

Andrew:

With that, it's my pleasure to introduce today's presenter, Dr. Jacque Gray. She's a Choctaw/Cherokee research professor and associate director of the Center for Rural Health at the University of North Dakota. She's the director of the National Indigenous Elder Justice Initiative or NIEJI which is funded by the National Center on Elder Abuse and Title VI programs of the ACL to address issues of Elder Abuse in Indian Country. NIEJI was first funded in 2011 and has worked to develop resources for American Indian Tribes, Alaskan Villages and Hawaiian Homesteads since that time. Dr. Gray has worked addressing health, mental health and health disparities across Indian Country and internationally working with Maori Suicide Prevention.

She's a Mental Health First Aid Instructor and she has worked with tribes across US for 35 years. She received her doctorate from Oklahoma State University in '98 and has been at the University of North Dakota since 1999. At this point Dr. Gray, I will turn things over to you and make you the presenter. I hope we see your screen, whenever you're ready. There you go, looks great and whenever you're ready to start.

Dr. Jacque Gray:

All right. Thank you Andrew. Welcome everyone. It's a pleasure to be with you and share a little bit about some of the work around elder abuse in Indian Country. The National Indigenous Elder Justice Initiative or NIEJI as Andrew said has been funded since 2011 and as far as what the objectives, I'll tell you a little bit more about that. We'll talk about the different types of elder abuse and understand how ... there are different definitions of elder abuse from perspectives of legal, tribal authorities and indigenous elders. How to screen for elder abuse with an Indian country and share some examples of restorative justice and what some of the resources are that we have. When we first developed NIEJI we wanted to come up with a vision that didn't focus on the abuse but what we wanted the outcome to be.

The vision of NIEJI is to restore respect and dignity by honoring our indigenous elders. What is elder abuse? I believe probably most of you know that according to the National Center on Elder Abuse, it's any knowing, intentional or negligent act by a caregiver or any other person that causes harm or a serious risk of harm to a vulnerable adult. The legal types of elder abuse include physical, sexual, emotional/psychological abuse, neglect, financial exploitation, self-neglect and we've added, because of what our elders have told us spiritual abuse, which was first defined by Doble. First of all, the types of abuse, physical abuse is usually the first one that's talked about.

That is defined as the use of physical force resulting in bodily injury, physical pain or impairment. It includes pushing, striking, hitting, beating, shoving, shaking, slapping, kicking, pinching, burning, types of things that are physical in nature and can include the inappropriate use of drugs or physical restraints, force-feeding, physical punishment, things like this. Now these are the National Center on Elder Abuse definitions. When we asked tribal judges, what they considered to be physical abuse, they talked about an intoxicated son who hit

an elderly parent or an elder that's hit by an adult child, assault and battery on grandpa because he wouldn't give the grandson the keys to the truck.

An elderly man with dementia hitting his wife. Those types of examples are what we were given. The Title VI directors which are those that are in charge of the senior nutrition programs talk about the daughter hitting the elder because she was frustrated about his needs and health or granddaughter slapping an elder or those family members that are taking drugs or using alcohol and that leads to yelling and hitting of other family members. It's a little broader definition in what the judges saw. When it comes to sexual abuse, again from National Center on Elder Abuse, we get the definition as non-consensual sexual contact of any kind with an elderly person. This maybe because they're not capable of giving consent or it can be things from unwanted touching to sexual assault to rape, coerced nudity, sexually explicit photographing.

Now, our tribal health directors, we didn't hear anything from tribal judges. They basically didn't see anything as far as sexual abuse and the tribal health director though was telling me about grandma being raped by a male who is high on meth and broke into her house. She was so ashamed that that was the first time when she was talking with the tribal health director that she would even speak of it and didn't want to report or tell anyone but after several hours of talking with the tribal health director she finally agreed to go to the hospital for an exam. Now, the Title VI directors, also hears some of those stories as far as grandma being raped by a nephew and again wouldn't talk and was ashamed or an elder being raped and killed.

However, there were no ... As far as the tribal elders themselves they did not come up with any examples for sexual abuse and a lot of that goes to the shame. Emotional and psychological abuse again, the National Center on Elder Abuse definition is the infliction of anguish, pain or distress through verbal or nonverbal acts. This can be intimidation, humiliation, harassment. Treating an older person like an infant, isolating them, giving them silent treatment and social isolation where they aren't allowed to interact with other people. Now, the judges saw emotional abuse as the relatives being mad or drunk and coming into the elder's home yelling and scaring them or grown children move in with the elder and the drinking, fighting, taking their money, chasing away caregivers that tends to threaten the elder.

