legislation is required. The statute is out of date and needs to be revised. It also appears lack of allocated resources/funding may be part of the problem with the current structure. To make an annual report mandatory, if that is desired, there would have to be a change to the statute.

Return to this recommendation on page 26 →
SECONDARY RECOMMENDATION

Use the Department of Health and Human Services (DHHS) contracting authority to require that entities receiving state or federal funding to support the provision of services to elder abuse victims meet minimum quality standards.

Implementation

Using its contracting authority, DHHS is in a unique position to establish uniform quality standards and minimum expectations across all agencies receiving funding for older victim services. It is not unusual for a funder to place quality or training requirements on a grantee/contractor. The standards could be developed in collaboration with the victim services providers and rolled out over time to spread out any one-time implementation costs. Standards could include areas like new and annual staff training on serving older victims; use of standardized cross referral protocols; and participation in municipal, county based and/or regional elder abuse task forces.

Leaders and Partners

DHHS.

Achieving Results

This would advance the result of improving the multidisciplinary response to elder abuse.

Funding and Legislation

Once systems are set up these could be implemented within existing resources.

No legislation is required to implement this recommendation.

Return to this recommendation on page 27 →
SECONDARY RECOMMENDATION

Expand the list of professionals subject to mandatory reporting obligations to include tax preparers and financial institution personnel (and others as may be covered by other states but not by Maine).

Implementation
Statutory changes to 22 MRS §3477 (1) would be needed to add tax preparers and other financial institution personnel, as well as other professionals to the current list of persons required to report suspected abuse, neglect, or exploitation. Training is important to ensure that such professionals understand their obligation and are aware how to detect signs of elder financial exploitation.

Leaders and Partners
The likely lead agency would be the Department of Health and Human Services with key partners such as Legal Services for the Elderly, Office of the Attorney General, Office of Securities, and Maine Council for Elder Abuse Prevention.

Achieving Results
Tax preparers and other financial institution personnel are in the best position to detect possible financial abuse and exploitation. Early reporting could prevent such exploitation or enable the successful recovery of the older person’s assets before the perpetrator has exhausted the funds.

Funding and Legislation
The level of effort to make these changes would mainly derive from personnel resources. Legislation would be necessary to add the categories to the list of professionals mandated to report by statute.

Return to this recommendation on page 27 →
SECONDARY RECOMMENDATION

Place responsibility on employers in some licensed/regulated settings, such as health care, to ensure compliance/reporting where they employ mandated reporters; address employers requiring reports to go to employer first and maybe discouraging the report.

Implementation

The rules for licensing of non-nursing home medical facilities and assisted housing facilities could be revised to adopt the Centers for Medicare and Medicaid Services (CMS) Abuse training standards that are in the CMS Nursing Home Conditions of Participation. Licensing facility surveys/inspections would need to have a process for evaluating how the licensed facility/agency is ensuring staff are completing the training as well as a random interview/questioning and auditing process to validate that staff who completed the training comprehend the training and truly know what to do.

The most effective approach would be to establish a statutory requirement for all employers of professionals and individuals who are considered mandatory reporters under the Maine Adult Protective Services Act to ensure that their staff complete mandatory abuse reporting training annually or at least every two years. There would also need to be a fine or penalty to the employer for failure to comply that could be imposed by Adult Protective Services (APS) with applicable appeal rights for hearing/due process.

This would be similar to current mandatory child abuse reporting at 22 MRS §4011-A:

“9. Training requirement. A person required to make a report under subsection 1 shall complete at least once every 4 years mandated reporter training approved by the department.”

This would ensure that facilities which treat and see older clients (urgent care facilities, Rural Health Clinics, Federally Qualified Health Centers) are ensuring their staff who are subject to the mandatory reporting statute are completing training on a regular basis.

Leaders and Partners

APS and the Division of Licensing and Certification would be lead agencies.

** See CMS State Operations Manual for Long Term Care Facilities.
Achieving Results

It would decrease the incidence of elder abuse and improve the multidisciplinary response by increasing training and enhance the competence of mandatory reporters to understand and recognize abuse and know how to report abuse. This should result in increased and more timely reporting, which could result in speedier action to counter the alleged abuser and thereby decrease the probability of multiple victims.

Funding and Legislation

It is unknown at this time what the funding sources would be.

