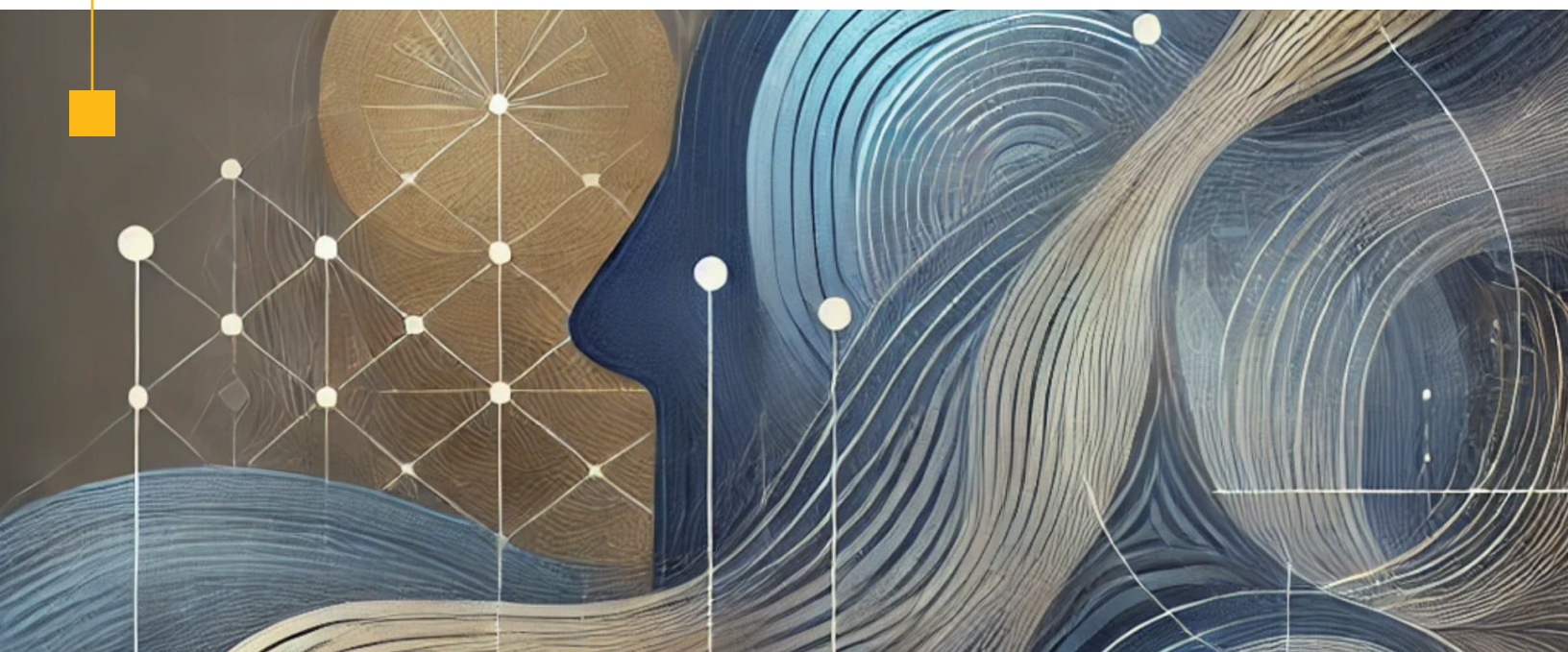




Prosecuting Elder Abuse: Insights from the 2025 National Elder Justice Prosecutor Survey

JANUARY 2026



National District Attorneys Association



NDAA's mission is to be the voice of America's prosecutors and to support their efforts to protect the rights and safety of the people by providing its members with the knowledge, skills, and support they need to ensure justice is attained.

As the largest association of prosecutors in the country, NDAA recognizes the vital role that prosecutors play in the safety of local communities. Prosecutors are responsible for ensuring that justice is carried out in a fair and equitable manner, protecting the rights of victims, and holding accountable those who violate the law. NDAA supports prosecutors in their efforts to fulfill these responsibilities and to promote a criminal justice system that is fair, effective, and accountable.

Through training, technical assistance, and other resources, NDAA provides prosecutors with the tools they need to do their jobs effectively and ethically. We also work to raise public awareness about the important role that prosecutors play in our criminal justice system.

We believe that every American has the right to live in a safe and just society, and we are committed to working with our members and partners to make that vision a reality.

This report is based on data collected through the *2025 National Elder Justice Prosecutor Survey*, conducted by the National District Attorneys Association (NDAA) with support from the U.S. Department of Justice, Elder Justice Initiative (EJI).

Unless otherwise noted, all figures, tables, and quotations in this publication are drawn directly from the 2025 survey dataset. Comparisons to 2003 data refer to findings from [NDAA's Policy Positions on the Prosecution of Elder Abuse, Neglect, and Financial Exploitation](#) (2003).

The opinions, findings, and conclusions or recommendations expressed in this publication are those of the author(s) and do not necessarily reflect those of the U.S. Department of Justice.

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At a Glance: Prosecuting Elder Abuse in 2025

The *2025 National Elder Justice Prosecutor Survey* offers the first nationwide look in two decades at how prosecutors handle cases of elder abuse, neglect, and financial exploitation. Conducted by the National District Attorneys Association (NDAA) with support from the U.S. Department of Justice’s Elder Justice Initiative (EJI), the survey reflects responses from 244 prosecutors representing rural, suburban, urban, and mixed jurisdictions across the United States.

Progress and Practice

The findings reveal progress. Elder justice has moved from the periphery to a recognized component of modern prosecution. Nearly half of responding offices now have a designated elder abuse prosecutor or unit—up from 28 percent in 2003—and six in ten prosecutors have received specialized training.

Prosecutors also report more frequent collaboration with adult protective services (APS), law enforcement, and area agencies on aging (AAAs). Multidisciplinary teams (MDTs) have become a defining feature of elder justice work, improving coordination, case development, and access to critical information.

Persistent Barriers

Despite these gains, progress remains uneven. Smaller and rural offices often lack investigators familiar with aging issues, qualified experts to explain capacity or consent, and dedicated victim advocates. Prosecutors continue to face restrictive evidentiary rules that can make successful prosecution contingent on a victim’s health or memory.

A shortage of medical and psychological experts compounds these challenges—leaving many prosecutors without the support needed to prove undue influence, cognitive decline, or patterns of exploitation.

What Prosecutors Say They Need

Respondents identified consistent, practical priorities across jurisdictions—steps most likely to improve outcomes for older victims:



Evidentiary Reform—Strengthen options for preserving statements and presenting testimony when victims are unavailable for trial.



Statutory Clarity—Simplify definitions of exploitation, undue influence, and abuse of authority to support clearer charging decisions.



Expert Access—Build coordinated networks of qualified geriatric, psychological, and financial experts available for case consultation and testimony.