Family violence and an elder maybe afraid to testify against the family member. Confining the elder to one room and they have no interaction with family or anyone else or the mother contacting the police to remove the intoxicated children who've moved in and taken over the home. Those are all viewed by the judges as being emotional abuse. Title VI directors would hear stories about the children abusing alcohol in the elder's home. Verbal abuse by young family members, yelling mean things. The children treating the parents and the grandparents or threatening the parents and grandparents with ... putting them in a nursery home if they couldn't come and live in her house with her. The

tribal elders themselves really talk about the verbal abuse and not listening when elders speak.

Treating them as if they don't matter anymore. This sense of disrespect that I'll talk about more as we go later on. Neglect is also defined by the National Center on Elder Abuse as the refusal or failure to fulfill any part of that person's obligations or duties to an elder. It may deal with fiduciary responsibilities to provide care for the elder, to pay for their services or failure to actually provide the necessary care or in-home service. This can be refusing or failure to provide with food, water, clothing, shelter, personal hygiene, medicine, comfort, personal safety, other essentials for the elder. Now, tribal judges when asked about neglect talked about the elder being confined to the home and the family not providing support.

How an elder would complain of loneliness and there would be no opportunity for that socialization. The family not checking on an elder, if they're unable to take care of themselves or the family going away and leaving the elder without any food or not getting proper medical treatment for the elder. The elders however talk about being locked in their homes, lack of family care and attention, being neglected that way. They're too busy to take care of the elders, not visiting or taking elders to gatherings. Lack of family care and attention. Very much putting the elders away and not having interaction with them. Other things include abandonment such as desertion of an elderly person by somebody who's supposed to have responsibility for providing care or someone that has physical custody of the elder.

Along this line I was out on a reservation doing some research at one point and we were set by the Pow Wow Grounds and we've arrived there early to get all of our equipments setup and everything. Someone came out and setup and tent and left this elderly woman in the tent in the middle of July in the hot sun and we went over to check on her after a couple of hours because no one came back and that she had been left there with no water, no food and it was late into the evening before any of her family came back to check on her so we went over and made sure that she had water and something to eat and things like that while she was left out there in the tent by herself. That kind of thing could be considered abandonment.

When we talk about financial or material exploitation, we're talking about illegal or improper use of an elder's funds, property or assets. Usually this includes but not limited to cashing the elderly person's checks without authorization, forging their signature, misusing or stealing a person's money or possessions, coercing or deceiving someone into signing over a document. Improper use of conservatorship, guardianship, power of attorney. In Indian Country, well when this happens, we don't ... Yeah, the restitution usually comes too late if there is any at all. There is no time for the elder to rebuild any assets because they're usually at the end or into their time that they're no longer working or maybe retired. They have a loss of choices, a loss of independence when that happens.

They tend to be more reliant on others, although they'd helped to support others throughout their whole life and more quickly and left down to Medicaid. When talking with elders, we talk about planning ahead and under what conditions would they want someone to manage their finances and under what conditions would they want to be placed in a long term care setting. Staying connected with one another, the elders staying connected with one another and checking in on one another. Having kind of a buddy system where people who regularly attend events and aren't there or somebody notices. One example of this, one of the reservations that we work with a lot, they had an elderly woman who hadn't been to their new meal for a couple of days and some of her friends noticed and went to the elder protection team and asked if anybody knew anything about her.

No one knew anything so they sent someone out to check on her. This was in the winter and they found that the woman had fallen. She wasn't able to get up, she had ended up frozen to the floor and if she hadn't been found when she was, she probably wouldn't have survived. Her fire had gone out in her house and so it gotten extremely cold. The elder protection team was then able to work with her and developed a plan to find a better housing situation for her and more interaction and provide the assistance that she needed without taking over everything. This is a way to help prevent the outcome that, in another situation where someone hadn't noticed that she wasn't around she probably wouldn't have survived.

Another thing is being cautious and our elders tend to be very generous with whatever they have. If they have enough to take care of their bills, they're willing to share anything else over and above that with others. Cautioning them not to provide resources without checking out the situation so that they don't end up having someone tricking them out of their money. Reporting their suspicions. If you think abuse maybe going on, letting someone know, asking the authorities to check on it or intervene. These are all things that we talk with our elders about in ways to help protect themselves. When talking about exploitation, our tribal judges talk about situations where a granddaughter wiped out grandma's bank account or misusing the elder's monthly check and not paying for their food and medical bills and other cost.

