Developing Tribal Elder Abuse Laws: Steps to Starting and Contemporary Considerations

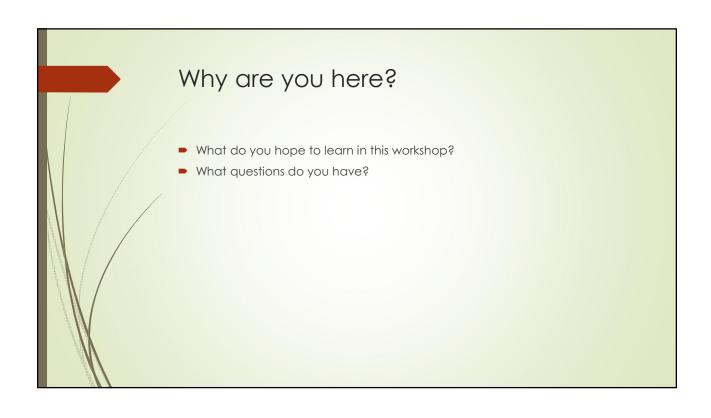
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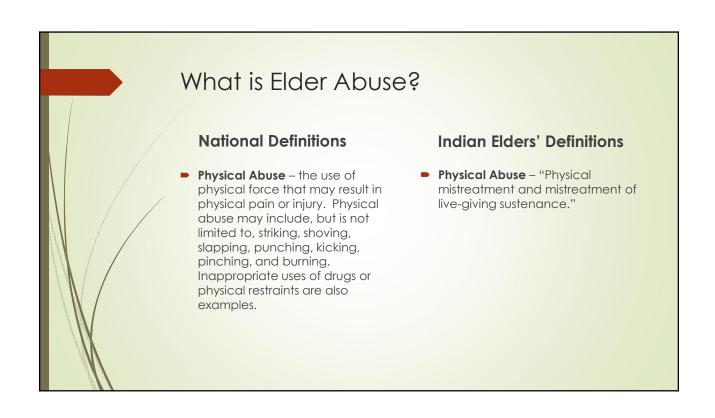
Agua Caliente Reservation

Sarah Deer, J.D.

Courtney Allensworth, M.A., J.D.

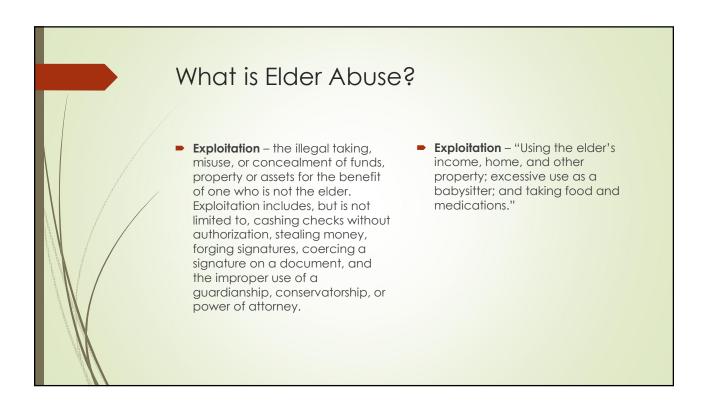
Overview Introduction Brief definition of the problem Why Tribal codes? Governance Jurisdictional Challenges Public Policy implications Beginning the drafting process Additional Considerations









