

**THE CHALLENGES OF  
ADULT VICTIM  
SEXUAL ASSAULT  
CASES**

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***Elder Victims  
of Sexual Abuse***

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\*A project of Legal Momentum in cooperation with the National Association of Women Judges

# **National Judicial Education Program\***

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## **Elder Victims of Sexual Abuse**

### **FACULTY MANUAL**

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## **Overview**

As America ages, elder abuse has drawn increasing attention while elder sexual abuse remains little studied or discussed. In judicial education programs about elder abuse, elder sexual abuse is often listed as a type of abuse along with physical, financial and emotional abuse, but not explored beyond that. Elder sexual abuse is a distinct form of victimization in which victims' age and health further complicate the particular challenges that every sexual abuse/assault case presents for the courts. This curriculum explores the research on elder sexual abuse and its implications for civil and criminal courts.

## **Learning Objectives**

Participants will be able to:

- Identify the types of elder sexual abuse
- Identify the most at risk elders
- Explain how victim impact in elder sexual abuse cases differs from victim impact for younger victims
- Recognize typical characteristics of sex offenders who target elders
- Utilize procedures, practices and techniques to help elders access the courts and describe their experiences
- Know key questions to assess consent
- Minimize jury bias in elder sexual abuse cases
- Sentence elder sexual abuse offenders appropriately
- Identify resources to improve courts' handling of elder sexual abuse cases

### **Components of this Module**

In addition to this Faculty Manual, components of this module are:

- A PowerPoint presentation with suggested commentary for the faculty and extensive references
- A sample agenda
- An interactive exercise
- Handouts
- Binder Cover and CD Label

### **Suggested Uses for this Curriculum**

This curriculum can either be used as a stand-alone program or integrated into an existing judicial education program.

Examples of programs into which this topic module could be incorporated are:

- Elder Abuse
- Domestic Violence
- Sexual Abuse
- Sex Offender Management

### **Planning the Program**

Judges and judicial educators wishing to present this *Elder Victims of Sexual Abuse* Topic Module or to integrate its subject matter into other judicial education programs should plan as follows:

- Adapt the material to local law and practice (see section below)
- Select the expert presenter for the program
- Work with the expert to ensure he/she can present the material in a way most useful to judges
- Select the judge/moderator for the program

- Decide whether you will use small groups or a large group discussion for the case study exercise
  - This will depend on the size of your group:
    - If you are going to use small groups, decide whether you will choose small group discussion leaders in advance. If so, identify them.
    - If you are not going to choose your small group leaders in advance, the Case Study Exercise directions give you a way to choose group leaders quickly, in order to save time.
- Ensure that all faculty members are thoroughly familiar with the parts of the curriculum they will present or the discussions they will lead.

**Sample Agenda**

**90-Minute Program**

Amount of Time	Activity
60 minutes	Presentation (Slides 1 - 46) with Q & A
30 minutes	Interactive Exercise

**Case Study Exercise**

- **Setting:** This exercise is geared toward small groups.
- **Recommended Amount of Time:** 30 minutes. For small groups, allow 15 minutes for discussion and 15 minutes for reporting back.

**Faculty**

**Presenter/Moderator:** This curriculum is designed to be presented by an expert on elder sexual abuse who delivers the lecture portion of the curriculum. The moderator is a judge who introduces the expert and moderates the exercise. The judge should be an experienced judge, well-versed in elder abuse and/or sexual assault cases.

**Small Group Facilitators:** You can either select your small group facilitators ahead of time or choose them at the program.

**With Pre-Selected Small Group Facilitators:**

- If you pre-select the small group facilitators, meet with them before the program to review the exercise and discussion questions and be sure the exercise is adapted to your jurisdiction.
- Ask them to appoint the person to their immediate left at the program to be the Reporter who takes notes and gives the Report Back for the group. This saves time.
- Review with them the key elements of leading a small group discussion, such as being sure that everyone speaks and no one person dominates.

**Without Pre-Selected Small Group Facilitators:**

- Assign the facilitator role to the person at each table whose last name begins with the letter closest to A.
- Assign the Reporter role to whoever is sitting to the left of the facilitator.