At a Glance: Prosecuting Elder Abuse in 2025



Advanced Training—Continue developing programs that build on foundational training and enhance prosecutorial effectiveness.



Victim Advocacy and Support—Ensure older victims have consistent, informed advocacy throughout the criminal process.

These findings build on themes identified in NDAA's 2025 report on *Prosecutors' Challenges in Elder Abuse Cases: Navigating Decision-Making Capacity and Consent Defenses*, highlighting the ongoing need for collaboration and coordination.

The Path Forward

Elder justice prosecution has advanced since 2003, the year the first national survey was conducted. The field is better equipped, more connected, and increasingly proactive. The next challenge is ensuring that every jurisdiction—large or small, urban or rural—can put that progress into practice.

Achieving this goal requires sustained investment in resources, training, and partnerships nationwide so that no prosecutor faces these cases alone, and justice for older victims becomes a reality everywhere.

Table of Contents

| | |
|---|-----------|
| Introduction | 1 |
| Section 1 The Landscape Has Shifted—But Not Enough | 2 |
| Collaboration and Referrals | 4 |
| Working Across Systems | 5 |
| The Rise of Multidisciplinary Teams | 6 |
| Section 2 The Growth of Elder Justice Prosecution | 7 |
| A Shift Toward Victim-Centered Prosecution | 8 |
| Supporting Victims, Building Cases | 8 |
| Training and Expertise | 9 |
| Persistent Barriers Beneath the Progress | 9 |
| Evidentiary and Procedural Challenges | 10 |
| The Expert Gap | 11 |
| Section 3 What Prosecutors Need to Excel | 12 |
| Evidence and Testimony: The Cornerstone Problem | 12 |
| Legal and Procedural Challenges Identified by Prosecutors | 13 |
| Statutes and Definitions: Clarity Still Needed | 13 |
| Training and Expertise: Moving from Awareness to Mastery | 14 |
| Financial Institutions: A Critical but Complicated Partner | 14 |
| Victim Services: Building Infrastructure for Justice | 17 |
| Section 4 A Call to Strengthen the System | 18 |
| What Has Changed | 18 |
| What Hasn't Changed | 19 |
| Building the Next Phase of Elder Justice | 19 |
| Partnership and Momentum | 20 |
| Conclusion | 20 |
| Appendix A Methodology | 21 |
| Appendix B 2025 National Elder Justice Prosecutor Survey Results | 22 |

Introduction

Two decades have passed since the last national look at how prosecutors handle elder abuse cases. In that time, the landscape has changed dramatically—more cases are being brought, more prosecutors are trained, and more communities recognize that elder abuse is not just a “civil matter” but a crime that demands attention and accountability. Yet, as the 2025 national survey of prosecutors reveals, progress remains uneven. The field has evolved, but systemic gaps persist.

“Adult abuse is the silent national tragedy.”

—Prosecutor, 2025 National Elder Justice Prosecutor Survey

This survey captures the voices of 244 prosecutors from across the country who chose to share their experiences and perspectives. Their responses, spanning rural, suburban, urban, and mixed jurisdictions, provide a meaningful national view of how elder abuse cases are identified, charged, and prosecuted. More detailed information on survey design, sampling, and analysis appears in Appendix A.

The 2025 National Elder Justice Prosecutor Survey provides a current snapshot of how prosecutors approach cases involving elder abuse, neglect, and financial exploitation. It examines prosecution trends, collaboration across systems, training and resource needs, and obstacles to bringing cases forward.

The results show how the field has advanced since NDAA’s 2003 national survey, published as *Protecting America’s Senior Citizens: What Local Prosecutors Are Doing to Fight Elder Abuse* (Miller & Johnson, 2003). Prosecutors are better trained and more engaged, yet persistent gaps in law, evidence, and resources continue to limit progress.

The report is organized into four main sections:

- **Section 1** looks at national trends and how prosecutors’ roles in elder abuse cases have evolved.
- **Section 2** examines evolving strategies, including trauma-informed and victim-centered approaches.
- **Section 3** identifies what prosecutors say they most need to improve their work.
- **Section 4** outlines action for strengthening the system and sustaining progress.

2025 Survey Snapshot

Respondents

244 prosecutors nationwide

Survey Period

June 30–August 8, 2025

Questions

20 (10 repeated from 2003, 10 new)

Jurisdictions Represented

Rural, suburban, urban, and mixed

Response Rate

Approx. 4% (est. 6,000 invitations sent)

OMB Number

1103-0120

SECTION 1

The Landscape Has Shifted— But Not Enough

> Prosecuting elder abuse has gained traction nationwide, but persistent obstacles continue to limit impact.

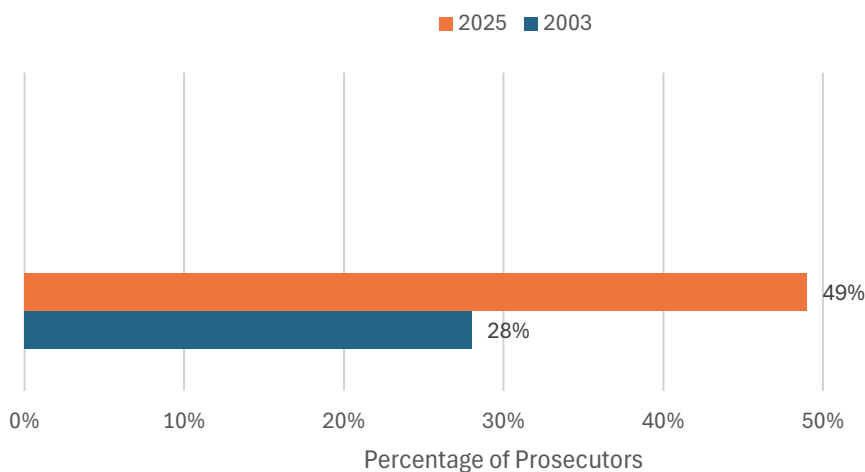
Twenty years ago, as reflected in [NDAA's 2003 survey report](#) (based on 2002 survey data), national data on elder abuse prosecution were limited, and few cases were brought. Only 28 percent of offices had a dedicated elder abuse prosecutor or unit. Training was sporadic, and many prosecutors viewed these cases as too complex, too “civil,” or too dependent on the victim’s health and memory.

Today, those perceptions have shifted. The 2025 survey shows that 49 percent of responding offices now have a specialized prosecutor or elder abuse unit—nearly double the proportion reported in 2003 (Figure 1). Sixty percent of prosecutors report having received or provided specialized elder abuse training. These findings indicate that elder abuse work is becoming more fully integrated into prosecutorial practice.

Yet even as elder abuse prosecution becomes more common, it remains a specialized pursuit. Most offices still handle these cases without dedicated staff, and nearly half lack regular access to expert witnesses or investigators familiar with aging and capacity issues. The field has made clear progress—but not enough to ensure that older victims benefit from a coordinated, well-resourced response.