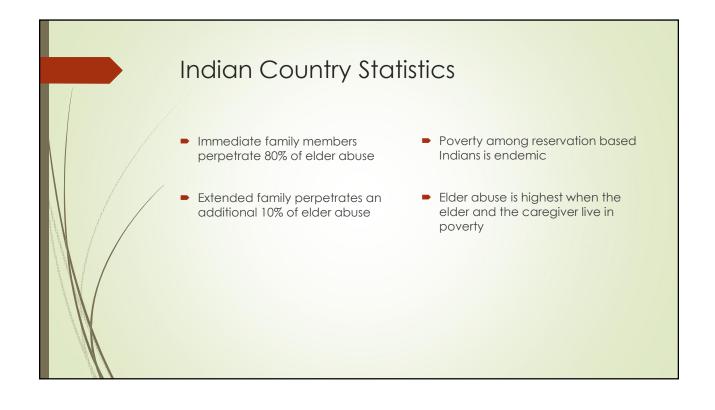


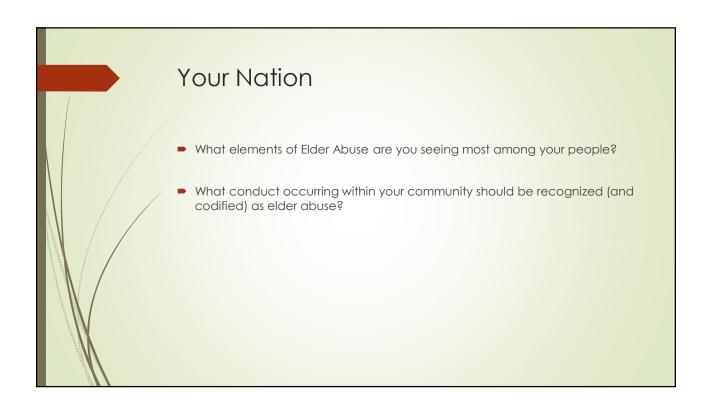


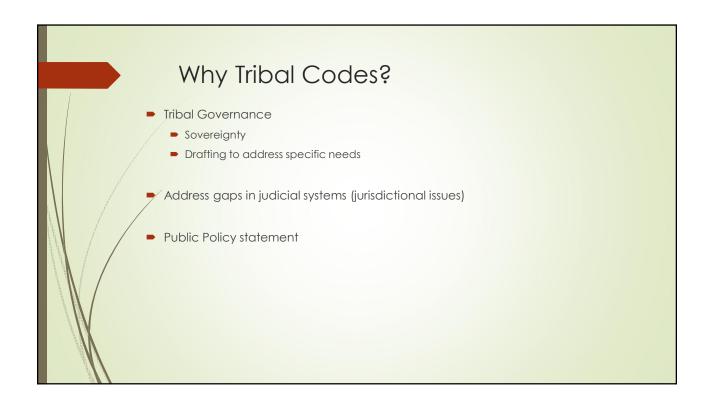
What is Elder Abuse? • Financial Exploitation-- occurs when a person uses another's financial resources for the first person's benefit without the voluntary consent and understanding of the second person. • Perpetrators include online/telephone scams, relatives living with the elder, trusted friends who influence the elder, individuals with power of attorney, or complete strangers.



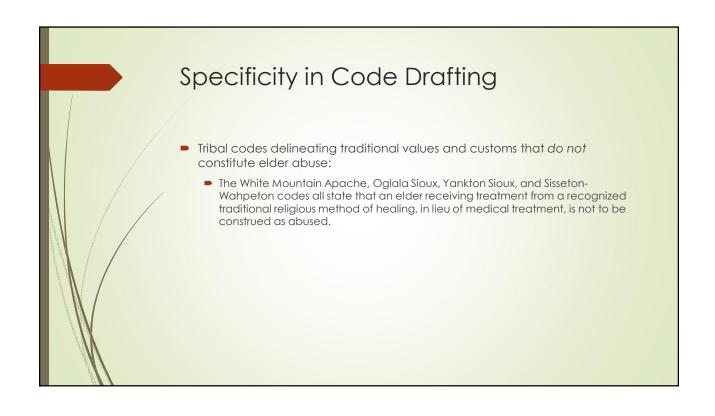
National Statistics 14% of elders report some form of Family members perpetrate abuse since age 60 anywhere from 44% (emotional abuse) to 67% (physical abuse) of Female elders are abused at elder abuse significantly higher rates then Studies demonstrate anywhere male elders from 83% to 95.5% of elder abuse Individuals age 80 and older cases go unreported. experience abuse at rates two to three times their proportion of the population Only 28% of sexual assaults are reported (among the general population)



