



# THE ROLE OF LOCAL PROSECUTORS ON ELDER ABUSE MULTIDISCIPLINARY TEAMS

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## Table of Contents

Letter to the Elder Justice Community .....	2
Introduction & Background .....	3
1. The Prosecutor Perspective .....	5
A. The Value of Being on an MDT .....	5
B. Prosecutors’ Concerns About Being on MDTs .....	9
2. The MDT Perspective .....	12
A. The Value of Having a Prosecutor on the MDT .....	12
B. MDT Concerns About Prosecutors’ Role on the MDT .....	16
3. General Observations .....	18
Conclusion.....	19
Appendices .....	20
1. Acronyms and Terms.....	21
2. Methods .....	22
3. Synopsis of a California Study Mirroring This Project .....	23
4. Acknowledgements .....	24
5. References & Resources .....	26
6. A Brief Description of How Elder Abuse Cases are Handled in Each of New York City’s District Attorney Offices .....	28
7. Flow Charts Illustrating How Cases Move Through the Criminal Justice System .....	31



## Letter to the Elder Justice Community

Elder mistreatment is increasingly common nationwide, with 1 in 10 older adults victimized in their own homes each year. The cases are heartbreaking and complex, requiring collaborative solutions.

In response, the NYC Elder Abuse Center (NYCEAC), housed within Weill Cornell Medicine's Division of Geriatrics and Palliative Medicine, has focused on developing and implementing multidisciplinary teams (MDTs). MDTs represent a highly collaborative endeavor, regularly bringing together professionals from diverse fields and systems to respond to cases of elder mistreatment.

In 2010, NYCEAC launched an MDT in Brooklyn, and then in Manhattan in 2013. Now, with funding from the NYC Department for the Aging, the NYS Office for the Aging (NYSOFA), the NYS Office of Victim Services (OVS) and the NYS Legislature, these teams will be sustained and new teams will be launched and sustained in the Bronx, Queens and Staten Island. (Other MDTs are also supported in NYS with funding from OVS, NYSOFA, and the NYS Legislature.)

To plan for the NYC expansion, NYCEAC sought to understand more about the role of key core members. The integral role of the local prosecutor on MDTs has not yet been defined. This has resulted in variation across teams regarding the degree and nature of prosecutor involvement. Thus, it seemed important at this juncture to more fully explore the role of the local prosecutor on elder abuse MDTs.

NYCEAC asked Marie-Therese Connolly to help in writing this document. An attorney, she began her work on elder abuse at the US Department of Justice and is deeply knowledgeable about elder abuse, prosecutors, and teams. A long-time elder justice advocate, she is highly regarded for her work, as evidenced by having received a MacArthur "Genius" Award for her achievements. This project has benefited mightily from her participation. We are grateful that she contributed her smarts, talents, and time to it.

Critical to the success of this undertaking is that those involved with elder abuse work and teams inform the document. We are grateful that the many people we asked to participate generously did so. (See Acknowledgments section - Appendix 4.) This document could not have been accomplished without the generous support of the NYC Department for the Aging.

NYCEAC looks forward to continuing to work with the many dedicated professionals participating on MDTs and welcomes those who will soon be joining the new teams. Together we will continue to reduce the suffering of elder abuse victims, increase their safety and well-being, and in so doing, not only improve lives, but save them.

Sincerely,

Risa Breckman  
Executive Director  
NYC Elder Abuse Center  
July 2018



## Introduction & Background

There is consensus, both in the literature and among leading experts, that multidisciplinary teams (MDTs) are a critical asset in addressing elder abuse and that prosecutors play a vital role on them. New York City’s Enhanced or E-MDTs<sup>1</sup> are no exception. (For consistency, “MDT” will be used herein. See *Definitions*, Appendix 1.)

This document examines the role of NYC prosecutors on elder abuse MDTs. It is a rich and challenging many-layered role. The prosecutors don’t only prosecute elder abuse cases. They also attend meetings, advance their colleagues’ understanding of the criminal justice system, train community members, promote the accountability of individuals and systems in addressing elder abuse, learn about other systems’ resources to assist elder abuse victims, and collaborate with other team members.

The core mission of any MDT is to respond to elder abuse in a way that advances the well-being of and justice for the older persons whose interests the team exists to serve. (They might be referred to as clients, victims, patients, residents or survivors, depending on the system.)

Each team member has a distinct professional identity accompanied by differing expertise, goals, rules, authorities, language and culture. Prosecutors are public officials who represent “The People” in pursuing cases against those alleged to have violated the law. They initiate and direct criminal investigations, issue subpoenas, present cases to grand juries, file formal criminal charges, plea bargain, handle trials, and make recommendations regarding sentencing. Elder abuse prosecutors also often work with detectives, paralegals, forensic accountants, social workers, victim advocates and other professionals. Specific roles and procedures differ from office to office. (See Appendix 6 for descriptions by the NYC DA’s offices about their handling of elder abuse cases.)

In the more than two-dozen interviews conducted for this project, MDT members agreed that collaborating among individuals and systems to best serve older victims’ interests is a work-in-progress and hard work, but also productive and rewarding.

Team members learn much from being on teams—about other professions, agencies, offices and disciplines, about elder abuse, about teamwork, and about navigating different perspectives in trying to do the right thing in these very complex and difficult cases. They also come away seeing new dimensions to their own work.

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<sup>1</sup> In New York State and New York City, the term *Enhanced MDT* or *E-MDT* refers to teams that have been “enhanced” with the participation of specialists, including geriatric psychiatrists, forensic accountants and /or legal services. Enhancements could, however, include other things, like the use of additional specialists or the use of technology, like telehealth. “MDT” is the general term most commonly used for various teams that serve as a forum for people from different disciplines to address elder abuse together. Thus, “MDT” will be used in this document for various MDT models, including the NYC Elder Abuse Center’s E-MDTs.



Said another way, being on an MDT changes the people on it and how they respond to elder abuse, both in individual cases and in how their offices and systems respond more broadly. For example, research shows that prosecutors on MDTs prosecute more elder abuse cases. (Navarro, 2012)

One of the most valuable aspects of being on an MDT is harder to articulate. It has to do with asking new kinds of questions, learning about new organizations, disciplines and systems, and figuring out how they can mesh together toward a common goal.

The purpose of this document is to examine the roles and engagement of local prosecutors on MDTs to inform new teams as they form and existing teams as they evolve. Its contents are based primarily on interviews with elder abuse prosecutors, team coordinators, and other team members. (See *Methods*, Appendix 2.) On many matters those interviewed agreed, but on some their views diverged (as on any good team).

The document is organized by theme with illustrative bullet points and in some instances, quotes that appear in italics. (Points relevant to more than one theme may appear more than once so each section can stand alone, even though this causes a bit of redundancy.)

Interviewees expressed both benefits and concerns about prosecutors' roles on MDTs, but unanimously said that the benefits far outweighed the concerns, and that the concerns could be navigated with thoughtful attention and creation of procedures for collaboration. Prosecutors who did not yet have access to an MDT looked forward to joining one in the belief that doing so would enhance their ability to prosecute elder abuse, identify cases they might not otherwise hear about, and expand the resources available to them to help victims.

While this document focuses on NYC, its themes likely will resonate around New York State and the country even though resources and challenges will differ from place to place. In addition, although state and federal prosecution, or civil and administrative actions may also be appropriate or critical avenues of redress in elder abuse cases, they are beyond the scope of this document.

