



Illinois Criminal Justice Information Authority

Abuse of Elders and Persons with Disabilities Model Protocol

Training for Prosecutors

PRE-TRAINING ASSESSMENT

Date: __/__/____

Training Location: _____

The purpose of the assessment is to determine the effectiveness of the training session today. With this assessment, we are trying to determine what prior knowledge you may have had on the training topic. You will not receive an individual grade or score for this assessment.

INSTRUCTIONS: Please complete the following assessment BEFORE you begin your training.

Please indicate your level of agreement with the following statements. Circle one response.

	Strongly Disagree	Disagree	Uncertain	Agree	Strongly Agree
a. I feel confident in my ability to handle domestic violence cases involving elderly persons.	1	2	3	4	5
b. I feel my community works as a team to address violence against elderly persons.	1	2	3	4	5
c. I feel confident in my ability to handle domestic violence cases involving people with disabilities.	1	2	3	4	5
d. I feel my community works as a team to address violence against people with disabilities.	1	2	3	4	5

The following questions ask about your knowledge of the abuse of elderly persons and people with disabilities as it relates to the work of prosecutors. Please answer each question to the best of your ability. Circle one response.

1. Which person is a caregiver with legal responsibilities?
 - a. A person who has agreed for consideration to reside and care for an elder or person with disabilities
 - b. A person who has volunteered to occasionally look in on and provide care for an elder or person with disabilities
 - c. A relative who has volunteered to work with a caseworker to identify caregiving needs for an elder or person with disabilities
 - d. All of the answers are correct.

2. When sentencing for financial exploitation, the requirements for a Class 1 felony changes at what age?
 - a. 70
 - b. 65
 - c. 60
 - d. 55

3. What does it mean to 'consent' to a course of action, particularly in financial exploitation cases?
 - a. To agree to a course of action is enough
 - b. Acting freely and voluntarily, or deciding not to act
 - c. Being passive in financial matters suggests consent
 - d. None of the above are correct

4. Before charging in a financial exploitation case, why is it important to contact Adult Protective Services (APS)?
 - a. To determine if there have been any prior reports regarding the elder or person with disabilities
 - b. To obtain medical records, without a subpoena, if the victim is hospitalized
 - c. Both a. and b.
 - d. Neither a. nor b.

5. There are several considerations before you talk to a victim with any type of disability. Which is something you need NOT do before talking to the victim.
 - a. Determine how the specific disability may impact your interview.
 - b. Determine the specifics about the person's disability.
 - c. Determine if the victim needs any adaptive equipment to communicate.
 - d. Determine if the victim has any attention difficulties.

6. What is the role of the 'Court Disability Coordinator'?
- a. To supervise victim advocates and victim witness coordinators.
 - b. To work with the Disability Rights Bureau to fulfill the victim's American with Disability Act (ADA) accommodation requests.
 - c. To work with the prosecutor to fulfill the victim's American with Disability Act (ADA) accommodation requests.
 - d. To work with the judge arranging American with Disability Act (ADA) accommodation requests.
7. Under what circumstances would a person with disabilities be considered competent to testify in a domestic abuse/violence case?
- a. Only with adaptive communication devices approved by APS.
 - b. Any circumstance in which the victim can communicate the truth.
 - c. Only depositions that can be allowed as a hearsay exception.
 - d. Any circumstance in which the victim can communicate through a relative as their interpreter.
8. To what extent is a victim's history of treatment for a mental illness relevant to his or her credibility as a witness?
- a. It is irrelevant and does not affect their credibility as a witness.
 - b. It is only relevant if they have a major psychotic disorder.
 - c. It is only relevant if their mental illness triggered the abusive event(s).
 - d. It is irrelevant because people with a mental illness are not credible witnesses.
9. Who is allowed to provide testimony via closed circuit television (CCTV)?
- a. A person affected by a developmental disability
 - b. An elder over the age of 75
 - c. Anyone with any type of physical disability
 - d. All of the above
10. In order to use the hearsay exception for elder adults with any mental or physical infirmity, what must the prosecutor do?
- a. In front of the judge and the jury, demonstrate the reliability of the hearsay testimony.
 - b. In a deposition, demonstrate the reliability of the hearsay testimony.
 - c. In a hearing with the judge, not the jury, demonstrate the reliability of the hearsay testimony.
 - d. There are no stipulations for a hearsay exception involving elder adults.

11. Under what circumstances could an eligible adult give testimony in an evidence deposition instead of court testimony?
- If they have a mental illness diagnosis
 - If they have a mental incapacity diagnosis
 - If they are an elder, over 65 years old, consenting to evidence depositions only
 - If they are 75+ years old
12. Which Illinois statute or case could provide support for a *motion in limine* to bar the introduction of evidence of a domestic violence victim's psychological condition or mental health?
- Mental Health and Developmental Disabilities Confidentiality Act
 - People v. Printy (1992)
 - Rape Shield provisions of the Illinois statutes
 - All of these would support a *motion in limine* in these cases.
13. What percent of adults over 65 years old will develop dementia?
- 50%
 - 25%
 - 15%
 - 5%
14. What is a good strategy to combat a 'culture of compliance'?
- Use statements to let the victim know they have a right to be safe.
 - Use statements to let the victim know that you know abuse is occurring.
 - Confront their compliant stance in a reassuring manner.
 - Compliance of persons with disabilities is a stereotype.
15. For what legitimate reason might an older adult change their account of the abuse that they experienced?
- Fear
 - Trauma amnesia
 - Feeling responsible for their abusers behavior
 - All are correct

Items for Abuse of Elders and Persons with Disabilities

Model DV Protocols Training for Prosecutors

POST-TRAINING ASSESSMENT

Job Title: _____ **Date:** __/__/____

Circuit#: _____ **Training Location:** _____

INSTRUCTIONS: Please complete the following assessment **AFTER** you have completed your training.
Please indicate your level of agreement with the following statements.

	Strongly Disagree	Disagree	Uncertain	Agree	Strongly Agree
a. My supervisor will support my use of the model protocols for domestic violence that I learned today.	1	2	3	4	5
b. I feel confident in my ability to handle domestic violence situations involving elderly persons.	1	2	3	4	5
c. I feel confident in my ability to handle domestic violence situations involving persons with disabilities.	1	2	3	4	5
d. The training was relevant to my role as a prosecutor.	1	2	3	4	5
e. The trainer was knowledgeable of the subject matter.	1	2	3	4	5
f. The training materials were helpful.	1	2	3	4	5
g. The trainer acted in a professional manner.	1	2	3	4	5
h. The training was interesting and kept me engaged.	1	2	3	4	5
i. The training improved my knowledge of the abuse of the elderly.	1	2	3	4	5
j. The training improved my knowledge of the abuse of persons with disabilities.	1	2	3	4	5

[The pre-test items will be repeated for the post-test].