Title VI directors talk about the family gambling away the elder's income or taking their personal items or their check. You see, these are a little different types of situations than what we see for most of the general population. Pardon me. When we asked tribal elders what exploitation was, they talk about a grandchild taking an elder's car and wrecking it or the grandchildren coming over and pressuring the elder for money. I frequently have heard of young people that they know when the grandparents are getting a check from the tribe and they want to make sure that they're the first ones over there so they get money from the elder before it's all gone, really taking advantage of their generosity.

In some situations, family would cash the elder's check and then lock the elder in their room so that they could go out and spend the money. Borrowing money and never paying it back or a granddaughter and her boyfriend moving in and being supported by the elder. Many times what we see with our elders are taking in grandchildren or a child dropping off their children for the grandparents to watch them and not coming back for months and that grandparent end up supporting those children on their limited income, which is a form of exploitation. Being taken advantage of by relatives. Again, using them as a place to park the grandchildren for food, clothing and babysitting.

Now spiritual abuse isn't covered among the legal definitions. However Doble describes spiritual abuse as anything that interferes with the spiritual growth including the corruption of another person's value system. We see this as, in our discussions with native American elders, as being more than psychological or emotional abuse or neglect or exploitation because it hits at the core of who the person is and damages them deeply at that level. Some of the examples we've been told about are not taking an elder to spiritual activities or ceremonies, taking their ceremonial items and either selling them or using them without permission. Some of those ceremonial items are ... should only be used for certain things but if someone that doesn't have permission takes it, it's an extreme violation of that person's spirituality.

Activities that damage their spirit. Improper touching by a spiritual leader in a ceremony as it goes beyond sexual abuse because it also violates that spiritual peace for the elder and you'll understand a little more of that from a historical perspective in Soul Wounding, is the term used by Duran and Duran in their book in 1996, on Native American postcolonial psychology. Again, some of those examples are that elder not being taken to ceremonies and spiritual events. Not being allowed to ... a lot of times over 70% of Native Americans now live in urban areas. Many of those native people have not been around their culture in their homes for most of their life but they may want to return home at end of life and have ceremonies especially in the hospital as they're dying or other end of life types of things and don't have connections to a spiritual leader to provide those ceremonies.

Again, the ceremonial items taken from the elder's home by visitors, family friends or others to use or to sell. These and many others are examples of spiritual abuse and we've got an article out under review right now that hopefully will be accepted to help define and conceptualize what spiritual abuse is. Why are elders vulnerable? Well native culture supports generosity and as I said earlier, if anyone has anything beyond what they need, they're willing to share it with others. That being done within the culture, the expectation is when you need something others will share it with you. Our elders are sharing expecting to be taken care of when they need it and that second part isn't being fulfilled.

They also have a trusting nature, trusting in others to do what's right. They may easily be perceived as foolish or being able to con them. Elders in our communities tend to have more of a steady source of income than many families because of the high unemployment. Also, they may be isolated more so, which makes them more vulnerable. When we take a look at some of the research in Indian country around elder abuse, you have to understand that this is a very diverse population. There are 567 federally recognized tribes in Alaskan villages in the United States. Each of these has their own distinct culture. Then, in addition to that, there are over 400 either state recognized or unrecognized tribes.

There aren't any large scale population based studies of elder abuse in Indian Country. Each of those are independent and sovereign and so you'd have to get permission from each one of them in order to conduct a population based study across the US. There is a national study but it's not focused on elder abuse but just on the needs of Native elders and I'll talk a little bit about that in a few minutes. There are other studies that are small, focused, regional or local areas and may focus just on one type of abuse. For example, in 2009, the National Elder Mistreatment Study was a national study that included almost 6,000 older adults, 2.3% or 132 of those adults were American Indian or Alaskan Native, 11.4% of the nearly 6,000 reported experiencing at least one type of maltreatment in the past year.

The problem that we have with these studies for American Indians and Alaskan Natives is we're the asterisk in the study. There is no specific data but as I say it's too small to analyze so we don't get any of that information about our population. Brown in 1989 studied a southwestern tribe that was very ... and he looked at a sample of very traditional older adults. There were 110 American Indians that was surveyed and then a random sample of 27 they did individual interviews with. Of that sample, 16% indicated that they had been physically abused and almost a third indicated neglect and 21.6% indicated there have been financial exploitation. We see this much higher than what we see in the big national studies, when we look at this sample of one reservation.

