

Adopted with voice vote

AMERICAN BAR ASSOCIATION  
CRIMINAL JUSTICE SECTION  
SENIOR LAWYERS DIVISION  
COMMISSION ON DOMESTIC VIOLENCE  
COMMISSION ON LAW AND AGING  
REPORT TO THE HOUSE OF DELEGATES

RECOMMENDATION

1 RESOLVED, That the American Bar Association urges federal, state, local, tribal  
2 and territorial governments and their prosecutors to vigorously prosecute cases of elder  
3 abuse, neglect, and financial exploitation.

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5 FURTHER RESOLVED, That the American Bar Association urges federal, state,  
6 tribal, local, and territorial governments:

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- 8 1. to create, whenever practical, special elder abuse units within the prosecutor's
- 9 office or designate a specially trained prosecutor to handle elder abuse cases;
- 10
- 11 2. to provide training of prosecutors whenever practical on an individual basis in the
- 12 identification, investigation, and prosecution of elder abuse, neglect, and financial
- 13 exploitation and supports the formation of a National Center for the Prosecution
- 14 of Elder Abuse, Neglect, and Exploitation;
- 15
- 16 3. to ensure that the victim assistance/services program within the staffing structure
- 17 of their offices develop policies, procedures and funding for providing specialized
- 18 victim services to the elder population to address the unique needs of elder abuse
- 19 victims;
- 20
- 21 4. to adopt a multidisciplinary team approach to prosecuting elder abuse cases
- 22 including individuals and agencies from the medical and financial fields, public
- 23 health, service providers and law enforcement as appropriate, in a team effort to
- 24 investigate, prevent, and prosecute elder abuse crimes with prosecutors taking the
- 25 leadership role on these teams;
- 26
- 27 5. to support the prosecutor's role in forming and encouraging the growth of
- 28 community-based and professional organizations that are interested in the issue of
- 29 elder abuse prevention and the use of all available resources by prosecutors to
- 30 educate the public about elder abuse, specifically, the warning signs and how to

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- 31            become more involved in reporting and preventing abuse, and assisting victims of  
32            abuse;
- 33
- 34            6. to review current criminal statutes dealing specifically with the physical abuse,  
35            sexual assault, neglect and financial exploitation of elders and assess their ability  
36            to meet the needs of elder victims and the types of crimes committed against  
37            them;
- 38
- 39            7. to fund and support public and professional education about elder abuse,  
40            including the laws regarding and procedures for reporting suspected elder abuse  
41            to appropriate government agencies, including adult protective services and law  
42            enforcement; and
- 43
- 44            8. to develop special procedures and evidentiary rules where necessary to meet the  
45            needs of elder abuse victims.