Amendments to the APS statute for mandatory reporters at 22 MRS §3477 would be required.

Return to this recommendation on page 27 →
SECONDARY RECOMMENDATION

Adopt rule to require assessment of licensed facilities on whether their mandated reporting policies are aligned with state law.

Implementation

The rules for the licensing of facilities and agencies that provide care and services to older adults would be amended to include clear language that requires a facility/agency’s policies and procedures regarding mandatory abuse reporting must be consistent with Maine statutes for mandatory reporting including the need for the individual who observes/suspects abuse to immediately report any allegation or suspicion to Adult Protective Services (APS). The intent is to reduce instances of employers trying to inhibit reporting or hide incidences of abuse from regulatory agencies.

In addition, the current statute for mandatory reporting would be amended to impose a fine/sanction on any employer who inhibits or delays staff from submitting a mandated report.

Leaders and Partners

The Division of Licensing and Certification and APS.

Achieving Results

It would decrease the incidence of elder abuse and improve the multidisciplinary response by increasing training, and hopefully increase the competence of mandatory reporters to understand and recognize abuse, and how to report. This could result in increased and more timely reporting, which could result in speedier action to counter the alleged abuser and thereby decrease the probability of multiple victims.

Funding and Legislation

It is unknown at this time what the funding sources would be.

Amendments to the APS statute for mandatory reporters at 22 MRS §3477 would be required.

Return to this recommendation on page 28
SECONDARY RECOMMENDATION

Reintroduce the Securities Victims’ Restitution Fund legislation.

Implementation
The proposed Fund will be used to provide financial assistance to victims of securities violations who have been awarded restitution in a final order issued by the Securities Administrator or were awarded restitution in a final order in a civil legal action initiated by the Administrator, and who have not received the full amount of restitution ordered before the application for restitution assistance is due. The Fund would not apply to restitution ordered in Office of Securities criminal cases.

Leaders and Partners
Office of Securities.

Achieving Results
More victims may seek and receive help in stopping financial exploitation when there is greater hope of obtaining a portion of the restitution ordered.

Funding and Legislation
The Fund will be funded initially by a one-time $350,000 allocation from the dedicated revenue of the Office of Securities. Going forward, the Fund would be funded by transferring a portion of securities industry licensing renewal fees ($5 per individual license) into the Fund. Currently, all licensing renewal fees for individuals and firms are used for the operations of the agency while all other sources of revenue received by the Office are transferred to the General Fund. Additionally, the Fund would be able to receive revenue from other sources including grants and donations.

Adequate revenue would remain available for the operational needs of the Office by including a trigger such that transfers of the $5 per license renewal for individuals will only occur if the Office is at 135% of its budget factoring in any cash balance.

Legislation is required to implement this recommendation. This concept was put forward as LD 1704 and submitted during the first session of the 129th legislature. The bill received unanimous committee support and passed under the hammer and was endorsed by both bodies. The bill was placed on the Special Appropriations Table due to an estimated $75,000 General Fund impact that resulted from the proposed transfer of civil fine money collected by the Office of Securities from the General Fund to the Restitution Assistance Fund. The
bill was carried over to the second session for further consideration. At the beginning of the Second Session, the Administrator, with the support of the bill sponsor, proposed to the Health Coverage, Insurance, and Financial Services (HCIFS) Committee an amendment to remove the civil fines as a funding source. The HCIFS Committee unanimously supported the amendment and urged the Appropriations Committee to put the amendment forward. The bill died without further action when the legislature adjourned abruptly due to the pandemic. The current draft of the bill does not contain civil fines as a funding source to avoid any impact to the General Fund.

Return to this recommendation on page 28 →
SECONDARY RECOMMENDATION

Increase the use of restorative justice approaches in cases of elder abuse for use in criminal justice, financial enforcement, and guardianship systems.

Implementation

There is increasing interest, in Maine and around the country, in using restorative justice in elder abuse cases. Restorative approaches to justice focus on repairing the harms done to a victim or a community and require that the alleged abuser take accountability for the damage done. The goal is to reduce existing harm, prevent future harm, and better address the needs and wishes of victims and communities.