This document is not intended to be a primer on what prosecutors, coordinators, or MDTs *should* do. Rather, it is intended to provoke thought and conversation—a first compilation of ideas and opinions about a relatively new kind of entity that is still evolving. Like MDTs, the role of the MDT Coordinator is also still young and evolving. Many MDT members are still learning about the criminal justice system. And the way prosecutors handle elder abuse cases and embrace their roles on these teams is evolving too.

No doubt in addressing one set of questions, new ones will surface. This document is intended to be a starting point for discussion about what works best for each team, its members, its cases and the people it serves.



# 1. The Prosecutor Perspective

## A. THE VALUE OF BEING ON AN MDT

The prosecutors interviewed for this project cited numerous benefits to being on MDTs, including: (1) Access to experts and key decision makers, (2) Assistance for victims, (3) Education & raised awareness, (4) Relationships, (5) Save time, and (6) Strengthen and illuminate cases.

### *Access to Experts and Key Decision Makers*

- Where medical professionals are part of MDTs, joining a team gives prosecutors ready access to physicians and other medical experts (for example, specialists in geriatrics, geriatric psychiatry, neuropsychology and emergency medicine) who can conduct or arrange for medical and capacity assessments, review medical records, discuss complex health and cognitive issues that arise in elder abuse cases, and serve as expert witnesses.
  - *One of the biggest challenges is establishing whether the victim had capacity at the time the fraud was committed. Having access to a geriatric psychiatrist is key. I use the MDT doctors in cases where someone with cognitive impairment gave permission to someone else to write a check.*
- MDTs give prosecutors ready access to a forensic accountant (for teams that include such a specialist) whose analysis is also often critical in financial exploitation cases.
  - *Having access to a forensic accountant makes our jobs easier. They give us concrete evidence and allow us to bring many more cases.*
- Access to such experts dramatically saves both time and the cost of expert fees.
  - *I often call the MDT doctors for advice or to run scenarios by them.*
  - *Doctors and prosecutors have a difficult relationship. Doctors aren't known for being easy to get hold of or get information from, let alone getting them to testify. They're often afraid, but don't want to admit it. The MDT doctors are great. And they can talk to other doctors involved in our cases.*
- Prosecutors noted that having key decision makers from agencies present for team discussions increased their efficiency. (DeLiema 2016)
  - *All these agencies are available to do good things. But they can be hard to track down. When you go to the meeting, everyone's gonna be there. They're gonna be in the room.*
- Prosecutors also benefited from the expertise of other team members, for example in aging services, APS, civil law, emergency housing, guardianship, victim assistance, and other subjects and entities potentially relevant to their cases.
  - *The Office on Aging is the most amazing office. They always know something—they've provided Meals on Wheels or done an assessment. Or some other agency—APS, Legal Aid or a bank—has some little piece to the puzzle that it's important for me to know. When you only get half the story, it doesn't make sense. As a prosecutor, I want to know everything.*



### Assistance for Victims

- Being on MDTs introduces and connects prosecutors to a range of resources to help victims that they might previously not have known about or that they had difficulty accessing.
  - *The social workers and caseworkers on the team are so savvy and work so hard. I'm like, how do we get the son out and mom on the lease? They know how to navigate the housing authority, which is really complex. I'm a prosecutor, not a social worker.*
- By being on MDTs, prosecutors can learn information that allow them to pursue a case in a way that is more attuned to the victim's wishes and has the potential to change a victim's life or circumstances for the better. For example, a prosecutor might seek drug rehab or mental health treatment for a defendant or restitution for a victim.
  - *It's always helpful for victims when more diverse and experienced teams address their needs.*
- Access to expanded options sometimes results in reluctant victims changing their outlook on prosecution.
  - *Working with others on the MDT can mean that victims feel a little less stress about going forward and are more likely to testify. Having a coordinated response is best for victims.*
- Being on teams may allow ADAs to take a more victim-centered approach to interventions by the criminal justice system in cases of elder abuse.
  - *A prosecutor may have a good case but decide on a course other than prosecution if that's better for the victim, as in situations where the stress of prosecution would be too hard on a frail elder.*
  - *If you're arresting a caregiver, you may need help from others, because that caregiver was giving the victim her meds, and feeding her.*

### Education and Raised Awareness

- By being on MDTs, prosecutors gain an improved understanding of how other agencies and specialists work, for example who does what in APS, aging services, civil legal services, forensic accounting services, geriatric care, guardianship, social services, victim services and more, and the pros and cons of various options.
  - *When I first started doing financial exploitation cases, I readily joined recommendations for guardianship. Having learned more about them from being on the MDT, and seeing them in place, I now appreciate that guardianship is an option of last resort and the importance of going to all lengths to find family members or relatives to get reconnected and involved first.*
- When prosecutors are active team-members, law enforcement is also more likely to be knowledgeable about handling elder abuse cases and engaged in cases.
  - *Last year we [including prosecutors and the MDT coordinator] did first responder training for NYPD, EMTs, and FDNY on World Elder Abuse Awareness Day. We explained, "This is a crime scene." Checklists mentally demystify it. We discussed "what's relevant?" If you're the one who takes the first witness statement, what do you ask? Take video or pictures of the empty*



*medicine bottles, the dirty diapers, the sheets and the empty fridge right at the outset. The training was well received by NYPD. It's an issue NYPD has gotten behind.*

- Having prosecutors on MDTs raises awareness among other team members and their agencies about the role, limits, and priorities of the DA's office. As a result, those agencies report more appropriate cases to law enforcement and better understand the high burden of proof prosecutors must meet to prove a criminal case.
  - *I often hear complaints about a target of a potential investigation using "undue influence" over the senior. "Undue influence" is not in the Penal Law. There might be a remedy for it, but not in New York's criminal code.*
- Being on MDTs can provide prosecutors with a greater understanding of, and more sophisticated language to discuss and respond to the aging and psychosocial aspects of elder abuse cases.
- MDTs enable team members to do "real time" outreach based on local trends.
  - *On my MDT [a team outside NYC], the DA's office took a leadership role in developing a successful outreach campaign based on trends we were seeing in our caseload. The campaign resulted in a 30% increase in reports to APS.*
- Prosecutors often find it helpful to seek input from other team members in navigating complexities in their elder abuse cases.
  - *I brought an ethical dilemma to the team about whether or not to pursue a case the victim wanted me to drop. It was a fascinating and educational discussion, and, I thought, a fabulous use of the team.*
- MDT membership expands the avenues available to get out the word about successful prosecutions and other efforts by the DA's office to combat elder abuse.
  - *Since being a part of the MDT, I'm much more active in giving presentations at senior centers and the like, about how to avoid becoming a victim.*
- Being part of MDTs expands prosecutors' views of their role.
  - *It's not just about getting convictions. These cases are so much more complicated than that. The more you realize that, the more you're aware of your need for other disciplines.*
- When there's insufficient legal or factual basis to prosecute a case or it's not yet clear whether there is a viable criminal case, other agencies around the table might have tools to aid at-risk victims or stop abuse, neglect, or financial exploitation. Thus, being on MDTs can raise prosecutors' awareness about additional alternatives in their cases.
  - *Sometimes the MDT can afford us the satisfaction of assisting a senior as best we can, while accepting the fact that just because we may not like a senior's decision, it's their decision.*



## Relationships

- When issues arise, prosecutors know whom to call because of relationships built on the team can accelerate and improve responses, coordination and trust.
  - *Relationships are the most important element of MDTs.*
  - *Agencies used to jealously guard their own cases. Sharing was seen as an admission that “we can’t handle them.” That has broken down. We’re a closer group now. Willingness to work cooperatively is the secret sauce. The rest will follow. Communication is the key.*
- Relationships can expand the sources of information and facilitate access to it as prosecutors investigate and prepare their cases.
  - *How do you understand each other? Cross training. Sitting at table together. Ask questions, like, “Did you consider this or that?” Or explaining, “This is why we can’t move forward.” There’s a level of accountability when we’re both at the table and can talk it out. That’s the importance of the relationship.*