Trend Spotlight—Elder Justice Specialization

NDAA's 2003 survey report found that only 28% of prosecution offices had a dedicated elder abuse prosecutor or unit within the office. The 2025 survey showed an increase to 49% of respondents, almost doubling.



An increase to 49% of respondents, almost doubling.

Figure 1. Percentage of Offices with Elder Abuse Units, 2003 v. 2025

Prosecutors most frequently encounter cases of financial exploitation, followed by physical abuse and neglect (Figure 2). Emotional abuse and sexual exploitation appear far less often in prosecutorial caseloads—likely reflecting both lower reporting rates and the difficulty of these cases reaching the justice system. These patterns mirror national reporting trends and highlight the growing importance of partnerships with financial institutions and social service agencies in addressing elder abuse across settings.

Prosecutors increasingly view elder abuse as central to their public safety mission, not a peripheral or purely social service concern. Still, many prosecutors described feeling isolated in their efforts, citing limited resources, inconsistent law enforcement referrals, and evidentiary barriers that make cases difficult to prove when victims forget, decline, or pass away before trial.

This disparity underscores a central challenge—elder abuse affects every community, but not all communities have equal capacity to respond. Prosecutors in smaller offices often juggle heavy caseloads and handle elder abuse matters only occasionally, limiting opportunities to build specialized expertise.

“These cases are difficult and need significant time and attention that small offices sometimes cannot give.”

—Prosecutor, 2025 National Elder Justice Prosecutor Survey

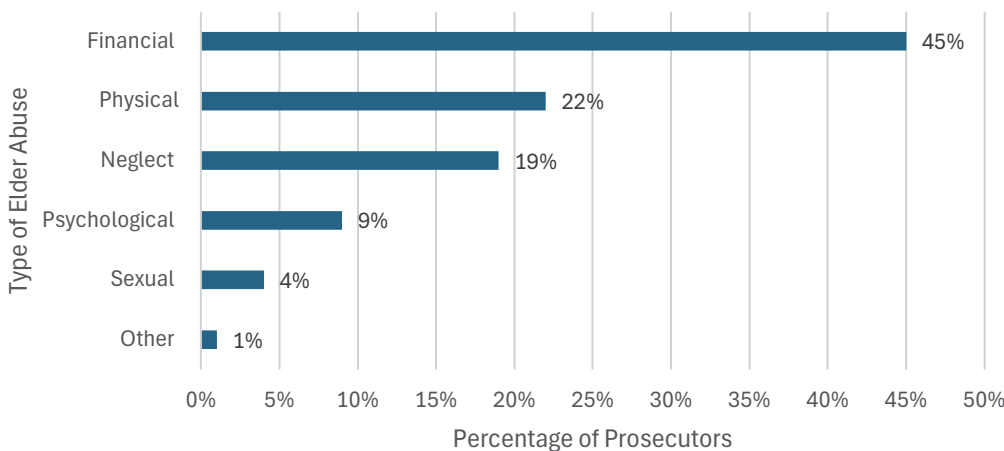


Figure 2. Types of Abuse Encountered by Prosecutors, 2025

Collaboration and Referrals

The survey also examined how elder abuse cases reach prosecutors and with whom they work once a case is in motion. Consistent with the 2003 findings, law enforcement and adult protective services (APS) remain the most frequent sources of referrals. However, referrals from victims and concerned community members have increased—a positive sign that public awareness and confidence in reporting have grown. Still, prosecutors noted that some law enforcement agencies hesitate to fully investigate these cases.

Prosecutors reported that law enforcement and APS continue to be the primary sources of case referrals. Prosecutors also identified referrals that originate with victims themselves, as well as from family members, friends, and other community members. In some jurisdictions, referrals also come through health care providers, long-term care facilities, or regulatory agencies, though these were mentioned less frequently.

“Law enforcement often views these cases as civil rather than criminal, resulting in under-investigation.”

—Prosecutor, *2025 National Elder Justice Prosecutor Survey*
(edited for readability)

Trend Spotlight—Elder Abuse and Neglect Reporting

Prosecutors work with a variety of agencies and stakeholders that result in referrals of elder abuse and neglect cases. The 2025 survey data indicated that increasingly, victims themselves or concerned community members are reporting abuse and neglect directly to law enforcement and prosecutors.

More than half of surveyed prosecutors (55%) reported engaging in public awareness or prevention efforts focused on elder abuse. Many see education as a form of prevention—an essential part of their duty rather than an add-on. This aligns with NDAA’s long-standing position, as reflected in its [2003 survey report](#), that prosecutors should lead community engagement.

Community Engagement as Prevention

Prosecution offices continue to enhance education and awareness campaigns around elder abuse and neglect. More than half of respondents (55%) reported engaging in more direct outreach to communities around elder abuse and neglect. As a result, prosecutors have expanded their roles to include prevention efforts in this space as an essential part of their duty.



Working Across Systems

Prosecutors continue to rely primarily on law enforcement and APS when handling elder abuse cases, but the 2025 survey shows important changes in the depth and diversity of collaboration (Figure 3). In the 2003 survey, collaboration with long-term care licensing agencies and Medicaid Fraud Control Units (MFCUs) was somewhat more common than today. While those partnerships remain important, prosecutors now report working more frequently with area agencies on aging (AAAs) and other community-based partners. These relationships can give prosecutors earlier insight into cases and connect victims to supports that aid both the individual and the case.

This evolution perhaps reflects a broader shift in focus. Two decades ago, elder abuse was often viewed primarily through the lens of long-term care facilities. Today, because most older adults live in their own homes, effective responses increasingly depend on coordination with the agencies that serve them there.

At the same time, fewer prosecutors report collaborating with health care, licensing, or public health departments, suggesting that facility-based cases may receive less attention than before. This trend raises concerns about the continued visibility of abuse in institutional settings and underscores the need to maintain focus across both community and facility contexts.

Shifts in Collaboration and Partnerships

As prosecutors have expanded community engagement initiatives in this space, the number of collaborative partners has increased, while existing partnerships have strengthened. Collaboration with Area Agencies on Aging (AAA) and other community-based partners has increased according to the 2025 survey data. At the same time, data suggests less emphasis on engagement with facility-based staff.