In 2000 Buchwald and associates ... Excuse me, did a study with a northwestern urban sample of American Indians and Alaskan Natives who were 50 and older. They reviewed medical charts for physical abuse of 550 American Indian, Alaskan Native patients. Ten percent definitely or probably were abused in the last year according to what was in their medical record. The abuse ones were more likely to be the younger females who were depressed and dependent upon others for food. Of those that were abused only a third were reported and this is physical abuse only. In 2009, Baker-Demaray had a study of 470 American Indians and Alaskan Natives age 55 and over. Fifty four percent lived on a reservation or in a native village and 23% were urban.

The others may live close to a reservation in a rural area or in a suburban area. The greatest concerns in their community around abuse and neglect were

neglect, emotional abuse and financial exploitation. Men were more concerned than women in this study. The most things that came out of Baker-Demaray study is that American Indians and Alaskan Natives describe abuse as disrespect and sexual abuse as bothering. What she found was that when native elders were asked if they had been abused they said no. If they were asked if they had been disrespected, they would get the stories about the abuse and with sexual abuse again, if they were asked directly about sexual abuse they would deny that there had been any but if they were asked questions about bothering or being bothered they would tell the stories of what had happened to them.

Jervis and her team in 2014 had a survey that they used, that they looked at 100 people from a south-central urban area and a mountain west reservation and these participants were over 60 years of age and found that financial exploitation was the major issue and there was very little discussion of physical abuse. The survey did not look at sexual abuse at all and did not address spiritual abuse. Hudson and Carlson in 1999 looked at what is an elder versus the elderly. An elder status in Indian Country is achieved through wisdom, substance and value and being held in respect. Elderly status is ascribed just based upon their age. Another factor was the way they described good treatment is someone anticipating the elder's needs and then meeting them without asking what their needs were.

An elder maltreatment then was verbal abuse, yelling and screaming, and they found that American Indians indicated this was abusive more than other ethnic groups. They also looked at African American and Latino populations and they did not rate the verbal abuse as high. Many felt that the abuse would end if the younger generation would adhere to more traditional cultural norms so getting away from their cultural values, they felt like had increased the amount of abuse that was occurring in Indian country. In another study just published earlier this year, Jervis and associates with this same sample of 100 Urban and Rural Older adults found that being treated well was defined by being taken care of, having their needs met and anticipated and being respected.

Being respected involved providing assistance to the elder, acknowledging the elder status, spending time with the elder and family including the elder in their activities. Involving the elder as a important part of the family was a key piece to being respected. Conversely, being treated poorly involved examples including financial exploitation, neglect, that lack of respect, talking back, screaming, yelling, things like that. Psychological abuse. Physical abuse. In that study, 16% reported being treated badly and 76% gave reports of others being treated badly. What you find in Indian country is you're more apt to hear stories about other people than you are complaints by elders about being treated badly themselves.

They also took a look at financial exploitation which involved money, exploiting the elder in terms of getting money from them, using their labor, whether cleaning houses or taking care of children, doing other things without paying

them for it and taking advantage of their housing. Again, the exploited child care is a common thread in Indian country. As far as neglect, the types of things that the elders highlighted were not having needed assistance to the elders. The family not taking care of that elder and meeting their needs. Being ignored or being overlooked as elders. Elders as a place of ... as a position of esteem and they aren't feeling like they're treated that way.

Another big thing is failing to visit the elders or putting them in nursing homes so they don't have to take care of them. The other thing is the family only helps when it's convenient for them not when it's needed by the elder. Lack of respect was described as failing to respect the elder's wisdom, speaking rudely to or near an elder, and being inconsiderate. Psychological abuse, verbally harassing the elder, name calling, verbal assaults, lying to the elder, high stress households with alcohol or drugs or conflict tend to be psychological abuse as far as they were concerned. Then, physical abuse they saw as being beaten up, hit or forced to drink alcohol or take drugs.

Now, the National Resource Center on Native American Aging has conducted the Identifying Our Needs a Survey of Elders over the last 20 years. They did this in three year cycles. For the cycle that was completed in 2014, there were over 18,000 American Indian and Alaskan Native elders that were 55 and older, represented from 240 tribes, Alaskan villages and Hawaiian homesteads. Of those over 18,000 participants, one half of one percent currently use elder abuse prevention services and 13.4% would use those services if they were available to them. When NIEJI first started, we checked with every tribe and village in the United States and found that over 567 tribes, only about 40 had elder abuse codes in their laws and even less had procedures for ... policies and procedures for investigating and enforcing those laws.

Some other things that came out in the National Resource Center study is that 32% of elders fell between and one and four times in the past year and five and a half percent fell more than four times, that one in six elders had less than two meals a day and one in nine elders had no help at all with chores. About one in eight had no money for food and again about one in nine was unable to cook or feed themselves. One fourth of all of those elders ate alone most of the time and one in five lack any companionship. Between 22 and 49 percent had no help with chores or bills. We see a lot of needs by those elders. What are some of the other elder abuse indicators that we were able to pull out of that data although they didn't ask direct elder abuse questions?