Restorative approaches (that are broader than traditional restorative justice, and usually used in conjunction with other methods) are uniquely suited for elder abuse. Many older adult victims do not want the person harming them to be punished, as that person is often a caregiver or family member with their own struggles. This means many older adults are reluctant to seek out or accept help.

A restorative approach to elder abuse is not just a good idea in theory; it is already being implemented with promising results here in Maine as an integral arm of the three-year Administration for Community Living (ACL)-funded research intervention project, which is a collaboration of Adult Protective Services (APS), the Elder Abuse Institute of Maine (EAIME), and researchers. The intervention model created for the project, called “RISE” (Repair Harm, Inspire Change, Support Connections, Empower Choice) seeks to address root causes of how and why elder abuse happens, including individual, relationship, community, and systemic factors.

From July 2019–July 2021, RISE advocates, employed by EAIME, handled elder abuse cases referred by APS Caseworkers in two randomly selected counties (Cumberland and Aroostook). Advocates are trained in and use a model that integrates several methodologies from other fields. Restorative approaches are core to the RISE advocates' work along with “motivational interviewing,” “supported decision-making,” “teaming,” and “goal attainment scaling.” Advocates work not only with clients, but also, if clients wish, others, including abusers. Members of the Elder Justice Coordinating Partnership represent agencies with whom advocates have worked to provide wrap-around support and resources for their clients.

Elder justice leaders nationwide are closely watching Maine's experience with RISE because there's increasing interest in more holistic approaches to addressing elder abuse. Even while researchers from Dartmouth, the University of Southern California (USC), and the University of Toronto are still collecting and analyzing data from the first two years of RISE, based on
initial positive results, APS expanded the program from two counties to the entire state of Maine in 2021.

It is important to note that while restorative justice can be an appropriate option to meeting the needs of elder abuse victims, the experience with RISE has revealed two important factors: (1) there is no one-size fits all restorative justice approach; adapting the process based on the unique context and needs of the victim and perpetrator is critical to its effectiveness; and (2) given the multi-layered needs of older victims, and the complexity of the cases, the model must include other forms of support that help victims and perpetrators access the services and resources they need.

This recommendation proposes to adapt and expand the RISE model so it can be used by other Maine systems in addition to APS, to provide Maine’s criminal justice, guardianship, and financial enforcement systems the option to also refer cases to RISE—either as an alternative to, or to augment legal intervention. Existing experience with RISE suggests that issues that are often complicating factors in elder abuse cases—such as financial exploitation, neglect, and complex caregiving issues—are also promising cases for a restorative approach.

There are several options for how to implement such a program:

1. Stakeholders would be convened to discuss the best types of cases to refer to RISE advocates, the procedures to follow, and other relevant implementation issues.

2. Memoranda of Understanding would be worked out and agreed to by the relevant entities.

3. EAIME has developed a training program for RISE advocates, Standard Operating Procedures that guide the program, integrated data collection systems, and in-house elder-abuse-informed restorative justice expertise. All of these could serve as a solid foundation for handling cases referred by the criminal justice, financial enforcement, and guardianship systems.

4. As with the pilot ACL/APS/EAIME project, this recommendation envisions a phased in approach:
   - **Phase 1:** Pilot test the program in selected counties;
   - **Phase 2:** Compare outcomes in cases where the intervention is and is not used; and
   - **Phase 3:** Adapt and scale the program as indicated based on the outcomes.
Leaders and Partners

The Office of the Attorney General, local District Attorneys, law enforcement, Office of Securities, and guardianship system stakeholders. EAIME, working with other stakeholder entities as necessary depending on the case. Elder Justice Coordinating Partnership members who provide services to older victims and/or perpetrators. Research partners, including Marie-Therese (MT) Connolly, lead author of the federal *Elder Justice Roadmap* and USC adjunct faculty.

Achieving Results

This approach aims to decrease the incidence of elder abuse by addressing and preventing conditions that cause it. The hope is that by taking an approach guided by the wishes of victims, they will be more willing to seek out and accept help.

The success of this approach is grounded in its multidisciplinary nature. Advocates would take referrals from numerous disciplines (criminal justice, financial, guardianship) and work with numerous disciplines (health, legal, financial, service, faith-based, and others) to coordinate and meet the needs of both clients and others.