## Save Time

- At meetings, prosecutors can quickly learn a lot about a case they’re handling.
- In financial exploitation cases, I want to know about the living arrangements of the senior and specifically, who has access to the person, their personal information, and their assets. Caseworkers often have a birds-eye-view of the senior’s living situation, providing critical information fast.
- Cases reported to multiple agencies at once through the MDT can be streamlined so agencies are not duplicating work.
  - *Recently it came to the MDT’s attention that two different guardianship proceedings had been filed for the same person.*
  - *The MDT Coordinator keeps the work moving forward in a well-choreographed manner and works to get the relevant people in the room for case discussions.*
  - *Having the MDT Coordinator is huge. She does a great job making sure things are addressed. She’s not just listening. She’s the quarterback. I love it. Having that quarterback has made my life easier with elder abuse cases. Before it was like herding cats.*

## Strengthen and Illuminate Cases

Prosecutors can learn new information relevant to their investigations or cases during team discussions.

- *The team’s discussion can provide information that might make your case stronger or weaker. For example, you might learn that the defendant is violating an order of protection. Or that the victim has or lacks the cognitive capacity to give away money. Either way, that’s information you need to know.*
- Cases that come through an MDT tend to be stronger and more thoroughly investigated. When other agencies are also looking at a case, prosecutors get a fuller picture than they might



otherwise. Research indicates that MDT cases also are more likely to be prosecuted. (Navarro, 2012)

- *You learn about information in the hands of other professionals or agencies about cases you're pursuing or are considering pursuing.*
- Being on MDTs can alert prosecutors to cases before they would otherwise learn about them.
  - *A less confrontational non-law enforcement interaction can shed light on an on-going larceny, making us [prosecutors] aware of cases earlier, and often stop the bleeding before all the assets are drained.*

## **B. PROSECUTORS' CONCERNS ABOUT BEING ON MDTs**

Prosecutors also had some concerns about being on MDTs. And while they believed those concerns to be outweighed by the benefits of team membership, they also believed there was value in other team members understanding their concerns, including: (1) Expectation management, (2) Information sharing and confidentiality, (3) Professional culture, and (4) Scheduling.

### ***Expectation Management***

- ADAs noted that other team members sometimes had unrealistic expectations about what cases they could or should pursue. MDT participation helped varied professionals align their expectations of one another to better reflect their respective realities.
  - *I've gotten defensive when questioned why I wasn't prosecuting a case, but then did the same thing with APS—asking why aren't you accepting this case? Why aren't you moving on guardianship?*
- A few ADAs believed that their decisions took on an outsized role in the way the MDT evaluated success. Everyone interviewed agreed that teams could do a lot of good, even when a case wasn't appropriate for prosecution or the case didn't result in a conviction.
  - *What is prosecutable and what isn't should be just one aspect of a broader discussion about what's best for the victim.*
- A couple of interviewees suggested that to manage such expectations, new and even existing MDTs might benefit from presentations by ADAs about the factors they consider in deciding whether to pursue an elder abuse case.
  - *There's a basic lack of understanding about how the criminal justice system works. Teams need Criminal Justice 101. Where do people go when they're arrested? If they don't make bail, what happens? At what point do prosecutors come into a case? What does it mean to go to the grand jury? What's an indictment? Who does what? What's the difference between a federal prosecutor, the State Attorney General and a local DA?*
- Tools available to prosecutors to gather information are governed by strict rules.
  - *Using a grand jury for a fishing expedition is improper. Case managers and other team members have different restrictions in gathering information.*



## Information Sharing and Confidentiality

- Some MDTs draft a confidentiality agreement or a Memorandum of Understanding (MOU) for team members to sign regarding disclosures of information beyond team meetings to address the obligations and concerns of team members and their agencies.
- The law mandates the secrecy of any information relating to or obtained through a grand jury. Violating that secrecy is against the law. Even confidentiality agreements and MOUs do not allow for sharing grand jury material.
  - *Information-sharing with other MDT members often can't be a two-way street given grand jury secrecy requirements and other considerations. I can't even say if there's a grand jury investigation going on.*
- ADAs also might be reluctant to share information that could compromise witness confidentiality or the outcome of a case.
- When victim safety is at issue, the calculus on information sharing may change, as permitted by law.
- Some prosecutors worried that MDT case discussions could trigger discovery and disclosure obligations. ADAs strive to balance their roles as MDT members and officers of the court.
  - *As an officer of the court, I'm bound by discovery and disclosure obligations.*
- *People v. Rosario*, 173 N.E. 2d 881 (N.Y. 1961) requires prosecutors to turn over all statements of any witness they plan to call at trial and *Brady v. Maryland*, 373 U.S. 83 (1963) requires them to turn over all exculpatory evidence (i.e., any evidence favorable to the defendant).
  - *Rosario doesn't scare me. Either does Brady. If there's exculpatory information out there, I should know it anyway. As a prosecutor, I should want to know it. That doesn't deter me.*
  - *A prosecutor should want to know all of the weaknesses of a case and not try to avoid those discoveries. This is especially true in cases where the abuser is someone very close to the victim, because that person probably knows the exculpatory information.*
- The ADAs interviewed uniformly said that information sharing and disclosure concerns are serious but not insurmountable. Many sorts of MDTs have navigated them successfully for years. But it helps if other team members are aware of the prosecutors' obligations and concerns.

## Professional Culture

- Some prosecutors noted that going to two-hour meetings twice a month with "all that talking" was not for every prosecutor, even ones in elder abuse units. Some liked or saw value in the collaborative MDT process. Others didn't. Thus, it was important for the attorney who staffed the MDT to be someone who was inclined to do that sort of work.
  - *I go the meetings and handle cases; my colleague is a brilliant prosecutor but hates long meetings, so focuses on just bringing the cases.*
- Team members had different styles of questioning one another about cases.

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- *I'm fine with an open, candid discussion as long as it's respectful. I have no issue with someone asking me: why didn't you guys prosecute? Or even being asked whether the police or we dropped the ball. I would rather hear what folks are thinking. In the same vein, I like to be able ask: Why didn't you accept this case?*

### **Scheduling**

- Prosecutors have unpredictable schedules, periods of intense work during trial preparation, and may be called to court on short notice. Some DA's offices (like other MDT members' offices) address this issue by designating a back-up person to attend meetings when necessary.



## 2. The MDT Perspective

### A. THE VALUE OF HAVING PROSECUTORS ON THE MDT

MDT team members assign great value to having a prosecutor on the team, both at meetings and accessible for “off-line” conversations. The benefits discussed fell into the following categories: (1) Access to prosecutors/relationships, (2) Accountability (of systems and individuals), (3) Education of the team, (4) Empowerment of the team, (5) MDTs expanded understanding of the range of resources available to prosecutors, and (6) Raising public awareness.