Again, the unexplained falls, checking into how or why those elders are falling. Malnourishment or inadequate food. When you have one in six that are eating one meal or less each day, you've got a high chance of malnourishment or inadequate food. Unable, no help to shop, cook or feed themselves. About one in ten reported that they weren't physically able to do that and about one in eight reported that they don't have the money to buy the food that they need. Some of the elder abuse indicators, they don't have any help from family or

friends to shop or run errands, one in five. With handling their money, over 40%. They don't get any help with housekeeping or chores, almost one in three and they don't get any help with business or financial advice, almost half of our elder population gets no help.

The companionship issue was one of the major ones that they really talk about a lot and that's about one in five, didn't have any companionship so that isolation and loneliness was very important. When they were asked about what resources they had within their tribe and that they use, you see the left hand column is the percent that actually use the services that were available to them and the right hand column is the number that would use it if it were available to them. A lot of those things end up being areas of potential elder abuse. Many times especially with federal grants, we hear that they require that you use evidence based practices. Well, most of those practices have never had evidence developed on them within Indian Country.

The other thing that we tend to have a lot in Indian Country is what we call practice based evidence. Things that we have learned through practice that provides evidence that they work to help prevent, in this case, elder abuse. Some of those programs that were developed in Indian Country from a restorative justice approach are more successful than the western legal based programs. Our elders don't want the people prosecuted for elder abuse. They don't want their family members removed or sent to jail or anything like that. They want something that will make the situation better. Some of the examples of the programs that are used in Indian Country include the multidisciplinary Elder Protection Teams.

The difference between the ones in Indian Country and the ones that we see in the general population are the native elder protection teams include the elder and are built around the elder to where they're involved in helping to make any of those decisions about what's going to happen to them and involved with the other resources that maybe pulled together to discuss what their needs are and how to go about meeting them. Another example are the elder councils. Okay, the elder councils are made up of selected respected elders in the community and people who are disrespected or elders that are disrespected or abused or neglected as we might say are brought before the elder council.

The elder council addresses the issue. They listen to what the situation is and what happened and what's wanted and then they may instruct the abuser in proper behavior from a cultural perspective. They may order restitution in some way or in extreme situations, they may call for banishment to where that person is not allowed to reenter the community. These are all cultural old ways that, how we handled situations for hundreds of years. There is one program at the Standing Rock Reservation where a traditional chief does a fenders group and he does it from a cultural perspective and he goes through what the expectations of those attending the group are for their position in the community and in the family.

He has almost a zero recidivism right of anyone that's been through his group. As far as restitution, one story about two neighbors and their boys had grown up together their whole lives and one of them killed the other in an argument and so the council of elders ordered that other son to also be the son of the woman who's son was killed. In other words, he had the responsibility preparing for her as he would for his own mother to replace the son that he had taken. That's how we tend to look at restitution. Finding a way to meet those needs as if they were still able to meet them before whatever was taken away was taken away. Banishment again is expulsion from the community.

The family restoration programs are similar to a mediation type of program but it's before any prosecution attempts are made that ... and they come in and address the abuse that may have been an investigation and they come in and discuss with all the parties to identify whatever the family and elder needs are and to connect them with resources but to try to change the situation to where it will be more positive and reduce the chance of repeated abuse. The plan is developed with a mediator or social worker and it's implemented with the family and then there are follow up sessions to make sure that the plan is working and each person is doing their part. Sometimes there needs to be some modification or revision as they go along in order to deal with situations they hadn't thought of.

If it doesn't work or there is noncompliance then they can move on forward to prosecution but this is a means to prevent having to go through prosecution and restore the family to a healthier function. Operation Golden Shield is a community policing type of approach. At-risk elders are identified and then ... by Bureau of Indian Affairs, Social Services and then the BIA Police, when they are not out on calls, may drop in and have coffee with an elder or visit or change a light bulb or check the smoke alarm or just kind of touch base and see how things are going and make sure that, kind of like a wellness check but it's building that relationship with the elder.

They also had special events like taking over, prepare Thanksgiving meal and bringing a special Christmas gift or having an elder sweetheart for Valentine's Day. One, it lets those in the family and the community know that the police is checking in with the elders and know what's going on. Two, it increases the likelihood that the elders are going to ask for help when and if they need it. This is all done voluntarily, out of the pockets of the BIA with this program and they've been very successful in reducing the elder abuse in that community. Now, NIEJI has a number of resources available that includes an interactive map of state and tribal reporting numbers. You go to the map, click on it, there is a dropdown that provides a list by county and tribe as far as any resource numbers and things like that for elder abuse.