The hope is that building this more multidisciplinary response will provide a better option for (1) people whose lives are touched by elder abuse, and (2) will give people in numerous professions (law, health, finance, service, public safety, and others) a broader array of options to advance justice in these very complex cases.

Funding and Legislation

Funding will be needed. Although an intervention like RISE has upfront costs, it is designed to reduce costs of long investigative, prosecution, guardianship, and financial actions. In addition, preventing future harm also will reduce the costs of future elder abuse. State, federal and/or private funds might be available for this type of innovative research and practice approach.

If existing funds are not available, new funding would need to be appropriated by legislation.
SECONDARY RECOMMENDATION

Amend the Assisted Housing Rules to adopt the same or similar federal requirements contained in the Centers for Medicare and Medicaid Services (CMS) Abuse Regulations applicable to nursing homes.

Implementation

All nursing homes in Maine are already required to follow Centers for Medicare and Medicaid Services (CMS) regulations which do include extensive requirements for abuse training.†† The rules for licensing of non-nursing home medical facilities and Assisted Housing facilities could also be revised to adopt the CMS Abuse training standards that are in the CMS Nursing Home Conditions of Participation. Licensing facility surveys/inspections would need to have a process for evaluating how the licensed facility/agency is ensuring staff are completing the training as well as a random interviews/questioning and auditing process to validate that staff who completed the training comprehend the training and truly know what to do.

To be truly effective, the best approach would be to establish a statutory requirement for all employers of professionals and individuals who are considered mandatory reporters under the Adult Protective Services Act to ensure that their staff complete mandatory abuse reporting training annually or at least every two years. There would also need to be a fine or penalty to the employer for failure to comply that could be imposed by Adult Protective Services (APS) with applicable appeal rights for hearing/due process.

This would be similar to current mandatory child abuse reporting at 22 MRS §4011-A:

“9. Training requirement. A person required to make a report under subsection 1 shall complete at least once every 4 years mandated reporter training approved by the department.”

This would ensure that facilities which treat and see older adults (urgent care facilities, Rural Health Clinics, Federally Qualified Health Centers) are ensuring their staff who are subject to the mandatory reporting statute are also completing training on a regular basis. Note: A process to educate “travel staff,” who might change daily in some roles, may have to be developed.

Leaders and Partners

APS and the Division of Licensing and Certification would be lead agencies.

†† See CMS State Operations Manual for Long Term Care Facilities.
Achieving Results

It would decrease the incidence of elder abuse and improve the multidisciplinary response by increasing training, and hopefully competence of mandatory reporters to fully understand what is abuse and how to report. This would theoretically result in increased and early reporting which could result in quicker action on the alleged abuser thus decreasing the probability of multiple victims.

Funding and Legislation

It is unknown at this time what the funding sources would be.

Amendments to the APS statute for mandatory reporters at 22 MRS §3477 would be required.

Return to this recommendation on page 29 →
FOR FURTHER STUDY

Create a study group or task force to look at restitution for administrative, civil, or criminal actions committed against a person (assault, exploitation of personal resources, theft).

Implementation

The criminal restitution system in Maine is broken but should be fixed for all victims, not just older victims. There appear to be two serious deficiencies in Maine’s criminal restitution collection and enforcement system: First, the restitution statute calculates restitution owed by merging the total amount of loss from the crime (the total amount owed) with the offender’s ability to pay. As a result, the restitution ordered in the criminal judgment is often lower than the victim’s actual loss, because it has been reduced by the offender’s ability to pay. There is then no record in the judgment of the total amount of restitution owed.

Second, Maine has no centralized collection system for restitution. The Department of Corrections (DOC) has a dedicated person who does some collection and has success while the offender is incarcerated and receiving funds that can be attached by DOC. When the offender is released and no longer on probation, the District Attorney’s offices take over in a system that is “catch as catch can.”

In contrast, Vermont’s program, which is most often cited and described in the Vermont Restitution Unit, has a centralized staff of 10 to 12 people specifically tasked with working with offenders to get them to a place where they have the capacity (through employment or other life changes) to pay restitution and to enforce payment through collections.

Vermont also caps the restitution paid to victims from the fund at $5,000, which would not help those older adults who have lost a substantial amount of life savings due to fraud. There are some exclusions in Vermont, such as losses covered by insurance, losses that could have been insured and business losses. If the offender has assets, the best course would always be to refer the victim to Legal Services for the Elderly or to a civil attorney.