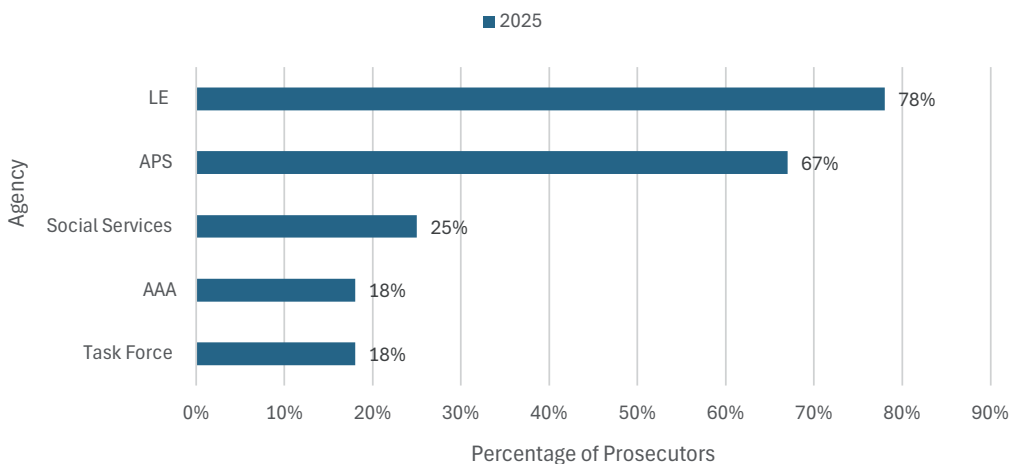


Figure 3. Primary Agencies Prosecutors Work With in Elder Abuse Cases

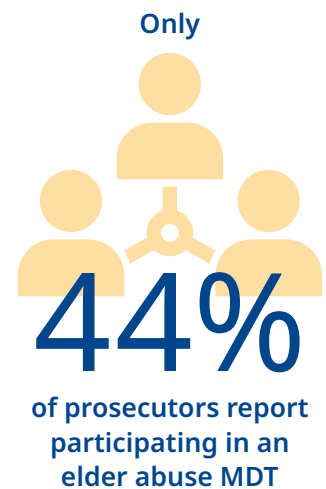
The Rise of Multidisciplinary Teams

Forty-four percent of prosecutors reported participating in an elder abuse multidisciplinary team (MDT)—a best practice recognized nationally for improving investigation and prosecution outcomes. Although this question was not asked in 2002, the 2025 data confirm that MDTs are becoming a defining feature of today's elder justice work. In some states, prosecutors are designated by statute to establish or lead these teams, reflecting their central role in coordinating the elder justice response.

MDTs give prosecutors earlier access to information from multiple disciplines—from APS and law enforcement to health care and financial institutions—and they help resolve complex capacity or consent questions that might otherwise derail a case.

“Local multidisciplinary teams are the most effective way to connect APS, law enforcement, and prosecutors. Giving these teams a stronger statutory foundation and aligning them more closely with criminal prosecution seems to be the golden ticket.”

—Prosecutor, *2025 National Elder Justice Prosecutor Survey*
(edited for readability)



The Power of Multidisciplinary Teams

According to the 2025 survey data, 44% of prosecutors reported participating in a multidisciplinary team (MDT) focused on elder abuse and neglect. The MDT model has demonstrated enhanced investigation and prosecution collaboration and success across various case types, including elder abuse and neglect.

SECTION 2

The Growth of Elder Justice Prosecution

➤ Prosecutors have transformed how they approach elder abuse, moving from ad hoc efforts to a more strategic, victim-focused practice.

Two decades ago, elder abuse prosecutions were somewhat improvised—built around whichever witnesses were available rather than a deliberate case strategy. The 2025 survey shows how much that has changed. Prosecutors today employ a range of approaches that were once considered exceptional: engaging with victims early in the process, coordinating with AAAs and other social service agencies, seeking restitution, and applying enhanced charges or sentencing options under elder abuse statutes (Table 1).

Table 1. Strategies Utilized by Prosecutors

| STRATEGY | 2025 |
|---|------|
| Work to build trust and understanding with the victim | 57% |
| Work to ensure restitution | 52% |
| Coordinate inside the office and with outside agencies and family | 48% |
| Early and/or intensive contact with the victim | 43% |
| Make the victim's time or role in the process easier | 40% |
| Use vertical prosecution | 39% |
| Obtain protection order or prohibit contact between victim and defendant | 38% |
| Evaluate psychological or medical status of victim | 33% |
| Use tougher charging, plea, or sentencing standards under statutes specific to older or vulnerable adults | 32% |
| Use staff sensitive to older victims and crimes against older persons | 31% |
| Use videotape and/or preserve statements of victim | 30% |
| Special investigative procedures or obtain specific records | 27% |
| Accelerated proceedings or advance on the docket | 13% |
| We do not utilize strategies specific to older victims | 6% |
| Other | 2% |

A Shift Toward Victim-Centered Prosecution

The most common strategies today focus squarely on the victim's experience:

- 57 percent of prosecutors now report building trust and understanding with victims (up from just 3 percent).
- 52 percent pursue restitution on behalf of victims.
- Nearly 40 percent use vertical prosecution—handling the case from start to finish for consistency and rapport.

These changes signal a fundamental shift in approach. Prosecutors are increasingly approaching older victims as active participants in the justice process—valuing their perspectives and involving them more fully in decisions throughout the case.

Supporting Victims, Building Cases

While the 2025 survey did not directly ask about trauma-informed practice, responses suggest that elements of this approach are appearing in elder abuse prosecutions. Prosecutors described working more closely with victims early on, adjusting schedules to accommodate health needs when possible, and securing protective orders. These steps reflect a growing recognition of the importance of reducing re-traumatization and supporting victims throughout the case.

At the same time, prosecutors acknowledge that evidence-based prosecution remains a work in progress. Heavy reliance on victim testimony continues to limit their ability to move cases forward when health, memory, or capacity is or becomes an issue.

Putting Victims First

Victim-centered approaches to investigation and prosecution are critical in today's criminal justice system. Elder abuse and neglect cases are no exception. Survey data indicated that prosecutors and law enforcement routinely engage with victims early and often in order to build trust and support navigating the criminal justice system. 57% of respondents indicated their strategies engage victims early in the process. Additionally, nearly 40% of respondents indicated their offices use vertical prosecution—handling the case from start to finish—to build rapport and consistency across the investigation and prosecution of these cases.

“I keep reminding colleagues that evidence-based prosecution works in these cases.”

—Prosecutor, 2025 National Elder Justice Prosecutor Survey

Key Insight—Engaging Victims and Supporting Testimony

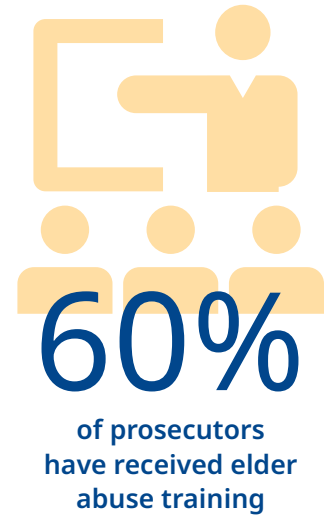
Ensuring victims of elder abuse and neglect cases are not retraumatized is essential, whenever possible. Building rapport from the reporting of an incident through the investigation and prosecution of any subsequent case is critical to success at trial. Reliance on victim testimony is a core component at trial, but challenges arise when issues like health, memory or capacity are present.