We also have tribal elder abuse model civil and model criminal codes that tribes can use to help develop an effective code for their tribe. We have training modules up on our site for social services, caregivers, financial and commercial

providers and we provide technical assistance. We are in the process of developing some additional modules for legal policy and healthcare providers. We have an elder abuse survey that we are in the process of contacting tribes that have told us they're interested in surveying their elders about elder abuse that we're going to begin here in the next month. Right now, we also have a call for proposals out for tribal mini-grants to develop elder abuse resources in their communities.

These are 10 to 20 thousand dollar grants for one year to help develop new and innovative ways of addressing elder abuse in Indian Country and helping to take them on to the next step from where they are. There is a lot of needed research and we're trying to address the fact that we really need a comprehensive assessment of elder abuse throughout Indian country and this is planned with the survey that we have. We need to determine what services are available in tribal communities. Although the Tribal Law and Order Act was passed to where there could be more interaction between state and tribes as far as prosecutions, cross deputization, dealing with a lot of the jurisdictional issues that exist, very few tribes have the money to pay for the legally trained tribal judges and public defenders that are necessary to be able to implement that and so they're still stuck with having very limited prosecution in Indian country.

If a non-Indian offender abuses a native elder and they don't have the Tribal Law and Order Act, they cannot be prosecuted. If it occurs in an Indian territory so there is lots of things of jurisdictional issues that really create problems and when we look at the violence numbers, assaults of women in Indian Country, two thirds of those assaults are from non-Indian offenders. You could see that the cross jurisdictional piece really has a major problem in Indian country. We also need to do some research with some of those tribally developed programs to determine if there is evidence of their efficacy that they could become an evidence based program, that then the tribes could be able to get funding for using those programs.

When we're talking about screening for elder abuse, our best practice is everyone should be screened and that we should normalize talking about those difficult topics. We need to use the language that the elders use and talk about disrespect not abuse and talk about bothering so that we're talking about those things and what can and can't be done and where there should be intervention. We need to ask questions that create the potential to catch the abuse in its early stages and prevent it from escalating. Some of the screening may involve questions like are you being disrespected? If so, in what ways? Has anybody hurt you? Are you afraid of anyone? Is anyone taking or using your money without your permission?

Is anyone taking your things with your permission? These are some of the references of what I've covered today and that is my contact information, if you need to get in touch with me, our NIEJI website where a lot of those resources are that I have mentioned to you and you can go to the [info@nieji.org](mailto:info@nieji.org) if you

want more information about the grants or the survey that we're going to be doing. At this point Andrew, I'll turn it back to you for the questions.

Andrew: Certainly. Thank you Dr. Gray. That was very, very interesting and we do have a few questions, a handful of questions. One, the first question came in, I think early on in your presentation and it was asking about which tribes and locations were studied, with the question, I think it may have been from the examples that you were giving with the different types of abuse and the different kind of cases that you have seen and I don't know if it's one particular tribe or location you were mentioning then or a variety of them but I thought I would at least toss that question now.

Dr. Jacque Gray: Yes, some of the different studies, there was one with the Navajo, there was another one that involved Blackfeet and an urban Indian clinic in Oklahoma. There was another one that was done in Seattle and another one that was done in North Carolina so they're from various regions of the country. The National Resource Center Study like I said, covered 260 tribes, Alaskan village and Hawaiian homesteads across the country.

Andrew: Okay, so good variety it sounds like.

Dr. Jacque Gray: Uh-huh.

Andrew: You were also mentioning the different types of abuse early on in your presentation and someone had asked about self-neglect, I think it might not have been included in the group and they ask if you could describe whether the experience of isolated elders with some type of condition is different in Indian culture.

Dr. Jacque Gray: Well, I did not address self-neglect and I'm sorry about that. We don't tend to separate that out but ...

Andrew: Not included.

Dr. Jacque Gray: Yeah, as far as how we see it, the isolation, I think in a lot of terms because of the high unemployment, a lot of tribes have 80, 90 percent unemployment that that isolation and lack of resources and the big thing for ... especially those in tribal areas is lack of transportation and your long distance is from the store or getting to the doctor or anything like that that it really does compound the neglect issues.

Andrew: Sure. Yeah, it makes it more difficult to deal with because of the isolation. Great. Another question was about the family restoration program and asked if there is any templates or guidelines/instructions for that program.