It is also noted that the Legislature has created two restitution funds, including an elder victim restitution fund in 2011. Clearly, those funds did not fix the problem. The Elder Victims Restitution Fund is financed by those rare instances when a person dies intestate and has no claims on the estate. It is believed that there are small amounts of dollars in these funds.

‡‡ 17-A MRS §2005: Criteria for restitution (maine.gov)
§§ 18-C MRS §2-105: No taker (maine.gov)
Leaders and Partners

As for the lead agencies, there is a Victims’ Compensation Program in the Office of the Attorney General and Victim Services at DOC. All the prosecutor’s offices trying their best in their spare time to collect restitution are also key partners. Perhaps the Judiciary should be at the table to educate judges about the importance of enforcing restitution orders. This task force should include input from Victims’ Compensation Program members.

Achieving Results

Any recommendations of a study group or task force that are implemented and result in meaningful improvements to the current system could result in more victims seeking and obtaining financial help after having been victimized.

Funding and Legislation

It appears that a significant amount of money would be required. To the best of our knowledge, the Vermont system was funded with an initial appropriation of $1 million.

Legislation may be required to implement this recommendation. Unless the Governor or a member of her Administration decides to convene a study group, legislation may be warranted to further define the tasks, scope, and membership of such a group. Legislation to implement suggestions of a study group would then likely also require legislation.
FOR FURTHER STUDY

Study the ability of the probate courts to monitor and enforce statewide standards and training for guardians and evaluate options for Maine to create a program for guardianship screening, training, and monitoring.

Implementation
It is likely this will be very challenging to implement in Maine given our current Probate Court structure. A Commission is being formed to explore moving the Probate Court into the judicial branch. This process may take years. If this were to eventually happen then the probability of success of doing this would increase dramatically.

Leaders and Partners
Legal Services for the Elderly; Maine State Bar Association; Judicial Branch (if Probate Courts are moved into the Judicial Branch).

Achieving Results
This would be a prevention-focused activity. It could also lead to increased reports if someone suspected misconduct and was able to confirm it by turning to these resources.

Funding and Legislation
The funding requirements could be significant, with only state funds as an option, though some states have used volunteers to conduct monitoring activities.

Legislation or rulemaking might be required.

Return to this recommendation on page 29 →
FOR FURTHER STUDY

Study whether to update statutes around reporting including when Adult Protective Services needs to report and what that path looks like to get it to law enforcement.

Implementation

Per 22 MRS §3485(1), APS provides reports of referrals alleging abuse, neglect, or exploitation of an incapacitated or dependent adult to the applicable District Attorney.

Per 22 MRS §3485(2), upon finding evidence indicating that a person has abused, neglected, or exploited an incapacitated or dependent adult, resulting in serious harm, APS will coordinate with law enforcement and complete a referral to the appropriate District Attorney of findings.

Further study would be necessary to understand all relevant roles and responsibilities of affected entities. This could be in the form of a stakeholder process that would review current statutes and policies as well as potential gaps and recommendations for change in areas of job responsibilities and lines of authority.

Leaders and Partners

The likely lead agency would be the Department of Health and Human Services and key partners would include the Office of the Attorney General, state, county, and municipal law enforcement agencies, and the eight District Attorneys, and others as identified.

Funding and Legislation

Based on the recommendations of the study, legislation may be needed.

Return to this recommendation on page 30
“Data collection and evaluation” encompasses research and data collection on the prevalence and scope of elder abuse, tools, and research to detect elder abuse, and prevention and intervention methods which are most appropriate and effective for this unique issue.

The following material is based on information provided by EJCP members to the Partnership to inform their evaluation of the Data Collection and Evaluation recommendations on their potential to achieve the goals of preventing, detecting, and responding to elder abuse and the ease/likelihood of successful implementation. It provides a high-level description of how each recommendation could be implemented (Implementation), which key leaders and partners could spearhead the effort (Leaders and Partners), how the recommendation meets the goals of the Executive Order (Achieving Results), and what funding sources and legislative action may be needed for implementation (Funding and Legislation). The material is a starting point for further discussion and elaboration by those who move these recommendations forward.
TOP PRIORITY RECOMMENDATION

Create a Maine Criminal Justice Academy minimum standard on data collection for law enforcement. Create and implement a document that law enforcement fills out to capture data on older victims.