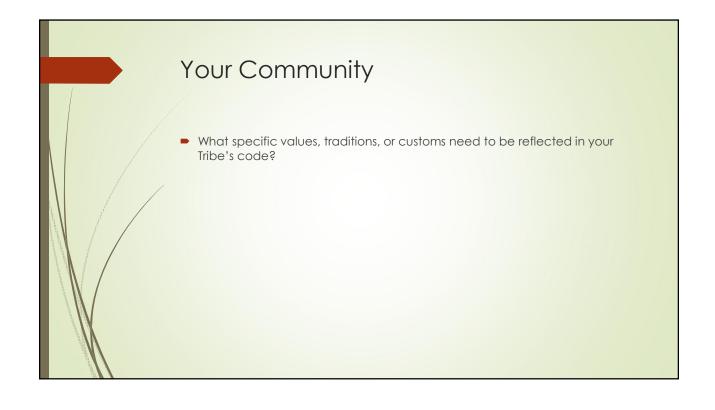




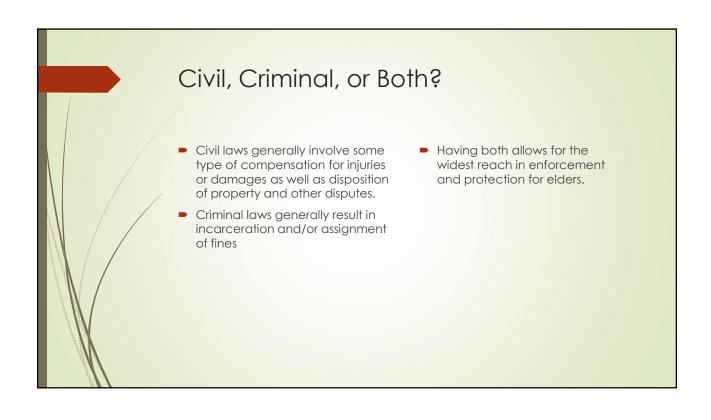
Tribal Governance • Exercise of Sovereign Authority • Incorporation of Tribal values into the codes

