



INTERNATIONAL ASSOCIATION FOR  
INDIGENOUS AGING

# ELDER JUSTICE IN TRIBAL COMMUNITIES



**Elder Justice in tribal communities** refers to the protection and advocacy of the rights, dignity, and well-being of older adults within Native American, Alaska Native, Native Hawaiian and unrecognized tribal communities. According to the National Center for State and Tribal Elder Justice Coalitions, “This encompasses efforts to address abuse, neglect, and exploitation of older adults in tribal communities, ensuring they have access to essential resources, healthcare, and support services. Native American Elder Justice integrates traditional practices and values with Western legal and social frameworks to create a holistic approach to elder abuse and protection.” (National Center for State and Tribal Elder Justice Coalitions, n.d.).

## Types of Abuse

Physical	Sexual	Financial	Emotional or Psychological
Self-neglect	Abandonment	Neglect	Spiritual

### VISIT

<https://iasquared.org/wp-content/uploads/2023/11/elder-abuse-in-indian-country.pdf>

**Rates of elder abuse have been found to be higher among older Indians both on and off tribal land.**

- Higher prevalence of neglect by a caregiver
- Higher prevalence of financial exploitation by a stranger
- Higher prevalence of emotional abuse
- Higher prevalence of abuse over lifetime
- Almost one-quarter of older AIAN reported emotional abuse (Crowder et al., 2022)

## Rates of Abuse

Prevalence of elder abuse in American Indian and Alaska Native (AIAN) populations is under researched, therefore there is limited data to understand the exact rates of elder abuse within these populations (Forum on Global Violence Prevention, Board on Global Health, Institute of Medicine, & National Research Council, 2014).

33%

A recent study found that the total prevalence of emotional, physical, and sexual mistreatment in the past year, neglect, and financial abuse by a family member for the AIAN group was 33% (Crowder et al., 2022).

29.7%

29.7% of AIAN respondents reported experiencing two or more types of neglect, exploitation, or mistreatment over their lifetime (Crowder et al., 2022).

25%

Almost 25% of AIAN respondents reported experiencing emotional abuse since 60 years of age, which is nearly double the rate of White respondents (Crowder et al., 2022).

# Risk and Protective Factors in Native Communities

## GENERAL RISK FACTORS FOR ABUSE IN NATIVE COMMUNITIES INCLUDE:

- Substance abuse within the family and community
- Elder mental health concerns
- Caregiving demands
- Dependency
- Loss of culture
- Lack of social support
- Unemployment
- Living in poverty
- Limited accessibility to services (Crowder et al., 2019; Wei & Balsler, 2024; NIEJI, 2020c)

## RISK FACTORS FOR SPECIFIC TYPES OF ABUSE

- Specifically, risk factors for **physical abuse** and **neglect** include unemployment and substance use. Additional risk factors for **neglect** include caregiving demands and limited accessibility to services due to geographic and environmental challenges (Wei & Balsler, 2024).
- Risk factors for elder **financial abuse** include: poor health, mental decline, or physical disability; needing help with activities of daily living such as shopping, preparing meals, and managing money; and feeling obligated to share their resources with their family (NIEJI, 2020b).

## PROTECTIVE FACTORS AGAINST ABUSE

- Although there is limited published research on protective factors against elder abuse in Native communities, some research has shown that support, family ties, and a culture of respecting elders may be protective against elder abuse. One specific protective factor against physical abuse is financial independence (Wei & Balsler, 2024).
- Culture can be both a risk and protective factor.



## Adult Protective Services in Tribal Communities

Adult Protective Services (APS) is the only system of statutorily authorized civil programs to investigate and respond to abuse, neglect, self-neglect, and exploitation of older adults and people with disabilities. Every state, DC, and several territories have an APS program. (National Adult Protective Service Association, 2024).

While every state has an APS program, many tribal communities do not have a tribal APS program. As a result, some tribes may rely on a tribal Elder Protection Program/Team to respond to allegations of elder abuse. When tribal communities do not have their own APS or Elder Protection staff, reports and investigations of abuse may be handled by state or county APS or a tribal law enforcement department (NIEJI, n.d.).

If there are no formal working agreements between state or county APS and tribal government, the next best practice is to develop working relationships such as being a part of tribal Elder Protection Teams and having tribal representation on their Multi-Disciplinary Team (MDTs). To support culturally informed practices, it is important to know if a tribe has their own APS program, if they have a code that addresses elder abuse or elder justice, and if so, to become familiar with the code to know how to address abuse collaboratively.

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