Implementation

This recommendation suggests a way to create a state of Maine law enforcement minimum standard to collect elder crime data for law enforcement. The idea is to implement a document that law enforcement utilizes and fills out to capture data on older victims with each case. This document starts with an investigation guide for the officer and concludes with a section to provide to the older adult which provides further resource information.

Currently, there is no consistent tool in place to assist responding/investigating officers throughout the state with elder abuse case investigation and triage. Elder crime investigations can be daunting due to the complexity of these cases. With this recommendation, a standardized document (i.e., Blueprint) to guide law enforcement and assist with data collection would be a valuable resource for the state of Maine. It would also assist those who are responsible for screening and prosecuting cases to have a clearer, more consistent lens when reviewing cases.

This recommendation would be created by a “document development team” to include but not limited to voluntary Elder Justice Coordinating Partnership members, law enforcement officers/investigators, District Attorneys’ offices, and the Office of the Attorney General.

This document would be made available for all law enforcement agencies who are working with older victims of crime to mainstream the collection of data and to encourage providing resources to all older adults that are involved.

This document shall be a three-part packet: Investigation guide, Data collection form, and Resource document for the older adult involved.

Investigation guide: This portion would guide users through the investigation process and increase the consistency of how these cases are investigated throughout the state of Maine.

Data collection form: This portion would be a form for data collection to be filled out and preserved with the case report to capture the case data.

Resource document: The final portion of the document is to be left with the older adult. This final portion would be filled with resources to include but not limited to contact information for the Department of Health and Human Services/Adult Protective Services,
Legal Services for the Elderly, and other local support that the departments can customize for their own communities.

**Leaders and Partners**

Those who are on the “document development team” shall be responsible for the development and the distribution of the project. Special emphasis shall be placed on encouraging current law enforcement entities who are assigned to Elder Justice to initially deploy this tool/project.

**Achieving Results**

The staggering proportion of victims who do not report elder abuse is partially a reflection of missed opportunities during initial contacts with older adults. Some responding officers are not familiar with the crimes of elder abuse. This tool will empower law enforcement with taking the proper steps when dealing with older victims of crime and result in better outcomes for victims. Each older adult victim will be furnished the resource portion of this document. This portion introduces multiple multidiscipline resources available to them, and they will be encouraged to utilize them.

**Funding and Legislation**

The “document development team” would participate in the creation of this document, and their time would be expected to be paid by their respective organizations as part of their entity’s participation in the project.

The document can be developed as a PDF, and departments can print it at their discretion for distribution, eliminating printing costs.

Legislation is not necessary for implementing this recommendation.

*Return to this recommendation on page 32*
TOP PRIORITY RECOMMENDATION

Examine capacity and resource needs in order to publish an annual report of Adult Protective Services (APS) data and analyze APS data to identify trends and patterns and develop ongoing recommendations for system improvement.

Implementation

APS currently collects data that is included in the 2021-2022 Biennial Plan pursuant to 34-B MRS §5003-A(3) for Adults with Intellectual Disabilities or Autism. APS would welcome opportunities to increase capacity/resources that would assist with on-going analysis to enhance these services. Because there is no current funding source allocated for this additional capacity, a possible grant opportunity would need to be explored or a budget initiative would need to be presented to the legislature for consideration.

Leaders and Partners

APS.

Achieving Results

Funding and Legislation

Grant opportunities may be available to implement this recommendation. Alternatively, this work could be included in the state budget.

Return to this recommendation on page 32 →
TOP PRIORITY RECOMMENDATION

Create a comprehensive catalogue/list of victim services interventions to get an understanding on exactly how many specific discrete services (units of service) are available to older victims.

Implementation

There is no one-stop-shop for services specifically tailored to older Mainers who are victims of abuse, neglect, and exploitation. Additionally, because the needs and desires of elder abuse victims are complex and diverse, there is no one set of services that is appropriate for every victim.

Fortunately, we have a comprehensive variety of services available to assist older Mainers, but because they are diverse and not always designed to meet the specific needs of elder abuse victims—counseling, case management, crisis intervention, service coordination, housing, support groups—we (collectively) don’t really have a good sense of what, how much, and where services are available, and if what we have is enough.