**Adapting the Curriculum to Your State**

To adapt the curriculum for your state or jurisdiction:

- Determine whether there are any state statutes or court rules relevant to the topic of elder sexual abuse. Decide whether to provide these resources as handouts.
- Determine whether there is relevant case law in your jurisdiction that addresses the issues raised in this program. Decide whether to include these cases in your handouts.
- Be sure the slides and exercises use the terminology of your state. We use the term “sexual assault” throughout this curriculum to describe the wide range of sexual crimes. You may need to modify the terminology to fit your jurisdiction’s statutory scheme.

To create new PowerPoint slides:

- Open the PowerPoint presentation provided to you that you would like to adapt;
- On the PowerPoint menu, select “Insert New Slide;” and then
- Select the slide layout you would like to use.

**Note:** Do not change any of the slides except for the designated slides that you are asked to adapt to include your state-specific information.

### **Participant Materials**

Include the following in the Participant's Binder:

- Faculty Biographies;
- Agenda;
- PowerPoint Slides, printed three to a page with room for note taking;
- Case Study Exercise;
- Handout(s); and
- Your evaluation instrument.

### **Preparing Participant Materials**

The handouts for the Participant's Binder are available on the CD for this module and on the National Judicial Education Program (NJEP)'s website, [www.njep.org](http://www.njep.org). To access materials for this module as well as any of NJEP's other resources, click on "Sexual Assault Resources." On the Sexual Assault Resources page, click on the "Resources Available for Download" link which will direct you to the registration and login page for NJEP's materials for in-person education, where you will find this module. Registration is free and will provide you with a username and password that you will need to gain access to this section of the website.

To print handouts from the CD or the NJEP website:

- Click on the link to the handout you want to print. Clicking the link will download the handout to your computer as a PDF.
- Open the downloaded PDF files.
- Print and copy the handouts.

To print PowerPoint slides as handouts for note-taking:

- Navigate to the Print Menu.
- From the Print Menu select the "Print What" pull-down menu and choose "Handouts."
- From the "Color/Grayscale" menu select "Pure Black and White."
- From the "Slides per page" pull down menu select "3."

### **Binder Cover and CD Label**

This module includes a folder called “Graphics for Reproducing Elder Victims Module.” This folder contains two ready-to-print documents titled “Binder Cover” and “CD Label.” The binder cover and label are intended to be affixed to the binder and CD for this topic module. To print the CD label, purchase Avery CD label paper at an office supply store or online at [http://www.avery.com/avery/en\\_us/](http://www.avery.com/avery/en_us/). Put the Avery paper into any regular printer, print the label onto it and affix to the CD.

### **Presenting the PowerPoint Presentation**

The lecture portion of this curriculum is contained in a PowerPoint presentation, with suggested commentary for the faculty included in the notes section of the slides. Sources are included on the slides. The PowerPoint presentation is provided on the CD and the National Judicial Education Program’s website, [www.njep.org](http://www.njep.org).

To present the PowerPoint, navigate to the View menu or tab and click “View Slideshow.” The slide will fill the screen.

- To move to the next slide click your left mouse button, press “Enter” on the keyboard or use the forward arrow key on your keyboard.
- To return to a previous slide, press “Backspace” on your key board or use the back arrow on your keyboard.
- For more options use the right mouse button or for Mac users press the apple/control key and click your mouse button.
- To exit the Slideshow mode press Escape (Esc) on the top left corner of your keyboard.

#### **How to Print PowerPoint Slides with Suggested Commentary for the Presenter:**

- To print the slides with suggested commentary for guidance during the presentation follow these steps:
  - Navigate to the Print Menu.
  - From the Print Menu navigate to the “Print What” pull-down menu and select “Notes Pages.”
  - Select the “Color/Grayscale” pull-down menu and choose “Pure Black and White.”

### **Evaluation**

Evaluation is a critical component of any judicial education program. Because jurisdictions have their own standard evaluation instruments and procedures, we have not included a suggested evaluation form here.

### **Technical Support**

The National Judicial Education Program (NJEP) is available to provide technical assistance to judges and others who are planning a program using these materials. Please contact us if you need technical assistance or have any questions about using this curriculum.

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