Dr. Jacque Gray: That program that I specifically know about was out the Tohono O'odham tribe in Arizona, west of Tucson I believe. They developed that out of their adult

protective services program and an interest one of their workers had in that. If someone is interested in more specifics, I'd be happy to try to get some more information about it.

Andrew: Great. We'll get their contact information or give them your contact information, I appreciate that, which is also up on the screen right now.

Dr. Jacque Gray: There it goes.

Andrew: Yeah, that does help doesn't it? Let's see, another question is, in the example of the murder and the response using restorative justice, is this the complete handling of the situation or a local police also involved or required to be involved?

Dr. Jacque Gray: Again, you get into jurisdictional issues, if it's on tribal land, that something like this occurs and it was between two natives, the FBI could be involved but if one was native and one wasn't or some of those things, jurisdictional issues are where the law may not be involved at all.

Andrew: Got you. Sure.

Dr. Jacque Gray: The jurisdictional issues are really complex, depending on who's the offender and who's the victim and where did it occur and all of this and sometimes things just get dropped because that no one mess with it.

Andrew: Here is another question. Go ahead Jacque.

Dr. Jacque Gray: The other thing I didn't address are there are Public Law 280 states in which the tribes and the states work together and the state does the investigation on those, but that's only about six states in the United States. The rest of them, the state and the tribe as far as legal stuff is totally separate, unless there are some type of memorandum of understanding.

Andrew: Great and thanks for that clarification. Another question that came through, what do you do if an elder that has a hard time remembering or has a hard time realizing that they're being abused, how do you handle those situations?

Dr. Jacque Gray: Those are difficult situations.

Andrew: They are.

Dr. Jacque Gray: [inaudible 01:00:26] involved to help with that. Yeah, go ahead.

Andrew: Are there guardianships in tribes? Do they have like a guardianship system where somebody can step in and if a judge does so to take control of the situation, does that ever happened?

Dr. Jacque Gray: It really varies from tribe to tribe as to whether they have anything or not. Some tribes do, other tribes they may have someone that the tribal court says, "Okay, you're going to do this" and others they don't have anybody that will take that on.

Andrew: Got you. Yeah.

Dr. Jacque Gray: It really varies. One of the things we're trying to get developed and I've been working with ACL on, Omar had mentioned to me having a guardianship or power of attorney that has a checks and balances where one person has the authority and another person has the right to review and monitor what's going on so it isn't all left to one person and that also provides some protection to that person that takes on that guardianship because someone else is also checking the books and checking other things to make sure that they're being followed through as they're supposed to be.

Andrew: Yeah. Right.

Dr. Jacque Gray: We're trying to come up with a model, one of those that we can get up on our website.

Andrew: Yeah and that's an issue with guardianships in general so yeah, I can certainly understand that. Another question that came through was this person remarks they found it interesting about the difference the words abuse and disrespect. How has that played out in securing legal assistance that requires the use of the term abuse and do you feel like the wording needs to be change in the law to apply to American Indians?

Dr. Jacque Gray: Well, I don't know if the word needs to be changed in the law but in eliciting their stories, using the terms disrespect and bothering tends to get to those stories and I think through the stories, through them telling what happened, they can get what they need as far as meeting the criteria of abuse. Does that make any sense?

Andrew: Yes.

Dr. Jacque Gray: Okay.

Andrew: Yeah. I know, I think it does. Yeah. Another question is what happened if an elder adult refuses help?

Dr. Jacque Gray: They have that right, as long as they're competent.

Andrew: Just like with the rest of the population hopefully. Another question is about a native elderly advisory council or panel, do you see those that come into play in certain communities?

Dr. Jacque Gray: I haven't seen that with respect to elder abuse. I think probably the elder council is probably more along those lines that we saw within the Pueblo tribes but not as ... the question would then be advisory to who?

Andrew: Yeah. That's a good question. I don't know if it's just a general kind of advisory council of elders or just for a specific group.

Dr. Jacque Gray: Now, we have had groups of elders that have gone through their council and really push the issue of getting them updated, the elder abuse code into their tribal codes so yeah but they can be very activist in some of their things.

Andrew: Mm-hmm (affirmative).

Dr. Jacque Gray: And providing ... those elders also providing guidance in the development of those codes as to what they wanted to see in them.

Andrew: So proactive and going and saying what they think it needs to be.

Dr. Jacque Gray: Very much.

Andrew: Yeah. Let's see, what would you say are some of the main obstacles of access to help among the indigenous communities?