Training and Expertise

The steady rise in specialized training underpins progress highlighted previously. Sixty percent of prosecutors surveyed said they or their colleagues had received training specific to elder abuse—a major increase since the 2003 report. Expanded national and state-level education programs have made training more accessible than ever.

Still, prosecutors highlighted gaps, particularly in decision-making capacity, undue influence, power of attorney abuse, and use of health care experts. These topics dominate prosecutors’ “wish lists” for future education.

These findings echo themes identified in *Prosecutors’ Challenges in Elder Abuse Cases: Navigating Decision-Making Capacity and Consent Defenses* (National District Attorneys Association, 2025), which underscored the same training and expert shortages. That session called for practical tools, accessible expertise, and cross-disciplinary collaboration to help prosecutors navigate complex capacity questions—issues that continue to shape elder abuse cases nationwide.



Training Trend—Specialization as a Norm, not an Exception

60% of prosecutors responded that they have received specialized training when it comes to elder abuse and neglect cases, a major increase since the 2003 report. While challenges remain on topics like capacity, progress is being made that strengthens investigation and prosecution of these cases.

Persistent Barriers Beneath the Progress

Even as prosecutors adopt new strategies, familiar obstacles remain. When asked to identify the most difficult aspects of prosecuting elder abuse, prosecutors overwhelmingly cited two: the physical health of victims and diminished mental capacity (Table 2; see next page). These challenges—largely unchanged since 2003—affect every phase of a case, from investigation to trial.

The data suggest that prosecutors have grown more adept at managing victim cooperation and intimidation issues—problems that ranked high in 2003 but less prominently today. What has not changed is the dependence on testimony from older victims whose health or cognition may decline before trial is held.

“Victims may pass away or lose the capacity to testify before trial.”

—Prosecutor, 2025 National Elder Justice Prosecutor Survey

Health and Capacity Barriers

Even as prosecutors adopt new strategies, familiar obstacles remain. When asked to identify the most difficult aspects of prosecuting elder abuse, prosecutors overwhelmingly cited two: the physical health of victims and diminished mental capacity.

Table 2. Prosecution Barriers

| POTENTIAL BARRIERS | SURVEY YEAR | |
|--|-------------|------|
| | 2025 | 2003 |
| Victim-Related | | |
| Diminished mental capacity of the victim | 68% | 93% |
| Physical health of the victim | 48% | 76% |
| Victim cooperation | 27% | 62% |
| Legal/Evidentiary | | |
| Proving undue influence | 32% | 53% |
| Witness intimidation | 10% | 35% |
| System/Capacity | | |
| Lack of resources | 20% | 30% |
| Lack of expert witnesses | 16% | 20% |
| Lack of expertise | 9% | 14% |
| Other | 10% | 12% |

Evidentiary and Procedural Challenges

Open-ended responses from the 2025 survey highlight ongoing frustration with evidentiary rules. Hearsay restrictions, limited exceptions for unavailable witnesses, and requirements for in-person testimony often prevent cases from moving forward. Many called for reforms similar to those protecting child victims: expanded hearsay exceptions, early preservation of testimony, and the option for remote or recorded appearances when necessary.

“We’ve lost multiple victims during prosecution, leaving significant evidentiary gaps.”

—Prosecutor, 2025 National Elder Justice Prosecutor Survey (edited for readability)

These findings echo NDAA’s earlier recognition that elder abuse cases require “special trial procedures and evidentiary rules based on the needs of the victims.” Two decades later, the need remains. Prosecutors emphasized that without legal mechanisms to preserve statements, critical testimony is often lost before trial.

Evidentiary Rules Impacting Elder Abuse and Neglect Cases

NDAA has long said that elder abuse cases require “special trial procedures and evidentiary rules based on the needs of the victims”. That was reflected in the 2003 report and again presented itself in the open-ended responses of the 2025 survey. Hearsay restrictions, limited exceptions for unavailable witnesses, and requirements for in-person testimony often prevent cases from moving forward.

The Expert Gap

A recurring theme in prosecutors' comments is the shortage of qualified clinicians that understand aging, capacity, and abuse indicators. Without those experts, prosecutors struggle to prove lack of consent or to help juries understand the impact of diminished decision-making capacity on cases.

Even when experts are available, their participation in court can be expensive and time-consuming. This lack of accessible expertise not only limits prosecutions but also discourages law enforcement from identifying abuse and referring cases.

These realities—unworkable evidence requirements, limited access to experts, and ongoing training gaps—reveal what prosecutors say they need most to do this work effectively. Their responses make clear that progress in policy and awareness must be matched by progress in practice and support.

Experts, Experts, Experts

A nationwide shortage of qualified clinicians steeped in issues of aging, capacity and abuse indicators is a major barrier to moving an elder abuse and neglect case forward.

SECTION 3

What Prosecutors Need to Excel

➤ **Despite significant progress, prosecutors report that persistent legal, evidentiary, and resource gaps continue to constrain their ability to effectively pursue elder abuse cases.**

The *2025 National Elder Justice Prosecutor Survey* reveals clear patterns across jurisdictions: those handling elder abuse cases recognize many of the same barriers and identify practical steps that could strengthen outcomes nationwide. From evidentiary rules to access to experts, prosecutors consistently described challenges that require both legislative and systemic solutions.

Evidence and Testimony: The Cornerstone Problem

The most urgent need prosecutors identified is greater flexibility in how evidence can be presented when victims cannot testify in person. Many respondents urged expanding hearsay exceptions, allowing remote or recorded testimony, and preserving victim statements earlier in the process.

These concerns are not theoretical. Prosecutors described cases collapsing after a victim's death or loss of memory, even when strong evidence of abuse or exploitation existed. Legislative reforms modeled after those protecting child victims—such as statement preservation and recorded testimony—could help.

Some states have adopted evidentiary provisions that provide greater flexibility in cases where older victims are unavailable to testify or are unable to participate in in-person proceedings. These provisions vary in scope and application, but they reflect growing recognition of the evidentiary challenges prosecutors encounter in cases involving older victims. Examples of states that have taken this approach include [Florida](#), [Illinois](#), and [Oklahoma](#).

Legislative and Policy Priority— Witness Testimony

Prosecutors responding to the 2025 survey overwhelmingly indicated that greater flexibility for witness testimony is crucial to advancing the investigation and prosecution of elder abuse and neglect cases. Many respondents urged expanding hearsay exceptions, allowing remote or recorded testimony, and preserving victim statements earlier in the process.

“Hearsay exceptions for these crimes would improve prosecution outcomes.”