#### ***Access to Prosecutors/Relationships***

- Team members valued getting to know and being able to contact prosecutors.
  - *Just having access to this often inscrutable and intimidating agency is a huge benefit.*
  - *As time went on, my staff got more confident because they developed a relationship with the prosecutor. They became more confident in their presentation of cases to MDTs and in investigating cases.*
- By getting to know ADAs, people who work with more than one MDT learn about differences among offices and boroughs in the handling of elder abuse cases.
  - *Staffing models are inconsistent across the five boroughs. Some prosecutors’ offices have designated social workers. Others have more limited staffing. Those staffing models may have an impact on relationships and communication between prosecutors and other organizations on MDTs.*
- There were divergent views about the impact of prosecutors not attending meetings. Some believed personnel without legal training could stand in for the ADA and relay legal questions back to the prosecutor. But most people interviewed—prosecutors and other team members alike—were of the view that it was a significant loss to the team not to have someone in the room with expertise in criminal law and process.
  - *If the prosecutor’s in the room, I now know you. If a case goes south, we can talk about it.*
  - *The ADA would say, “Look at this fact. You’re not clear about it. It needs to be clarified. Or she’d say, “This is not a crime. Period.” She taught me what doing a good investigation looked like. And I was able to go back and teach my staff. It’s a work in progress. That’s one reason why it is so important an ADA is at the table.*

#### ***Accountability (of Systems and Individuals)***

- In situations where elder abuse is suspected, just having a prosecutor begin looking into the allegations can deter potential abuse and neglect and promote greater accountability of systems and potential abusers.
  - *Sometimes just our opening an investigation motivates people to clean up their acts.*

- Prosecutors' investigations and questions can illuminate systemic weaknesses thereby promoting greater systemic accountability too. (Navarro, et. al, 2012)
  - *The fact that [the prosecutor] was willing to hold the person accountable was motivating for the rest of the team. We learned a lot, too.*
- MDT members see many serious wrongs for which no one is held accountable. When prosecutors hear case discussions during meetings, it is more likely that the legal issues will be scrutinized. When prosecutors are on teams, potential violations of criminal law that occur in elder abuse cases are more likely to be identified and prosecuted. (Navarro, 2012)
  - *Sometimes the team will discuss a case, and I'll say, "Why are we not involved?"*
- MDT Coordinators play a role in promoting team member accountability.
- The MDT Coordinator has to try to hold everyone accountable for what they say they'll do. That can be challenging depending on who the prosecutor is.
- Being part of the team creates a sense of shared accountability to one another.
  - *We're all so busy and the cases are so difficult, they can get lost in the shuffle. We might not work on them as much as we should. The MDT makes us all more accountable, especially when we have to present. After meetings, people know there's an action plan that guides everyone.*

### **Education of the Team**

- MDTs promote several types of learning.
  - *We focus on three types of education: Professional Development, Cross-training, and MDT Training (e.g., learning how to be an effective member of an MDT including, protocols, policies and guidelines of the team, team theory, and effective communication).*
- Prosecutors provide important education to other team members about the law and the criminal justice system, including about the players and their roles, what cases can and can't be prosecuted, what's allowed and not allowed in an investigation, and what's enough or not enough evidence to pursue a case.
  - *The definition of "law enforcement" is confusing. In some places prosecutors are considered law enforcement. In others they aren't. And the relationships between prosecutors and other law enforcement are different everywhere.*
  - *If you have a good prosecutor on the team, it can make a world of difference in educating others. People learn a lot just by listening to them. Learn about the system. About the law. That's also helpful in future cases.*
- Non-prosecutor team members found it valuable to hear prosecutors explain *why* they could not bring a case. Over time, they gained a better understanding of the multi-faceted considerations relating to criminal prosecution that helped to inform their views and actions in future cases.
  - *Just because someone doesn't like what's going on doesn't mean it's illegal. There's such a high burden in a criminal case.*

- What prosecutors say about the law or facts in a case may cause other team members to change how they see the case and what options to pursue.
  - *Ideally, all team members educate one another to help victims and make systems run better.*
- MDTs see hard cases. Team members are afforded many opportunities to learn and fine-tune, not only from their “successes” but also their “failures.”
  - *Some of the best work I have observed on MDTs has come out of cases where things didn’t go well. By examining outcomes, teams can adjust policy and protocols for both the team and for agencies, identify and resolve holes in the system, and improve their evaluation of cases in an ongoing way – refining their work to be more effective and efficient.*
- ADAs can demystify the criminal justice system and how things work in their individual offices. Their presence on MDTs helps the team better understand law enforcement, investigations, protective orders, special courts, restitution, and issues such as:
  - *Which ADA in the office handles physical, sexual, verbal, neglect or financial cases?*
  - *What section of the DA’s office handles each sort of case? (Elder abuse cases are variably handled by divisions/units/bureaus with myriad names in NYC DA’s offices, including special victims, trial, investigation, domestic violence, economic crimes, financial fraud, strategic enforcement, criminal court and more.)*
  - *Does the office work with or have on staff detectives, social workers, victim advocates and/or forensic accountants, who specialize in elder abuse or in a particular type of elder abuse?*
  - *Does the office accept citizen complaints and if so, what’s the process?*

### **Empowerment of the Team**

- Many people respect or are scared of prosecutors. This can help the team because it may make other individuals and entities more responsive to an ADA’s inquiries.
- Having prosecutors there—with the power of the DA’s Office—empowers the team, too.
- Having prosecutors on the team can make others better at their jobs.
  - *I had to explain: “This is how you do an interview. This is how to identify someone. This is how to document something. This is what you do to preserve evidence, meds, records. This is the kind of information the police need to know when you make a report. Don’t just say ‘my client’s being abused.’” People need to be trained on that.*
- The ADAs elected bosses are often the highest-profile officials among the many systems represented on MDTs. They often also have more political sway than other team members to promote improved systemic responses to elder abuse.
  - *DA’s get attention and press coverage.*



### ***MDTs Expanded Understanding of the Range of Resources Available to Prosecutors***

- Prosecutors may have internal resources or options available to them (such as special courts) that are preferable to victims to traditional prosecution. Other team members may not be aware of those resources and options. Conversely, team members may have information the prosecutor does not have relevant to considering such options (such as mental health, intellectual or substance issues of an alleged perpetrator).
- In some jurisdictions, diversion of criminal cases to special courts is available. These can, under appropriate circumstances, expand the range of potential options and include ways to leverage resolutions that better meet both victims' and defendants' needs, especially where the victim is concerned about and wishes to find a way to help the defendant. Special criminal courts differ from jurisdiction-to-jurisdiction, but often include Mental Health court, Drug court and Veterans court. (Note that in some jurisdictions, alternative courts might not take cases involving "vulnerable victims" or might only handle misdemeanors or have other restrictions.)
  - *When an ADA working with the mental health court spoke to our team, I learned about an important resource. I have no doubt that some elder abuse victims I work with, when I tell them about this option, will view it as a beacon of hope.*
- Prosecutors may also, under appropriate circumstances, coordinate or share information with special civil courts, such as probate, family or guardianship courts, because of information learned through the MDT.
  - *If the guardianship court is considering naming someone I'm investigating for fraud to be a guardian, I'll let the court know about my case. Or if the person for whom guardianship is being petitioned is being financially exploited, they might contact us.*
  - *Recently an ADA testified at an annulment proceeding before a guardianship judge. The marriage was annulled based in part on findings from the prosecution.*
- Some prosecutor's offices have on staff non-attorney social workers, investigators, accountants or coordinators (other than MDT coordinators) who also can be very helpful.
  - *Sometimes the social worker or coordinator in the DA's office has more information about a case than I do, and a better sense of the challenges.*
- Victim services can enhance not just the outcome of a prosecution but also the well-being of a victim, consistent with the team's goals.
  - *We have three social workers in the DA's office that work on elder abuse cases. They're a huge resource. If the victim is injured, we go to them. They go to the hospital to see victims. They work closely with the DV POs [domestic violence police officers] and go out with them regularly. All the DV officers have been trained by our social workers*
- Prosecutors can also seek remedies (other than prosecution) that protect the victim's physical or financial well-being, address root causes of problems they face, and frame claims in a way that might make a victim eligible for resources, consistent with information discussed at team meetings. Examples of such resources include:

- *Restitution orders (and consideration about payment of restitution; some prosecutors consider incentives for defendants to pay restitution)*
- *Orders of protection*
- *Wellness checks (by law enforcement)*
- *Freezing assets*
- *Restorative justice or other harm reduction. (Such measures have received positive reviews in other fields but are rarely used in elder abuse cases. Many older victims care deeply for those who harm them (often their adult children or grandchildren) leading them to oppose prosecution and even making some victims reluctant to seek any type of help for fear of it. In financial exploitation cases, many victims just want to get back enough money to survive. Thus, several interviewees suggested that elder abuse could be a fertile area to explore use of restorative practices.)*
- *New legislation in New York State expands victim compensation for up to \$30,000 for victimized “vulnerable adults” if meeting eligibility criteria.*
- *Controlled substance, drug or alcohol rehabilitation for defendants as a condition of sentence.*

### **Raising Awareness (see also Education)**

- Most professionals on MDTs are bound by confidentiality rules. But some kinds of material used in the criminal justice system—police reports, pleadings and evidence filed in court, and trial testimony—become matters of public record. This may lead to press coverage about elder abuse that raises awareness about the problem and informs people about what to do or where to seek help.
  - *Prosecution of elder abuse cases raises awareness in the community about the problem.*

## **B. MDT CONCERNS ABOUT PROSECUTORS’ ROLE ON THE MDT**

MDT members said that they greatly valued having prosecutors on teams but they too had some concerns: (1) Expectation management, (2) Information sharing, and (3) Professional culture.

### **Expectation Management**

- Some interviewees feared they or the team had failed when a prosecutor didn’t pursue a case that the team discussed, especially when that person had worked on or presented the case. When pressed, everyone agreed that the MDT’s “success” in handling a case should not be defined by the prosecutor’s actions.
  - *Why would “success” hinge on whether the case goes forward in criminal court? I view prosecution as an extreme and a last resort in many cases.*
  - *Let’s stop the bleeding first and then worry about prosecution.*
  - *The prosecutor told me, “Don’t base the decision about whether you’re successful on whether I prosecuted. Tell me if the person is safe.” That made a big difference in my career.*

- 
- MDT members also felt that prosecutors sometimes had unrealistic expectations of what their agencies could and couldn't or should and shouldn't do.
    - *Often our expectations of one another are unrealistic.*

### **Information Sharing**

- Confidentiality is a concern not just for prosecutors but also for other team members, especially when the information prosecutors seek to use may undermine clients' trust or expectations of confidentiality from medical or social service providers.
- ADAs' concerns about information sharing sometimes leave other team members confused about what prosecutors can and can't reveal, and when.
  - *It would help the team to know what types of prosecutor records are public.*
- Teams are not there to gather information for prosecutors. This would not be appropriate. All agencies, however, can share information they collect under their own auspices as governed by law and their respective rules and practices.
- Some team members felt that much of what prosecutors do in elder abuse cases stays "in a black box" and they don't learn about case results until much later, if ever, even when information is public or permitted to become public.
  - *Understood. Sometimes just a call to ask can go a long way. But prosecutors do need to do better on follow up.*

### **Professional Culture**

- Prosecutors' professional culture is different than those of other team members. By definition their skills, honed by sparring in courtrooms, include trying to convince others to see things their way. Some can be argumentative and express their views in a more confident and definitive ways than other team members. Some MDT members found this intimidating and were less likely to express their views in an exchange involving a prosecutor.
  - *I learned during the meetings that tone and the way questions are asked really matters. My "natural" (prosecutorial) way of gathering information about a case may be fine for a cop, but not for someone from another agency.*
- Prosecutors are trained to be persuasive when they speak, so their views may be given more weight than other team members less adept at arguing their views.
  - *It's hard to question the thinking or decisions of the prosecutors on the team.*
- In contrast to other professionals on MDTs, prosecutors have significant discretion in what cases they choose to pursue and how they go about doing so. Some team members believed that prosecutors were more likely to question their decisions than they were to question the decisions of prosecutors.
  - *My supervisors go to the meetings to back up the caseworkers in case some issue comes up.*
- By contrast, some prosecutors thought that other team members felt free to challenge them about not prosecuting cases.
  - *I also can get defensive when confronted about why I didn't bring a case.*



### 3. General Observations

#### *Awareness*

Prosecution of elder abuse cases puts information into the public domain and thus can serve to raise awareness in the community about elder abuse, what conduct is and is not deemed acceptable. As prosecutors bring more cases, and hear about cases on teams, they see local patterns in elder victimization. That information allows them to warn the public about specific types of predatory conduct to watch out for.

#### *Conflict*

Team members want to “get it right.” Sometimes one team member’s rigorous attempt to understand all the facts and options can seem to another like criticism or interrogation. MDT Coordinators try to find a balance, encouraging inquiry in a spirit of trust without excessive aggression or confrontation. Several interviewees described contentious meetings where one person challenged another for not doing enough or handling a case incorrectly. MDT Coordinators strive to preempt such conflicts (with notice and pre-meeting discussions or attempts to take disputes “off line”). But some conflict is unavoidable. Several team members took the long view of occasional flare-ups, believing that despite ruffled feathers in the short term, such events could, with skillful management, be transformed into important and lasting opportunities for growth and learning.

#### *Learning*

Inevitably some cases don’t go well. Individuals, agencies and teams make mistakes. Cases illuminate new problems. And questions linger. Suboptimum outcomes and errors aren’t easy for any team member. But despite, and sometimes because of them, the people, protocols and policies of MDTs evolve because the team provides a forum to recognize, discuss, adjust, learn and improve how elder abuse is approached—by individuals, their organizations, and collectively as a team.

#### *Measuring Success*

All interviewees agreed that the success of the team should not be measured based on whether the prosecutor pursued a case. Many interviewees (ADAs and others) believed that some of the teams’ greatest successes came in situations where prosecution didn’t come into play at all—yet still elder abuse was stopped or prevented. The more complex question raised is how MDTs should define success—a complex question this document does not presume to answer but that teams should consider as they do their work. The interviews indicated that teams would benefit from a more integrated definition of “successful MDT intervention.”



## **Policy issues**

MDTs and the cases they review expose a multitude of policy and systemic issues related to how we address elder abuse. These are rarely captured anywhere let alone analyzed or addressed in a systematic way. The problems individuals encounter are rarely analyzed in the context of the systemic flaws that contribute to them. (*There's no infrastructure to catch policy issues and think about them on a systemic holistic level, or even case by case.*) Doing so could provide an important contribution to the knowledge base about how we respond to elder abuse and the role and impact of MDTs.

## **Research, Data Collection & Innovation**

The proliferation of MDTs provides an important opportunity to collect data about such teams, their functioning, goals, definitions of “success,” outcomes, whether they improve the well-being of the older adults who are their raison d’être, and about the work and evolution of each of the team members, including prosecutors. Such data, if well collected and analyzed, could provide invaluable insights to people on existing teams and to those seeking to create new ones.

MDTs also generate lots of issues that can be translated into research questions. Several articles cited in Appendix 5 were the result of studies focused on California MDTs. In addition, a NYC prosecutor’s questions to a team physician about whether certain injuries were evidence of elder abuse led to (ongoing) research intended to yield new data about “forensic markers” of elder abuse. (Rosen, 2015) In short, by bringing experts with many diverse skill-sets to the table in a problem-solving mode, MDTs can spark all sorts of innovation.