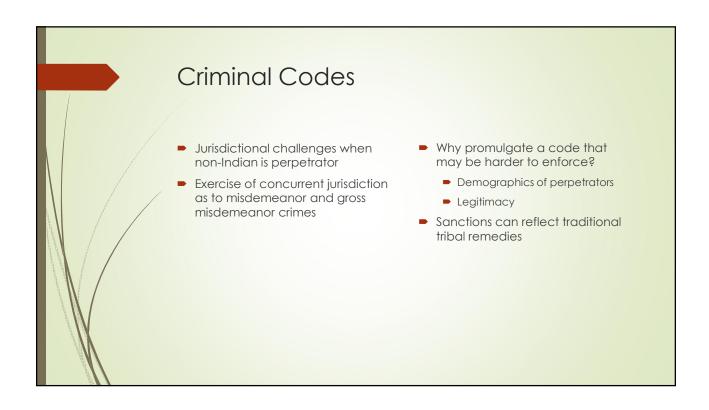


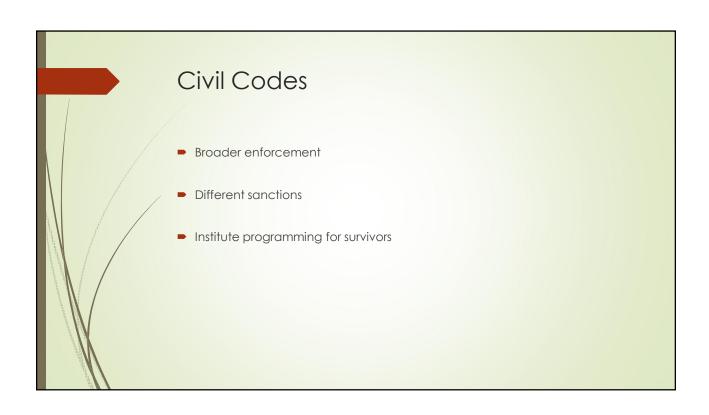




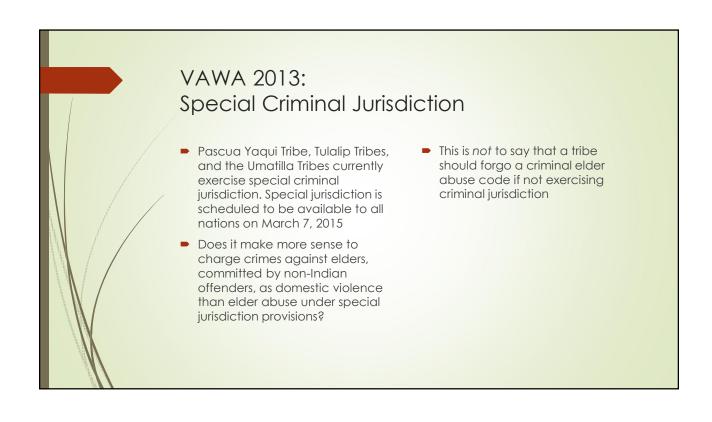
Why not adopt State/Federal Codes? - Outright adoption of State codes is problematic - Concerns over replacement of traditional thinking - Importing non-Indian concepts of justice that are alien to tribal customary principles - State codes barely function

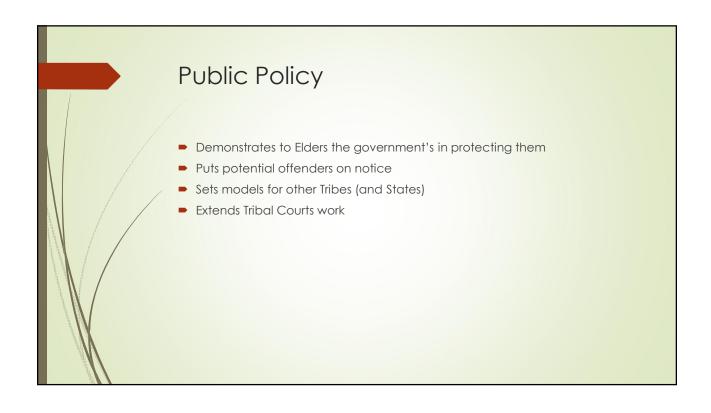


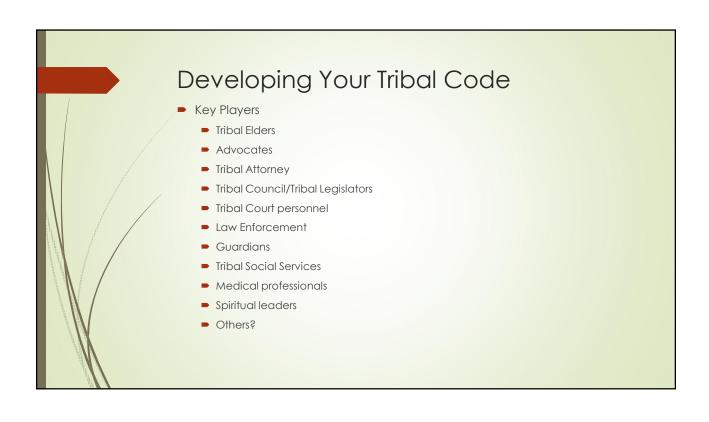




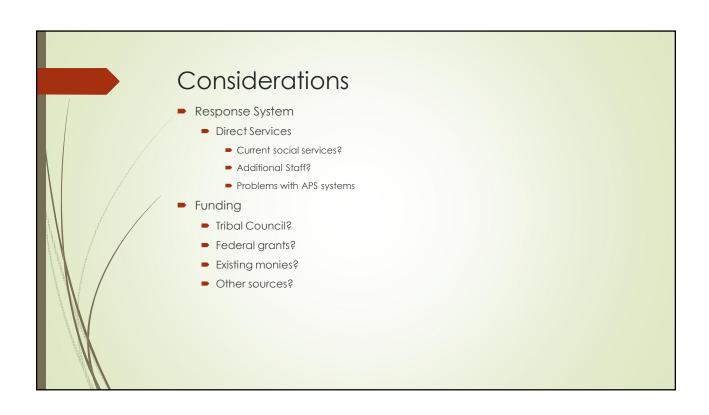












Contact Information

Sarah Deer, J.D.

Associate Professor William Mitchell College of Law 875 Summit Avenue Saint Paul, MN 55105 651-290-6309 sarah.deer@wmitchell.edu

Courtney Allensworth, M.A., J.D.

Tribal Attorney
Lac Courte Oreilles Band of
Lake Superior Chippewa
13394 W. Trepania Road
Hayward, WI 54843
715-558-7401
courtney.allensworth@lco-nsn.gov