—Prosecutor, *2025 National Elder Justice Prosecutor Survey* (edited for readability)

Legal and Procedural Challenges Identified by Prosecutors

Prosecutors described a range of legal and procedural challenges that affect the development and prosecution of elder abuse cases.

- **Evidence-related challenges** included issues such as the availability and use of hearsay exceptions, preserving testimony, the ability to take depositions, proving lack of consent, questions related to competency, cases involving diminished capacity of the victim, and difficulties associated with required court appearances.
- **Challenges related to the condition of the victim** were described in connection with health and medical issues, as well as circumstances that affected a victim's ability to participate in the case.
- **Systems-level challenges** included the length of the case process, statutory language or definitions, lack of training or resources, emergency guardianship issues, and situations where investigations were described as insufficient or incomplete.

Statutes and Definitions: Clarity Still Needed

Beyond evidentiary challenges, many prosecutors pointed to weaknesses in their own state laws. They described elder abuse statutes as vague, inconsistently applied, or lacking the precision needed to capture the realities of abuse and exploitation. In some jurisdictions, prosecutors are still relying on general theft or assault statutes that fail to reflect the unique dynamics of these cases.

Prosecutors emphasized that definitions such as *elder*, *vulnerable adult*, and *financial exploitation* need to be more clearly defined. Others called for stronger sentencing options and explicit recognition of undue influence and abuse of power of attorney as criminal offenses.

These concerns highlight a practical truth: having an elder abuse statute on the books is not the same as having one that works in court.

“The lack of litigation and legislative history leaves key statutory terms open to interpretation, resulting in inconsistent rulings among judges.”

—Prosecutor, 2025 National Elder Justice Prosecutor Survey

Statutory Reforms

Respondents indicated weak state-level laws often present a challenge when pursuing an elder abuse and neglect case. In some jurisdictions, prosecutors are still relying on general theft or assault statutes that fail to reflect the unique dynamics of these cases.

Training and Expertise: Moving from Awareness to Mastery

Even with major gains in specialized training since the 2003 report, knowledge gaps persist. The most frequently requested topics in 2025 centered on decision-making capacity, undue influence, medical and psychological evaluations, and financial exploitation (Table 3; see next two pages). Prosecutors' responses underscore both the importance of these issues and the need for advanced, case-based training to apply them effectively in court.

A growing number also expressed interest in cross-disciplinary training with investigators, law enforcement, and health care professionals—recognizing that elder abuse prosecution depends on shared understanding and collaboration across systems.

Training Priorities

Respondents indicated their top training topics are clear:

- decision-making capacity
- undue influence
- medical and psychological evaluations
- financial exploitation

“An advanced trial skills training would be invaluable. I attended the National Institute on the Prosecution of Elder Abuse through the Office on Violence Against Women and it was fantastic. I wish there was a more advanced training available.”

—Prosecutor, 2025 National Elder Justice Prosecutor Survey

Financial Institutions: A Critical but Complicated Partner

Prosecutors identified financial institutions as allies—but also a source of ongoing frustration. Delays or refusals to provide financial records can slow or derail investigations. Several noted that stronger reporting requirements, hold laws, and other measures clarifying the role of financial institutions could improve responsiveness and case outcomes.

Strengthening partnerships with financial institutions is a critical next step. Prosecutors recommended clearer reporting statutes, faster and easier access to information, and more training and responsibility for financial professionals to recognize and respond to suspected financial exploitation.

Engaging Financial Institutions

Financial institutions are critical partners in responding to financial exploitation and, in some cases, can help detect concerns that intersect with other aspects of elder abuse. However, barriers to obtaining financial records and information continue to slow or limit case development. Prosecutors recommended clearer reporting statutes, faster and easier access to financial information, and additional training for financial professionals to recognize and respond to suspected financial exploitation.

Table 3. Prosecutor “Wish List” for Training, Information, and Resources

| Legal and Investigative Topics |
|---|
| <ul style="list-style-type: none">• Prosecution strategies that do not rely primarily on victim testimony (especially in cases involving diminished capacity or limited victim participation)• Proving undue influence and financial exploitation• Accelerated prosecution• Common charges used and how to charge• Investigation checklists and strategies• How to proceed with a case after the death of a victim• Civil litigation to assist crime victims• Law enforcement training• How to prosecute when victims cannot remember• Preserving victim testimony• Interviewing victims• The use of expert testimony• Identifying and obtaining relevant medical records |
| Medical and Capacity-Related Topics |
| <ul style="list-style-type: none">• Capacity and cognition• Capacity assessment tools and determining the degree of incapacity• Psychological and medical evaluations• Dealing with imperfect recollection due to age• Challenge of mental and physical health of victim |
| Financial Exploitation and Scams |
| <ul style="list-style-type: none">• Financial exploitation and scams• Crypto-related elder fraud• Internet/phone scams• Assets recovery• Financial exploitation-catfishing |

(Continued)

Table 3. Prosecutor “Wish List” for Training, Information, and Resources (Continued)

| |
|---|
| Training Formats and Professional Development Needs |
| <ul style="list-style-type: none">• Advanced trial skills training• More specific training courses• Newsletter or centralized resource hub• Training for investigators and prosecutors• Cross-disciplinary training on collaboration• Free training or scholarship availability• Grant funding opportunities |
| Community and Systems Issues |
| <ul style="list-style-type: none">• Community education• Community considerations in elder abuse cases (working effectively with diverse communities and family structures)• Education about Power of Attorney misuse• Advocacy for prioritizing elder abuse prosecution• Training on civil vs. criminal aspects of elder abuse |
| Abuse in Long-Term Care Facilities |
| <ul style="list-style-type: none">• Understanding standard practice in care facilities• Unlicensed personal care home cases• Physical abuse in long-term care facilities—how to identify and report such abuse |

Victim Services: Building Infrastructure for Justice

Prosecutors also pointed to the lack of specialized victim advocacy and support for older victims. Although most offices have a victim advocate, only 25 percent reported having one specifically assigned to elder abuse cases, and just 29 percent said those advocates receive training in elder abuse issues.

The absence of tailored support affects both victim engagement and case outcomes. Advocates familiar with aging, trauma, and decision-making capacity issues can help victims stay involved, coordinate services, and reduce re-traumatization.

Strengthening victim advocacy and service capacity in elder abuse cases is not only critical to case outcomes but also supports the rights and dignity of older victims as they move through the criminal justice process.

“We need social workers and case managers to engage older victims earlier.”

—Prosecutor, 2025 National Elder Justice Prosecutor Survey



The Importance of Victim Advocates

Victim advocates play an essential role in supporting victims of crime throughout engagement with the criminal justice system process. While most offices have a victim advocate, only 1 in 4 offices reported having a dedicated victim advocate for elder abuse and neglect cases.

