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Aggression and Violent Behavior



Adult protective services and victim services: A review of the literature to increase understanding between these two fields

Shelly L. Jackson

Institute of Law, Psychiatry, and Public Policy, PO Box 800660, University of Virginia, Charlottesville, VA 22908-0660, United States

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ABSTRACT

Adult protective services (APS) is designated in each state to respond to elder abuse. As elder abuse is increasingly conceptualized as a crime, and victim services expands to encompass victims of elder abuse, these two fields will increasingly cross paths. The fields of APS and victim services are each guided by federal legislation, although the path to that legislation differed for each field. The historical development of each field helps to explain the existence of a sometimes challenging relationship between these two fields. A literature review was undertaken to compare these two fields across three domains: 1) the service providers, 2) the recipients of those services, and 3) how a case typically flows from reporting to outcomes. Four areas of possible contention were identified: mandatory reporting, APS investigation, cognitive capacity of victims, and involuntary interventions. It is anticipated that by illuminating these differences and providing an explanation for them, some tension between the fields may be assuaged. This article concludes, however, that in the myriad other ways in which comparisons were made, no meaningful differences emerged. Increasing an understanding of each other's field is intended to facilitate building relationships between these two fields, with the ultimate goal of benefiting victims.

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E-mail address: slj4u@virginia.edu.

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1. Introduction

The fields of adult protective services (APS) and victim services are each guided by federal legislation, although the path to federal legislation differed for each field. In response to elder abuse, federal legislation creating APS arose out of a vulnerable adult/caregiver stress model resulting in a protectionist response and housed within system-based programs. In response to crime victimization, legislation creating victim services arose from the grassroots women's movement and victim's rights movement framed within a strong empowerment model and typically housed within community-based programs.

The historical development of each field helps to explain the existence of a sometimes challenging relationship between APS and victim services broadly defined. The two fields have developed independently of one another, rarely cross paths, and are sometimes suspicious of one another (Cramer & Brady, 2013; Crockett, Brandl, & Dabby, 2015). For example, community service providers have perceived APS as not doing their job adequately (Balaswamy, 2004), while (at least in 1997) APS perceived that their clients would be unlikely to receive the services of victim assistance (Blakely & Dolon, 2001). Some of this discord is based on their historical roots and philosophical differences, and some of it stems from misunderstandings between the two fields (Balaswamy, 2004).

Now that elder abuse is increasingly being recognized as a crime (Heisler, 2000; Jackson, 2016; Kohn, 2012), and victim services broadens to include victims of elder abuse, the two fields will increasingly be serving the same victims and may increasingly cross paths if not working collaboratively on these cases. Cramer and Brady (2013) write that we must identify the underlying disputes between these two fields so we can face them head on and work toward some reconciliation. Identifying a common understanding of each other's field may facilitate a better working relationship between providers in these two fields. To this end, this paper undertakes an analysis of these two fields (the service providers, the recipients of services, and society's response) through an extensive literature review of these two bodies of research to illuminate potential underlying disputes, with the ultimate goal of promoting a greater working relationship between service providers in these two fields (Jackson & Hafemeister, 2012a). Guided by the theory that interaction reduces prejudice (Hagestad & Uhlenberg, 2005), by demonstrating that these two fields have more in common than not, the desired outcome is that individuals in these two fields will find ways to interact and build mutually beneficial relationships, preferably via participation on multidisciplinary teams.

2. Describing adult protective services (APS)

APS was enacted to respond to victims of elder abuse. The federal definition of elder abuse first appeared in the 1987 Amendment to the Older American's Act (Title I) in which "elder abuse" means abuse of an older individual.¹ Elder abuse is a term that typically encompasses six harms against older adults: Caregiver neglect, physical abuse,

psychological abuse, financial exploitation, sexual abuse, and abandonment. It is estimated that 10% of the older adult population experiences elder abuse annually (Acierno et al., 2010).

Historically, elder abuse was not considered a crime but rather a social welfare issue (Krienert, Walsh, & Turner, 2009; Wolf, Hodge, & Roberts, 1998). This may be in part because the roots of APS originated in the early 1950s with an infusion of federal funds incentivizing the development of state protective services programs in response to frail, vulnerable and impoverished older adults (Anetzberger, 2005; Gottlich, 1994; Mixson, 1995). However, Title XX of the Social Security Act of 1974 provided funding to the states for the development of adult protective services programs (Anetzberger, 2005; Quinn & Tomita, 1997; Regan, 1978). To receive federal funds, states were mandated to develop APS units to, among other things, prevent or remedy neglect, abuse, or exploitation of adults (and children) unable to protect their own interests (Olinger, 1991). In 1980, Congress held the first joint hearing on elder abuse, claiming (among other things) that the federal government should take a leadership role in elder abuse (US Senate Special Committee on Aging, 1980). Anticipating federal funding for adult protective services, states across the country quickly developed their own APS system (Jackson, 2017; Koenig & DeGuerre, 2005), resulting in the current patchwork of APS systems throughout the United States (Jirik & Sanders, 2014). In the 1990s, the field of elder abuse began shifting from a social services framework to a criminal justice framework (Jackson, 2016; Wolf et al., 1998).

APS is a statutorily based social services program provided by and funded by state and local government nationwide serving older persons² who are in need of assistance due to abuse, neglect, and/or exploitation.³ APS programs not only differ from state to state (Jirik & Sanders, 2014), but even from county to county, in terms of client eligibility and resources available (Mosqueda et al., 2016). Although Congress passed the Elder Justice Act of 2009 (P. L. 111-148, 2010), the first federal legislation dedicated exclusively to elder abuse, as of 2016 no funds have been appropriated (Blancato, 2012). Thus, no dedicated federal funds are funneled to state APS agencies (Government Accounting Office, 2011); consequently, all funding decisions are made at the state level (Quinn & Benson, 2012).⁴

APS is responsible for receiving and responding to reports of elder abuse to investigate the allegations and to provide or arrange for services. In all but one state (New York), at least some categories of individuals are required by law (mandated) to report suspected elder abuse, most typically to APS (National Adult Protective Services Association [NAPSA], 2013). Because states define elder abuse differently, each state has adopted screening procedures (or eligibility criteria), one implication of which is the fact that at least some victims who might access services in one state would not be eligible to access services in another. Once an investigation has been completed, there are typically three primary potential designations: client is in need of services and accepts, client is in need of services and declines, or unsubstantiated (unfounded).

² This paper focuses on older adults. However, some states' APS agencies also serve adults with disabilities.

³ This paper focuses on abuse perpetrated by another person, although in many states APS responds to cases involving self-neglect.

⁴ This paper excludes a detailed discussion of appropriations and cost effectiveness.

¹ <http://files.eric.ed.gov/fulltext/ED288108.pdf>.

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