## **Conclusion**

MDTs reflect a community’s commitment to improve how it addresses elder abuse within the context of the unique resources and challenges of each locale. For some team members, MDT participation was a matter of personal initiative. But increasingly, leaders of agencies and offices are recognizing the pervasive nature of elder abuse and making it a priority, setting the tone from above.

Many NYC prosecutors have become leaders in their communities in the fight against elder abuse. Everyone interviewed agreed that they play a critical role on MDTs—holding individuals accountable, illuminating systemic weaknesses, and educating other team members and the public about the law and the criminal justice system. Other team members in turn educate prosecutors about aging and the range of services, supports and protections available for older people at risk.

In sum, prosecutors’ participation on teams expands their capacity to further justice for older people and enhances MDTs’ capacity to stop elder abuse and improve the lives of the people they serve.



## Appendices



## Appendix 1

### ACRONYMS AND TERMS

ACRONYM / PHRASE	TERM
ACL	Administration for Community Living
ADA	Assistant District Attorney
APS	Adult Protective Services
<i>Brady</i>	<i>Brady v. Maryland</i> (1963) is a US Supreme Court decision mandating that prosecutors turn over to the defense any exculpatory material (i.e., material favorable to the defendant).
DA	District Attorney
DANY	District Attorney of New York (Manhattan)
EA	Elder Abuse
E-MDT	In New York State and New York City, the term <i>Enhanced MDT</i> or <i>E-MDT</i> refers to teams that have been “enhanced” with the participation of specialists, including geriatric psychiatrists, forensic accountants and/or legal services. Enhancements could, however, include other things, like the use of additional specialists or the use of technology, like telehealth.
Geriatric Psych or Gero-psych	Geriatric Psychiatry, also known as Geropsychiatry (used interchangeably.)
Grand Jury	A group of people who decide whether there is sufficient evidence to indict a person charged with a crime allowing the case to proceed to trial. Grand juries can compel testimony and document production. Their proceedings must by law remain secret.
MDT	A Multidisciplinary Team brings together professionals from across disciplines and systems to discuss, review and respond to complex cases of elder abuse, neglect and financial exploitation.
NYCEAC	New York City Elder Abuse Center
WCM	Weill Cornell Medicine
<i>Rosario</i>	<i>People v. Rosario</i> is a legal decision of the NY Supreme Court holding that prosecutors must turn over all prior recorded statements of any witness they call at trial.



## Appendix 2

### METHODS

Information in this document was gathered in the following ways:

#### **A. Observation**

Attending meetings of the Brooklyn and Manhattan MDTs provided valuable information. Discussion with the teams began with the following questions:

1. What would the team like to know about prosecutors, especially in launching a new team?
2. What would prosecutors like MDT Coordinators and other team members to know about them, their work, and their offices?

#### **B. Interviews**

The lion's share of this document is drawn from dozens of interviews with the following: Assistant District Attorneys who work on elder abuse cases in each of the five New York City boroughs; attorneys who formerly held that position; elder abuse prosecutors involved in MDTs in other jurisdictions in New York and beyond; MDT Coordinators in NYC; MDT Coordinators who are members of NYCEAC's MDT Peer Leadership Group; NYC's HRA APS leadership; and NYCEAC staff, including the Executive Director, Deputy Director of MDTs and others. (See Appendix 4, *Acknowledgements*, for a full list of those interviewed.) Interviews included the questions in A.

#### **C. Review of articles and other resources**

Sources reviewed include documents that address the role of gero-psychiatrists and forensic accountants on New York's E-MDTs (because of their similarity in nature to this one); discussion with leading national experts on the subject of MDTs and/or prosecutors on them; and review of relevant articles.

#### **D. Comments and suggested edits from sources**

The draft document was circulated for comment to numerous individuals from diverse fields, including those interviewed.

In the interest of keeping the document a somewhat manageable length, the issues and ideas discussed in this document do not represent an exhaustive list of those encountered by MDTs or expressed by those interviewed.



## Appendix 3

### SYNOPSIS OF A CALIFORNIA STUDY MIRRORING THIS PROJECT

An article on Los Angeles prosecutors' perceptions of participating on MDTs (focused on elder financial exploitation cases) reported findings consistent with the views expressed in interviews done for this project. (DeLiema, M. et al., (2016). *Prosecutors' Perspectives on Elder Justice Using an Elder Abuse Forensic Center*, American Journal of Criminal Justice (<https://slideheaven.com/prosecutors-perspectives-on-elder-justice-using-an-elder-abuse-forensic-center.html>))

In that project, prosecutors reported that the purpose of the team was to: (1) ensure the safety of the client; (2) collect comprehensive information useful for legal proceeding intended to protect the client, including, where appropriate, prosecution or guardianship; and (3) to safeguard the client's assets from further exploitation. (DeLiema et. al, (2016))

The LA prosecutors were divided in how they saw their roles. Some viewed their role as contributing to "holistic case outcomes more oriented to the victim's present needs and prosecution when appropriate." Others saw their role as more limited—to pursue "criminal prosecution of offenders."

The prosecutors in the study, like those interviewed for this project, noted: (1) the presence of (and having ready access to) key decision makers from agencies increased their efficiency; (2) access to neuropsychologists and geriatricians assisted their prosecutions by conducting capacity evaluations and providing expert testimony; and (3) cross-disciplinary learning improved their understanding of the signs of elder abuse and of other agencies' roles and limitations.

In addition, the LA prosecutors noted that being on the team expanded their view of what was important and possible in elder abuse cases. *I came to see the victim as a whole person with a diverse set of social, medical, and clinical needs...beyond them being in a criminal case.... Do they have a safe home? Might they need intervention from someone else that needs to help them" with their life, family, residential placement.*



## Appendix 4

### ACKNOWLEDGEMENTS

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- Christine Burke, Senior Assistant District Attorney, Elder Fraud Unit, Queens County District Attorney's office
- Paul L. Caccamise, LMSW, ACSW, Vice President for Program, Lifespan of Greater Rochester, Inc., Rochester, NY
- Melanie Chan, Elder Abuse Unit Coordinator, New York County District Attorney's Office
- Catherine A. Christian, Chief, Elder Abuse Unit, New York County District Attorney's Office
- Allison Granata, LMSW, EMDT Program Manager, Lifespan of Greater Rochester, Inc., Rochester, NY
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- Deborah Holt-Knight, MS; Deputy Commissioner; NYC HRA Adult Protective Services
- Bethann Holzhay, Director, Crime Victims Assistance Unit (CVAU), Special Victims Division, Bronx District Attorney's Office
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- Rhiannon La Tour, Unit Chief, Elder Abuse Unit, Deputy Bureau Chief, Special Victims Bureau, Richmond County District Attorney's Office
- Amy Litwin, Counsel, Special Victims Division, Bronx District Attorney's Office
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- 
- Arlene Markarian, Chief, Elder Abuse Unit, Nassau County District Attorney's Office; Former Chief, Elder Abuse Unit, Kings County District Attorney's Office
  - Mark Monaghan, Assistant District Attorney, Economic Crime Bureau, Monroe County District Attorney's Office
  - Joseph Muroff, Chief, Special Victims Division, Bronx District Attorney's Office
  - Lisa Rachmuth, LMSW, Deputy Director of MDTs, Weill Cornell Medicine's NYC Elder Abuse Center
  - Kasey Sinha, MDT Program Specialist, Weill Cornell Medicine's NYC Elder Abuse Center
  - Karen Turner, Senior Assistant District Attorney, Investigations Division - Frauds Bureau, Kings County District Attorney's Office
  - Page Ulrey, Senior Deputy Prosecuting Attorney, Elder Abuse Project, King County (Washington) Prosecuting Attorney's Office
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  - Lauren Weinstock, Assistant District Attorney, Special Victims Bureau, Queens County District Attorney's office
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- The U.S. Department of Justice, Elder Justice Initiative