SECTION 4

A Call to Strengthen the System

➤ **The field of elder abuse prosecution has evolved. The next step is ensuring that every community—large or small—can translate that progress into practice.**

The *2025 National Elder Justice Prosecutor Survey* paints a complex but encouraging picture. In the twenty years since the last national survey, elder abuse prosecution has moved from the margins to a recognized and specialized area of criminal practice. Nearly half of responding offices now have a designated elder abuse prosecutor or unit, and six in ten have received specialized training. The result is a growing network of prosecutors who are more confident, more skilled, and more committed to pursuing these cases.

Yet the same data reveal persistent fault lines. Many offices—especially smaller or rural ones—still lack the infrastructure to take on more complex elder abuse cases. Prosecutors in these jurisdictions often work without investigators familiar with aging issues or access to experts who can testify to capacity and consent. Even the most dedicated prosecutors find themselves constrained by rules of evidence that make justice dependent on a victim’s ability to testify.

“This is an area of prosecution that is so overlooked.”

—Prosecutor, *2025 National Elder Justice Prosecutor Survey*

The State of Elder Justice in 2025

In the twenty years since the last national survey, elder abuse prosecution has moved from the margins to a recognized and specialized area of criminal practice. There is a growing network of prosecutors who are more confident, more skilled, and more committed to pursuing these cases. Yet, smaller and more rural offices still lack adequate resources and infrastructure dedicated to elder abuse and neglect cases, through no fault of their own. Constraints with statutory frameworks and evidentiary rules remain a challenge.

What Has Changed

Compared with 2003, prosecutors have greater access to tools, training, and peer networks. They are more likely to serve on multidisciplinary teams and apply trauma-informed approaches that emphasize victim participation and dignity. Elder justice is becoming a recognized and integral part of prosecutorial practice.

This shift reflects not only changes in practice but also a deeper recognition that elder abuse undermines autonomy and the safety of the community. Prosecutors increasingly view these cases as a piece of their public safety mission, not as a peripheral or “civil” matter.

What Hasn't Changed

Despite these gains, many of the barriers identified two decades ago remain. Capacity issues, health challenges, and inflexible rules governing the trial process continue to make elder abuse cases among the most challenging in the criminal system. Prosecutors often work with older individuals in the most difficult circumstances—some isolated and alone, others dependent on those who harm them—where issues of trust, autonomy, and consent are deeply intertwined.

The response itself remains uneven. Some jurisdictions have specialized teams and trained advocates; others depend on a prosecutor's initiative. The shortage of qualified experts—particularly physicians and psychologists willing to testify—remains a national concern. And while collaboration has expanded, gaps in coordination with law enforcement and financial institutions continue to delay or derail cases.

Enduring Challenges— Evidence, Expertise and Office Readiness

Capacity issues, health challenges, and inflexible rules governing the trial process continue to make elder abuse cases among the most challenging in the criminal system. While collaboration has expanded, gaps in coordination with law enforcement and financial institutions continue to delay or derail cases.

Building the Next Phase of Elder Justice

The survey findings point to clear priorities for the next phase of progress. Prosecutors identified several strategies that could strengthen their ability to respond effectively to elder abuse:

- Amend evidentiary rules to better address the realities of aging and witness availability.
- Develop expert networks that provide consistent, practical access to geriatric, psychological and financial expertise.
- Create advanced training that moves beyond introductory topics to advanced prosecution skills.
- Strengthen collaboration with financial institutions to improve access to critical financial information and reduce investigation delays.
- Expand specialized victim advocacy so older victims have support throughout the criminal justice process.

Each of these priorities aligns with the shared goal of EJI and NDAA to ensure that every jurisdiction—urban or rural, large or small—has the knowledge, tools, and support necessary to effectively prosecute elder abuse cases.

Prosecutors' Priorities for the Future—Expertise to Action

1. Amend evidence laws to better accommodate older victims.
2. Clarify criminal statutes to reflect the realities of elder abuse and financial exploitation.
3. Provide advanced, cross-disciplinary training on capacity, undue influence, and financial exploitation.
4. Strengthen collaboration with financial institutions to streamline investigations.
5. Invest in specialized victim advocacy and support.

Partnership and Momentum

The progress made over the past two decades demonstrates what collaboration can achieve. The growth of multidisciplinary teams, the expansion of statutes specific to elder abuse, and the spread of elder abuse training all began with partnerships.

Sustaining that momentum requires continued coordination among prosecutors and their closest allies—law enforcement, APS, financial institutions, and clinicians. Prosecutors cannot carry the elder justice response alone, but they can lead it.



In some jurisdictions, prosecutors play an active and sometimes central role in multidisciplinary teams that address elder abuse. Their legal expertise, case responsibilities, and relationships with law enforcement and APS position them as core MDT participants—and in some communities, as team leaders. In a few states, statutes formally assign prosecutors responsibility for coordinating or convening MDTs. Examples of states that have taken this approach include [Georgia](#), [Oklahoma](#), and [Tennessee](#).

Collaboration as a Catalyst—Prosecutors Leading the Response

The progress made over the past two decades demonstrates what collaboration can achieve. Prosecutors cannot carry the elder justice response alone, but they can lead it.

Conclusion

The *2025 National Elder Justice Prosecutor Survey* reflects a field that has grown in knowledge, collaboration, and commitment. Across the country, prosecutors are adapting strategies that are more informed, more collaborative, and more responsive to the realities facing older victims.

With progress comes responsibility. The insights shared here represent not only the current state of elder abuse prosecution, but also its potential. By investing in training, strengthening partnerships, and addressing persistent barriers in law and policy, prosecutors—and those who work beside them—can ensure that justice for older Americans becomes the norm rather than the exception.

Call to Action

The *2025 National Elder Justice Prosecutor Survey* reflects a field that has grown in knowledge, collaboration, and commitment. With progress comes responsibility. Our work isn't finished.

APPENDIX A

Methodology

Sample

A total of 244 prosecutors from across the United States voluntarily completed a twenty-item survey. Respondents represented offices of all sizes, with near-even distribution across small, medium, and large jurisdictions. Most respondents served in mixed jurisdictions—those encompassing rural, suburban, and urban areas—and the majority (over 60 percent) reported having ten or more years of prosecutorial experience.

Nearly half of prosecutors (48 percent) reported encountering elder abuse cases “sometimes,” indicating moderate but consistent exposure to these matters. Financial exploitation was the most frequently encountered form of abuse (45 percent), followed by physical, emotional, and neglect-related cases.

Survey Development

The survey instrument replicated and expanded upon a survey conducted by NDAA in 2002 and reported in 2003. Of the twenty items in the 2025 survey, ten were drawn directly from the 2002 survey instrument to allow for comparison, and ten were newly developed based on current practice and expert input. Survey content was reviewed by subject-matter experts in elder abuse prosecution and refined for clarity and relevance.

The final survey included both close-ended and open-ended questions addressing prosecutors’ experiences, resources, and needs related to elder abuse cases.