This recommendation proposes an inventorying of services and/or resources available that can meet the needs and desires of elder abuse victims. Understanding what we have available, where it is available (and not), and where are there gaps or redundancies will help us collectively better deploy resources to meet victims’ needs.

This recommendation could be tackled using the following approach:

1. **Primary data gathering:** Initial inventorying could begin through a series of live sessions among known agencies that provide services/resources to older victims of abuse. These sessions would help identify, quantify, and catalogue what is available and jointly brainstorm where other services might exist.

2. **Secondary data gathering:** From the list of “other services,” a survey of these providers could be conducted to determine where and how many of these services exist. Data might also be available through other sources but hearing directly from providers is likely to produce the most accurate information.

3. **Analysis/Advocacy:** This catalogue of services could be analyzed to determine if gaps and redundancies exist and what might be done to address these gaps.

4. **Dissemination:** This catalogue could be made available on agency websites to assist victims in accessing services and agencies in developing services for victims.
Leaders and Partners

Members of the Elder Justice Coordinating Partnership who provide services to victims could comprise the committee overseeing this effort. Lead agency would likely be Adult Protective Services.

Achieving Results

This recommendation would increase the number of people that seek and receive help by ensuring that the services that are available are more readily known, and that gaps in services are addressed where they exist. It would also further the multidisciplinary response to elder abuse by identifying and better coordinating the services that exist for victims.

Funding and Legislation

One-time dedicated resources might be required to staff this effort and oversee survey design, dissemination, and analysis. Private foundation funding might source this effort.

No legislation would be required.

Return to this recommendation on page 32
SECONDARY RECOMMENDATION

Explore the development of a process for collecting data on coordination between law enforcement and Adult Protective Services (APS), including data on APS referrals to each District Attorney’s office and prosecution of such cases.

Implementation
While APS and law enforcement currently coordinate on individual reports of abuse, neglect, and exploitation, both are limited in their ability to share aggregate data to inform their practices. Improving the data sharing capabilities between APS and law enforcement, including District Attorneys’ offices, would enhance insight into the issues facing older adults and improve coordination efforts to address these cases.

Leaders and Partners
Lead agency would be APS, key partner would be each District Attorney’s office.

Achieving Results
This recommendation could improve the multi-disciplinary response to elder abuse.

Funding and Legislation
Possible sources of funding would include a budget initiative or legislative initiative or grant funding if available.

Return to this recommendation on page 33 →
SECONDARY RECOMMENDATION

Obtain and disseminate population-level elder abuse prevalence data with the goal of improving awareness of and response to these crimes.

Implementation
Many social change movements have benefited from population-based data to build awareness of the scope of the issue and to move communities toward action and solutions. Every few years the University of Southern Maine Muskie School of Public Service implements the Maine Crime Victimization Survey. This survey could both be used to establish some population-based prevalence data as well as to better understand the perspectives of victims of elder abuse regardless of whether they accessed victim services or criminal/civil legal systems.

Leaders and Partners
Likely funding agencies (to apply for federal grant money?): Department of Health and Human Services or Department of Public Safety

Possible implementing agency for implementing research: Muskie School of Public Service

Collaborators on questions/survey design: Elder Justice Coordinating Partnership members

Achieving Results
This recommendation would improve the multidisciplinary response to elder abuse by increasing awareness of the issue's scope as well as providing data specific to the needs and perspectives of elder abuse victims.

Funding and Legislation
Possible sources of funding for this recommendation include Victims of Crime Act Administrator funds, Office on Violence Against Women Discretionary funds, etc.

Legislation would not be required to implement this recommendation.
FOR FURTHER STUDY

Explore the ability of law enforcement to obtain and access data regarding non-arrest calls to law enforcement involving older adults, with the goal of identifying older adults that may be at risk for abuse.

Implementation

Many law enforcement (LE) agencies across the state have daily wellness check programs designed specifically for individuals who are living alone and may not have daily in-person visits. Compiling data on the number of programs and how many older individuals are served can be important information for local policy makers. Numbers could be reported annually to a state agency, such as Adult Protective Services (APS). The information could be shared with local Area Agencies on Aging for potential services, such as Meals-On-Wheels.