## Appendix 5

### REFERENCES & RESOURCES

#### Policies & Procedure documents: Enhanced Multi-Disciplinary Team Supplements:

- Rosenbaum, J., Breckman, R., Caccamise, P., Abrams, R., Needell, N., Santos, E.J. (2017). Policies and Procedures: Enhanced Multi-Disciplinary Teams Supplement – Role and Responsibilities of Geriatric Psychiatrists or Geropsychiatrists
- Webber, K., Rosenbaum, J., Breckman, R., Caccamise, P. (2017). Policies and Procedures: Enhanced Multi-Disciplinary Teams Supplement – The Forensic Accounting Role

#### Websites

- Elder Justice Initiative website, U.S. Department of Justice:
  - <https://www.justice.gov/elderjustice> (Elder Justice Initiative home page)
  - <https://www.justice.gov/elderjustice/prosecutors-0> (prosecutor resources)
  - <https://www.justice.gov/elderjustice/mdt> (MDT resources)
  - <https://www.justice.gov/elderjustice/law-enforcement-1> (law enforcement resources)
- National Center on Elder Abuse website
  - <https://ncea.acl.gov/> (homepage)
  - <https://ncea.acl.gov/whatwedo/practice/teams-index.html>
- New York City Elder Abuse Center website:
  - <https://nyceac.org/clinical-services/mdts/>

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## Appendix 6

### A BRIEF DESCRIPTION OF HOW ELDER ABUSE CASES ARE HANDLED IN EACH OF NEW YORK CITY'S DISTRICT ATTORNEY OFFICES

The following brief descriptions were written by each borough's District Attorney's Office.

#### Bronx

In the Bronx District Attorney's Office, our Special Victims Division is tasked with overseeing the intake and assignment of elder abuse (victims 60 years and older) investigations and cases to either Prosecutors within the Special Victims Division (those involving sex crimes or intimate partner crimes), Prosecutors within our Trial Division (those involving other types of intra-familial, acquaintance, or stranger crimes), or Prosecutors within the Investigations Division's Economic Crimes Bureau (those involving financial crimes). We are working towards each Division having designated Prosecutors to specifically handle elder abuse cases as well as crimes involving other vulnerable persons. Assisting Prosecutors in investigating and enhancing cases are Detectives within the Bronx DA's Detective Investigators, members of the NYPD's Bronx DA's Squad, our own Forensic Accountants, and specialized Units within our Strategic Enforcement and Intergovernmental Relations Division. An integral and central member of our Elder Abuse Team is our designated Elder Abuse Coordinator in our Crime Victims Assistance Unit (CVAU). She is an expert in the field who works closely with the Director and other members of CVAU. She serves both internal and external functions.

Internally, our Elder Abuse Coordinator advocates on behalf of elderly victims and witnesses, furnishes and accesses concrete social services and community support, and makes necessary referrals. She works closely with Prosecutors, Detective Investigators, and Bronx DA Squad Detectives both in the investigative process and in helping the victim or witness understand and navigate the Criminal Justice System. Externally, she provides an additional "user friendly" point of access for outside agencies or individuals to contact her with questions about suspected elder abuse. She engages in follow up with appropriate staff to evaluate the potential for prosecution by our Office and assists in redirecting those cases that we cannot pursue. She represents our Office in ongoing alliances with healthcare, social service, and city agencies, particularly through a primary leadership role in administering the Elder Abuse Multi-Disciplinary Task Force. She attends elder abuse meetings, does outreach work to heighten awareness of elder abuse, develops and disseminates informational and prevention materials to seniors, and provides training for staff that work with the elder population.



## **Brooklyn**

The Elder Abuse Unit (EAU) of the Domestic Violence Bureau handles all cases of spousal/intimate partner abuse and parental abuse [including parents, grandparents, great grandparents, etc.] involving victims age 60 years or older. The Elder Abuse Unit handles cases of physical abuse. Physical abuse includes not only assaults, but also threats of violence. The unit also handles cases involving neglect and/or physical abuse by paid and unpaid caregivers. The unit is comprised of attorneys and social workers who work closely with the KCDA Victim Services Unit with a staff of social workers and advocates to assist all victims of crime.

Financial crimes involving victims over 60 are handled by the Frauds Unit within the Investigations Bureau. The Unit is comprised of attorneys; detective investigators, investigative analysts and forensic accountants to assist prosecutors office wide to both investigate or enhance their cases.

When an arrest is made, the EAU counselors immediately reach out to every victim by telephone. If a victim is unable to come into the DA's office, a car service is provided. Additionally, if the victim is homebound or hospitalized a counselor and an ADA will meet the victim at their facility. Every case is assigned and handled by an ADA and social worker/counselor who work collaboratively to enhance the prosecution and ensure the safety and wellbeing of the victim through social service referrals as well as working with the NYPD to schedule "wellness and safety checks." When a victim is uncooperative or unavailable to testify we endeavor to proceed with an evidence-based prosecution.

Most elder abuse cases are disposed of with agreed upon dispositions. Many of our cases result in alternative sentencing programs that address the defendants' substance abuse or mental health issues as an alternative to incarceration.

The Elder Abuse Unit (EAU) is co-located with the NYC Family Justice Center (FJC). The FJC provides on-site social services to all victims—regardless of whether there is a criminal case. This proximity and collaborative culture allows our senior victim easy access to a plethora of social and civil legal services just down the hall from the EAU. The FJC, working with KCDA and Family Court created the Family Justice Elder Abuse Order of Protection Project where, with help of JASA social workers, elder abuse victims no longer need to stand around the courthouse all day trying to get an Order of Protection.

## **Manhattan**

### ***New York County District Attorney's Office Elder Abuse Unit***

Our Elder Abuse Unit investigates and prosecutes crimes against victims who are 60 years of age or older, including physical abuse, domestic violence, financial exploitation and neglect. The Unit's prosecutions and investigations are conducted by prosecutors assigned to the Trial Division's Special Victims Bureau and the Investigations Division's Financial Frauds Bureau.



## Queens

Elder Abuse Cases are, generally speaking, handled by the Queens County District Attorney's Office in the following manner: financial crimes and civilian complaints regarding abuse are handled in the Elder Fraud Unit within the Economic Crimes Bureau, physical and sexual abuse and neglect are handled in either the Special Victims Bureau (felonies) or our Criminal Court Bureau (misdemeanors). We have designated detectives in each bureau to assist in the investigation and prosecution, have forensic accountants that assist office-wide, and have a social service staff that assists with the social service needs of the victims, the intake and gathering of facts, victim advocacy, and APS referrals.