Procedure

The survey received Office of Management and Budget (OMB) approval prior to dissemination. NDAA launched the survey on June 30, 2025, and kept it open for 39 days, issuing reminder emails during the second and third weeks of data collection.

The survey was distributed electronically to:

- Members of the National District Attorneys Association (NDAA);
- Subscribers to the Elder Justice Listserv managed by the National Center on Elder Abuse (NCEA); and
- Members of the Multidisciplinary Team (MDT) Peer Support Listserv.

The survey link was embedded in an email post. Based on distribution lists, approximately 6,000 prosecutors received the survey invitation, resulting in an estimated response rate of 4 percent.

Quantitative data were analyzed using frequency distributions for close-ended questions. Qualitative responses to four open-ended items were analyzed through content analysis. Two reviewers with prosecutorial experience independently coded the responses, identified key concepts, and resolved differences through discussion until consensus was achieved.

APPENDIX B

2025 National Elder Justice Prosecutor Survey Results

20 Questions and Responses 244 respondents

Q1. How many prosecutors are in your office?

- (A) 0–10 32%
- (B) 11–20 17%
- (C) 21–50 21%
- (D) More than 50 30%

Q2. How would your jurisdiction best be described?

- (A) Rural 26%
- (B) Suburban 14%
- (C) Urban 14%
- (D) Mixed 46%

Q3. Does your office have a unit, area, or person dedicated to the prosecution of crimes in which older adults are the victims?

- (A) Yes 49%
- (B) No 49%
- (C) Unsure 2%

Q4. How long have you been prosecuting elder abuse cases, either exclusively or as part of a broader caseload?

- (A) Less than 1 year 6%
- (B) 1–3 years 14%
- (C) 4–6 years 12%
- (D) 7–10 years 10%
- (E) More than 10 years 40%
- (F) I do not prosecute elder abuse cases 18%

Q5. How often do you encounter elder abuse cases in your jurisdiction?

- (A) Rarely 12%
- (B) Sometimes 48%
- (C) Frequently, alongside other types of cases 28%
- (D) Most of my cases involve elder abuse 6%
- (E) All of my cases involve elder abuse 6%

Q6. Which type of elder abuse do you encounter most frequently? *(Select all that apply if you encounter multiple types equally.)*

- (A) Physical 22%
- (B) Emotional or psychological 9%
- (C) Financial exploitation 45%
- (D) Neglect 19%
- (E) Sexual 4%
- (F) Other *(Please specify.)* 1%

Q7. How are elder abuse cases most commonly initiated in your jurisdiction?

- (A) APS 24%
- (B) LE 34%
- (C) Victim 15%
- (D) Caregiver 5.5%
- (E) Facility 2.5%
- (F) Health care provider 1%
- (G) Concerned person 13%
- (H) Other *(Please specify.)* 5%

Q8. Which agencies does your office work with when investigating elder abuse? *(Select all that apply.)*

- (A) Adult protective services 67%
- (B) Law enforcement 78%
- (C) Interoffice investigative unit/task force 18%
- (D) Medicaid Fraud Control Unit (MFCU) 17%
- (E) Health care facility or licensing board 15%
- (F) Public health department 9%
- (G) Area agency on aging 18%
- (H) Social services 25%
- (I) Other *(Please specify.)* 7%

Q9. Does your office have a victim advocate specifically assigned to work with older victims?

- (A) Yes 25%
- (B) No 75%

Q10. Do the victim advocates in your jurisdiction have specialized training in working with older persons?

- (A) Yes 29%
- (B) No 32%
- (C) Unsure 39%

Q11. Does your office offer or do you have the opportunity to receive specialized training for prosecutors handling elder abuse cases?

- (A) Yes 60%
- (B) No 44%
- (C) Unsure 34%

Q12. Which strategies does your office utilize when handling cases involving older victims? *(Select all that apply.)*

- (A) Early and/or intensive contact with the victim 43%
- (B) Coordinate inside the office and with outside agencies and family 48%
- (C) Use videotape and/or preserve statements of victim 30%
- (D) Accelerated proceedings or advance on the docket 13%
- (E) Special investigative procedures or obtain specific records 27%
- (F) Make the victim's time or role in the process easier 40%
- (G) Work to build trust and understanding with the victim 57%
- (H) Use staff sensitive to older victims and crimes against older persons 31%
- (I) Obtain protection order or prohibit contact between victim and defendant 38%
- (J) Use tougher charging, plea, or sentencing standards under statutes specific to older or vulnerable adults 32%
- (K) Work to ensure restitution 52%
- (L) Use vertical prosecution 39%
- (M) Evaluate psychological or medical status of victim 33%
- (N) We do not utilize strategies specific to older victims 6%
- (O) Other *(Please specify.)* 2%

Q13. Does your office participate in public education or prevention efforts that highlight crimes committed against older persons?

- (A) Yes 55%
- (B) No 28%
- (C) Unsure 17%

Q14. What do you consider the most difficult aspect of handling elder abuse cases? *(Select all that apply.)*

- (A) Victim cooperation 27%
- (B) Witness intimidation 10%
- (C) Physical health of the victim 48%
- (D) Diminished mental capacity of the victim 68%
- (E) Proving undue influence 32%
- (F) Lack of resources 20%
- (G) Lack of expert witnesses 16%
- (H) Lack of expertise 9%
- (I) Other *(Please specify.)* 10%

Q15. Have you encountered any legal or procedural obstacles unique to prosecuting elder abuse cases?

- (A) Yes 57%
- (B) No 43%

Q16. Do you participate in a multidisciplinary team specific to the abuse of older persons?

- (A) Yes 44%
- (B) No 49%
- (C) Unsure 7%

Q17. What specific legislative changes, if any, do you believe would improve the prosecution of elder abuse cases? Consider improvements related to prosecution, investigation, victim support, or reporting mechanisms. *(Please specify.)*

114 responses; please contact the authors for responses to open ended questions.

Q18. How do you gather information and stay informed about practices and legal issues related to elder abuse? *(Select all that apply.)*

- (A) Professional training or workshops 53%
- (B) Conferences or seminars 55%
- (C) Legal publications or journals 33%
- (D) Online resources (websites, blogs, etc.) 37%
- (E) Networking with colleagues 47%
- (F) Professional associations or organizations 25%
- (G) News media (articles, reports, etc.) 20%
- (H) I do not actively gather information or updates in this area 11%
- (I) Other *(Please specify.)* 2%

Q19. What topics related to elder abuse would you like to see more information and training resources developed on? *(Please specify.)*

110 responses; please contact the authors for responses to open ended questions.

Q20. Please share any additional comments regarding the prosecution of elder abuse cases, including specific support or resources that would be helpful to you. *(Please specify.)*

62 responses; please contact the authors for responses to open ended questions.