LE agencies could track the number of calls where a person over the age of 60 or 65 is involved, and could categorize the type of call or the person’s relationship to the call, i.e., victim, complainant, lost person, medical assist, etc. Victimization rate(s) could be extrapolated from this data.

Leaders and Partners

Collecting the data would have to be done at the local level—police department, sheriff’s office, etc. It could be required to do an annual report to a state agency such as the Department of Health and Human Services, APS, State Bureau of Identification, etc.

Key partners would be regional communication centers or dispatch centers that retain agency records through an RMS (records management system).

Achieving Results

The information on victimization can be sought out, quite easily, and would be an important data point for improving a multidisciplinary response to elder abuse. This could be important information if you are establishing a specialized prosecutor in a District Attorney’s office. This data could also be used to overlay reports to APS.

(Note: Right now, most LE agencies can quickly tell you how many investigations they have done involving a child victim—physical/sexual abuse, neglect, etc. However, they likely couldn’t do the same for older victims.)
**Funding and Legislation**

Funding is not necessary to implement this recommendation.

Legislation is not necessary but could be if collection of the data is mandated depending on need.

Return to this recommendation on page 34 →
FOR FURTHER STUDY

Using the services of researchers and an evaluator, conduct a comprehensive study and evaluation of data collection and gaps across all elder justice stakeholders. The study and evaluation should include: evaluation of a granular report using GIS mapping of risk factors overlaid with prevalence of demographics across the state including the nature of household and availability of services by geographic area; a review of the nature and scope of elder abuse/maltreatment as compared to scope of public health mission; and, using the information obtained and evaluated, the feasibility of creating a uniform system-wide data collection protocol, including a central database with regular statewide reporting of the information captured.

Implementation

The development of data sets, including the sources, approaches to the data collection, and analysis, differs significantly depending upon who the stakeholder is, the purpose for the data collection, and the intended use of the data. While an agency might collect data on investigations with victims age 65+ for purposes of determining whether to increase a penalty, others within state government or in the private sector might want to use that information for different purposes and could make use of the information if additional sources and data sets are incorporated. It would not seem prudent or cost effective to try to assess the system overall and then build a data collection model that incorporates all possible data sources and data sets in one place. A more appropriate approach is to send this recommendation to further study to determine the types of data that would be beneficial in assessing and addressing elder justice needs and then determine whether public sources for that data exist and, if not, whether it is reasonable and feasible to require the collection of such data by particular entities.

Return to this recommendation on page 34 →
Elder Justice Coordinating Partnership Members

Jaye Martin, Private Sector Co-chair, Executive Director, Legal Services for the Elderly

Judith Shaw, Public Sector Co-chair, Securities Administrator, Office of Securities

Katlyn Blackstone, Chief Program Officer, Southern Maine Agency on Aging, representing the Area Agencies on Aging

Morgan Connolly, Deputy Director, Office of Behavioral Health

Colonel John E. Cote, Chief, Maine State Police

Brenda Gallant, Executive Director, Maine Long-Term Care Ombudsman Program

Bobbi Johnson, Associate Director, Child Welfare Services, Office of Child and Family Services

Patricia Kimball, Executive Director, Elder Abuse Institute of Maine

Jeanne Lambrew, Commissioner, Department of Health and Human Services

Karen Mason, Associate Director, Aging and Long-Term Services and Supports, Office of Aging and Disability Services

Andrew McCormack, Assistant United States Attorney and Elder Justice Coordinator, United States Attorney’s Office

Sheriff Joel Merry, Sagadahoc County Sheriff, representing the Maine Sheriffs’ Association

William Montejo, Director, Division of Licensing and Certification

Emily Moores, Senior Health Program Manager, Maine Center for Disease Control and Prevention

Leanne Robbin, Assistant Attorney General, Office of the Attorney General

Erin Salvo, Associate Director, Adult Protective Services, Office of Aging and Disability Services

Michael Sauschuck, Commissioner, Department of Public Safety

Elizabeth Ward Saxl, Executive Director, Maine Coalition Against Sexual Assault

Officer Candice L. Simeoni, Kennebunk Police Department, representing the Maine Chiefs of Police Association

Kathryn M. Slattery, District Attorney, Maine Prosecutors’ Association

Francine Garland Stark, Executive Director, Maine Coalition to End Domestic Violence