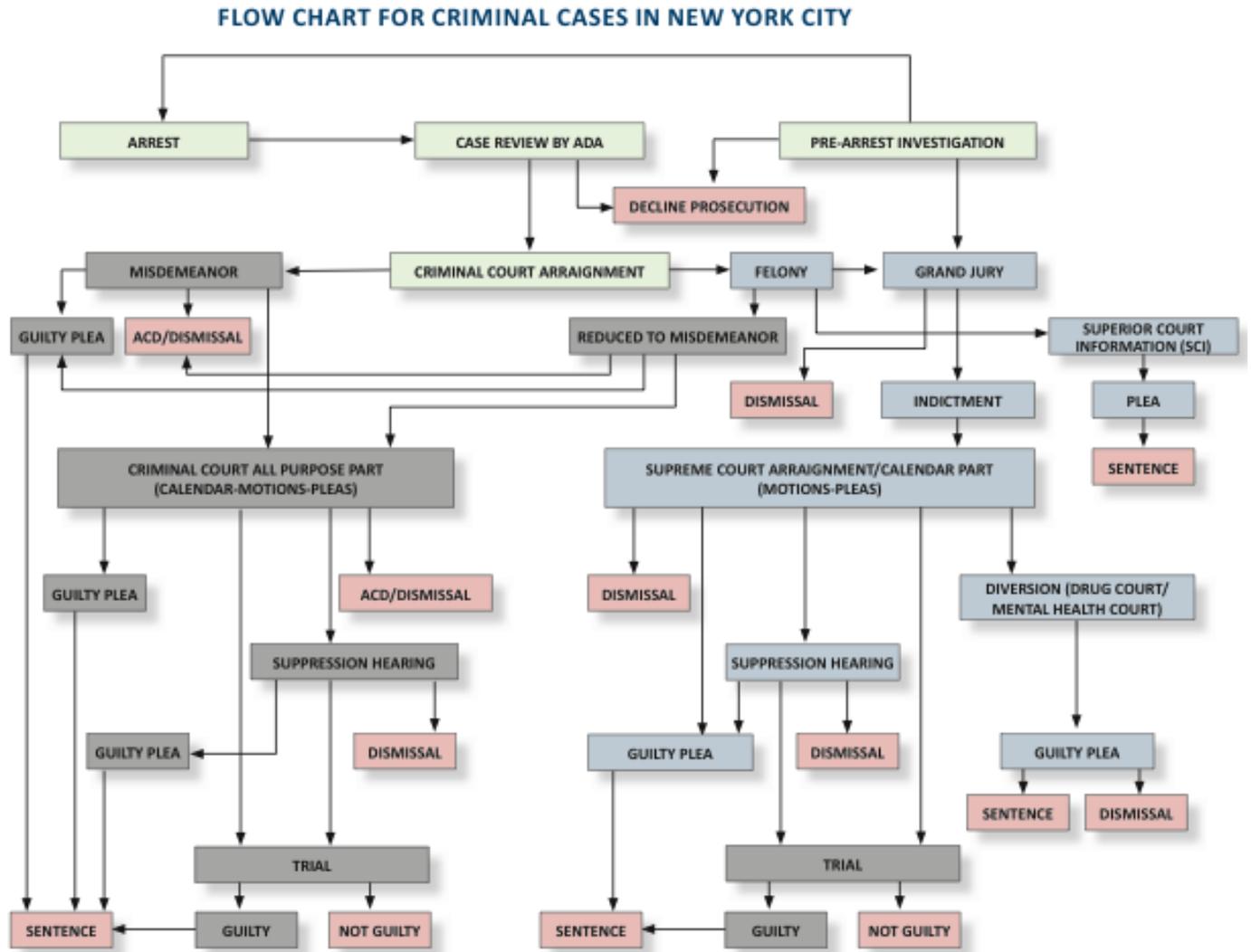
## Staten Island

### ***Richmond County District Attorney's Office Elder Abuse Unit***

Our Elder Abuse Unit investigates and prosecutes crimes against victims who are 65 years of age or older, including physical abuse, domestic violence, financial exploitation and neglect. The Unit's prosecutions and investigations are conducted by prosecutors assigned to the Special Victims Bureau, the Trial Bureau, and the Economic Crimes Bureau. The prosecutors are assisted by NYPD detectives from the Richmond County District Attorney's Detective Squad, detective investigators in the Richmond County District Attorney's Office Detective Investigator Squad, and victim advocates from the Victim Advocate Unit.

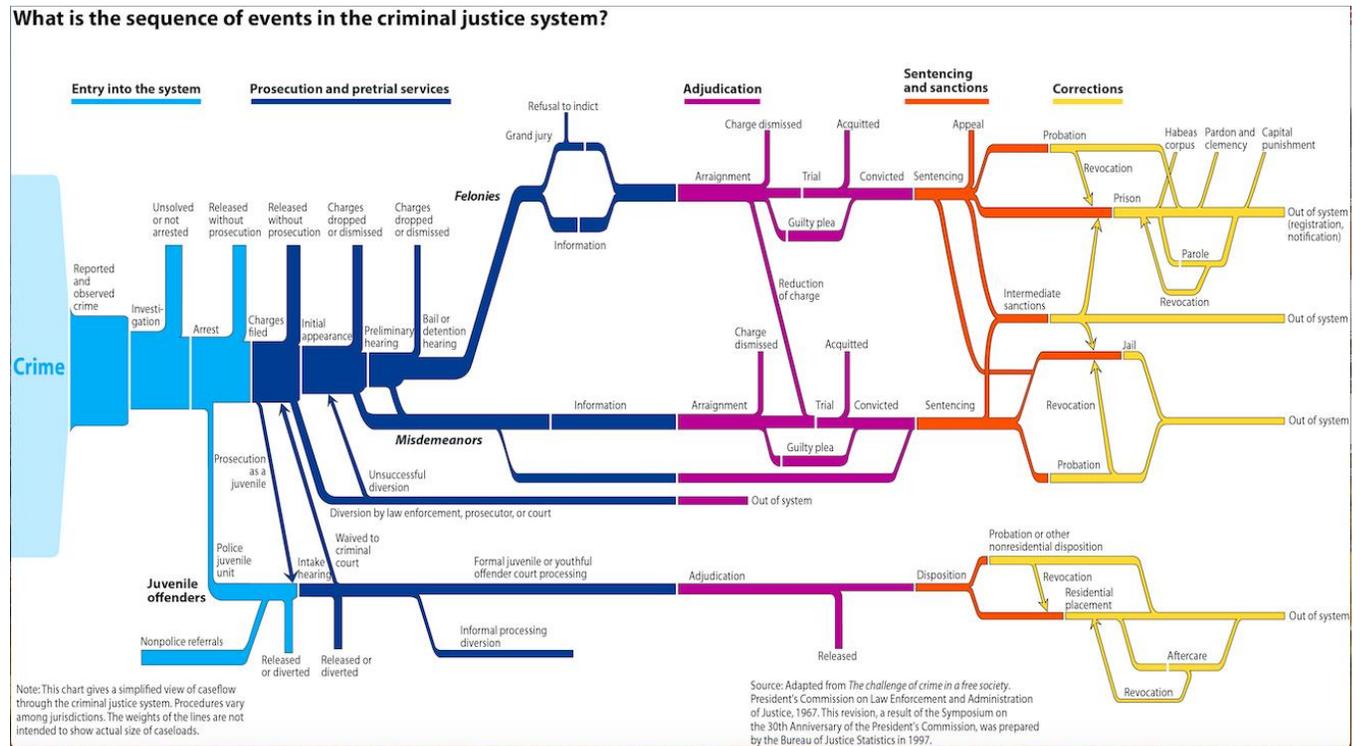
## Appendix 7

### FLOW CHARTS ILLUSTRATING HOW CASES MOVE THROUGH THE CRIMINAL JUSTICE SYSTEM



The Bureau of Justice Statistics developed this general and detailed flow chart of sequence of events in the criminal justice system. The web-based version of this flow chart is interactive:

<https://www.bjs.gov/content/largechart.cfm>





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