Dr. Jacque Gray: Well, I think as I mentioned, the jurisdictional issues are big problems. The lack of elder abuse codes and policies within tribal communities. I think those are two of the biggest ones and I think the ... You know, isolation, really gets to be a problem and we also get into some of these things like here in Western and North Dakota and Eastern Montana a few years ago, there was an oil boom and we have reports of elders whose rent had been raised 10 times to where they couldn't afford their homes so that they could get them out and rent to people coming into the oil fields at a much higher rate and I've seen that as exploitation.

Andrew: Yeah, because the market changed, yeah.

Dr. Jacque Gray: Right.

Andrew: Let's see. Do you have any information or know of any information on elder abuse among the LGBTQ individuals within the indigenous communities or anything you can say about that issues?

Dr. Jacque Gray: What I provided in this presentation is all of the elder abuse research in Indian country, that's it and so there is a real need for some of that research to be done. We are trying to gather some more information and we're hoping to do a training module as far as work with two spirit and that's the term with an Indian country, is two spirit people and hoping to include some of that that kind of depends on how things move forward, whether we'll be able to do that or not.

Andrew: Then, one other question, I think this is probably our last question is are there very many community services available for elderly American Indians in the US? Do you find that it's hard to get services for those folks or are they available at all?

Dr. Jacque Gray: It really varies tribe to tribe. There is some that have nothing and there are others that have really developed some comprehensive services and you see it all the way between.

Andrew: Yeah, kind of all over the place.

Dr. Jacque Gray: There really isn't any funding out there, these many grants that we have out now are the first funding that has gone into tribes other than I think there were free tribal grants about five years ago and before that there was money back in 1985 and that's about all that's gone into Indian country. The other thing are the programs in the states, the triple Is.

Andrew: Yeah, the agent network.

Dr. Jacque Gray: Yeah. The agent network, all the funding that goes to states for those different types of things are also supposed to be serving Indian country. Many times, they count the natives and then don't serve them.

Andrew: Yeah.

Dr. Jacque Gray: We see that happening all the time.

Andrew: Here is another question that just popped up. Sometimes APS is told, "It is the Indian way" for elders to support their family. Can you speak to this?

Dr. Jacque Gray: That is true. Everybody does their part or has a role. It maybe that the elder's income is needed to support the family but in those cases, other members of the family are doing other things that contribute to the well-being of the family. It's not ... you have to take a look as, is there exploitation going on with it or is it a mutual benefit of all the members?

Andrew: Got you.

Dr. Jacque Gray: That's the part that is the Indian way.

Andrew: There was an earlier question about the advisory panel piece and this person clarified that they were asking about if there was an advisory panel of elders for NIEJI itself at the university that you work at?

Dr. Jacque Gray: Yes, we have a national panel, our national advisory board.

Andrew: Great. Well, I think that's all the questions that we have, Dr. Gray. Here is another one that just popped up. Is it best to say Indian or Native American or American Indian? Which term do you think is the most appropriate?

Dr. Jacque Gray: Well, that's an interesting question. My personal opinion is most like to be referred to by their tribe, like on Choctaw and Cherokee but whenever we're differentiating between groups, if it's among the tribes in the lower 48, it would be American Indian. If we include Alaska, that's American Indian/Alaskan Native, is the preferred term by National Congress of American Indians. When you throw in Hawaiian homesteads, I tend to use the term Native American.

Andrew: Great.

Dr. Jacque Gray: Other people see it differently but that's kind of the way I differentiate it.

Andrew: Got you. Well, thank you. That's pretty helpful. I think that's probably a question on a lot of people's mind because they hear different terms, different times.

Dr. Jacque Gray: But most tribes preferred to be referred to by their tribal name.

Andrew: Sure. Yeah, of course, that makes a lot of sense. Well, thanks so much Dr. Gray. I think that's all the questions that we have. We appreciate all the information you provided to us and all of the research that you presented to us and it sounds like there definitely needs to be more research into this area and the field is lucky to have you working on this issues so we really appreciate your time today in presenting for us. Several people have commented thank you and it's very helpful information.

Dr. Jacque Gray: Thank you very much. I enjoyed it.

Andrew: Yeah. We've enjoyed having you and just as a note to everybody who's on the line, make sure to please complete your evaluation. Once the webinar ends, the evaluation will pop up on the screen and if you could complete that for us, that would be great. It's just about five questions I believe, it would be very helpful for us. Thanks so much for being present, for signing up today and thanks for Dr. Gray again for all the information she presented and at this point, we'll say, everyone have a great afternoon. Thanks so much.

Dr. Jacque Gray: All right. Thank you.