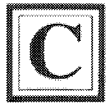


# Crimes Against



# The Elderly



WORDS TO KNOW

elder

elder financial abuse

dependent adult

elder physical abuse

elder physical neglect

surrogate abuse

elder emotional abuse

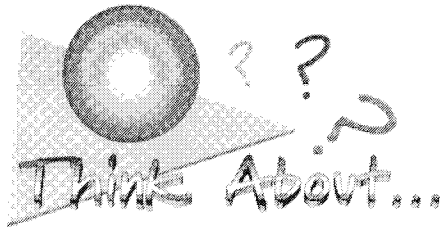
caregiver

OBJECTIVES

As a result of this lesson you should be able:

- define elder abuse
- identify reasons why elders are abused
- list types of crimes against the elderly
- explain the impact of abuse on elders
- describe ways to prevent elder abuse and neglect





Read the following scenarios, and, based on your best guess, choose the kind of crimes against the elderly you believe each case represents from the WORDS TO KNOW.

- Joan is an 84-year-old widow living with her grand-niece in a nice rural setting. Her home environment is clean, but the landlord has noticed bruises on Joan's face and arms. Suspecting abuse, he notified County Adult Protective Services (APS) program. After assessing the situation, the APS investigator found that Joan was being beaten and slapped by her grand-niece. APS removed Joan from the home and placed her with a new caretaker.

**Crime:** \_\_\_\_\_

- Alex is a 77-year-old man whose house is cleaned twice a week by a neighborhood volunteer. When a next door neighbor did not see Alex come out of the house for several weeks, she suspected something was wrong. She notified the County Sheriff's Department. Sheriff's investigators discovered that the volunteer cleaning person had often isolated Alex in a room and shouted obscenities at him because she said he caused her to have to do too much work. The matter was referred to APS, who helped Alex find a new cleaning person.

**Crime:** \_\_\_\_\_

- Eighty-one-year-old Mitsuko is a recent widow, residing alone in her home. A friend suggested she allow a college student to move in with her as a boarder to help pay for expenses. Soon after, the student allowed two of his friends to move in without offering to pay Mitsuko any additional rent. Next door neighbors, who regularly kept an eye on Mitsuko, became worried when they noticed groups of young people coming and going from the house at all hours. They phoned the City Police Department to report the matter. Police investigators found that the students had threatened Mitsuko and had used her automated bank teller card to withdraw large sums of money. The students were arrested and Mitsuko is once again living alone.

**Crime:** \_\_\_\_\_

- Eighty-two-year-old Eva is paralyzed. Her eldest son was legally granted conservatorship of her estate and they live together in a four-bedroom home. When a younger son who lived out of state came to visit, he contacted APS to report that his mother was living in an environment that he believed was unfit. An APS investigator visited Eva's home and discovered she had been locked up and forced to live in one room that was filthy and unkempt. The representative also found that she had frequently been denied proper food and medication. After this initial visit, Eva was moved to a skilled nursing facility and her younger son was placed in charge of her financial affairs.

**Crimes:** \_\_\_\_\_

(Case studies reprinted from "Elder Abuse" Pamphlet F3-7345, California Attorney General's Crime Prevention Center)

## DEFINITIONS

**Crimes Against the Elderly** include the willful infliction of physical injury or mental anguish and the deprivation of essential services by the caregiver. The elder is one who is unable to protect or provide for him/herself and is not receiving needed services from caregivers.

Dimensions of maltreatment encompass physical abuse, physical neglect, emotional abuse, emotional neglect, deprivation, sexual exploitation, sexual assault and verbal assault. Crimes Against the Elderly laws generally state that any person or caretaker who willfully causes harm or death to an elder or dependent adult or permits the elder or dependent adult to be placed in a situation where his or her health is endangered is in violation of the law. Laws often include language specifically addressing theft or embezzlement from an elder or dependent adult.

**Physical neglect** is far more common among elderly victims than extraordinary violence. Such neglect may take the form of isolating the victims, tranquilizing them, leaving them in unsanitary living conditions, providing them with inadequate ventilation or heat, and so forth. Neglect includes failing to give medicine, food or personal care; and withholding aids such as dentures, hearing aids or eyeglasses.

**Physical abuse** includes beating, slapping, kicking or other abuse causing welts, sprains, burns, bruises or dislocations.

**Financial abuse** occurs when caretakers gain control over the bank account or the property of an elderly person. This type of elder abuse involves mismanaging property or even stealing property, savings, credit cards or Social Security checks. Insisting that an elder sign wills and forcing an elder to turn over stocks,



bonds or savings are other forms of financial exploitation. Caretakers sometimes convert funds or transfer property without the knowledge of the elderly owner. Because of the laws in many jurisdictions, the signing of a simple power of attorney may give a caretaker or relative entire authority to dispose of property. In some cases such disposition leaves the elderly victim penniless and powerless.

Following is a case example of financial and emotional abuse.

Hannah Goldberg lived by herself in a small house that she had occupied for thirty-five years with her husband prior to his death. She felt secure with a small bank account and a monthly pension check. When her son-in-law visited her a year after her husband had died, he persuaded her to let him help her with her day-to-day finances. Within six months, her home had been sold and she had been moved into a single room occupancy hotel in a deteriorating part of the city. Her son-in-law deposited her monthly pension check and gave her an allowance of \$40 a week for food and incidentals. She died in her room nine months after the move.

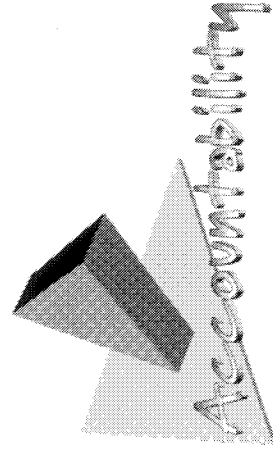
**Emotional abuse** can take a number of devious forms. Common types of emotional or psychological abuse include refusing access to a bathroom, the telephone, or the radio/television; making an older person beg for food or medication; varying the temperature to the extreme; scaring an older person with stories of death and disease; and so on. Psychological abuse includes verbal harassment, threats or withholding companionship from an elderly person isolating him or her.

Following is an example of emotional abuse and neglect.

Mary Cameron's daughter placed her in a dark closet if Mary became irritable or disagreed with her daughter. She often was left there all day long without food or water. When Mary threatened to tell someone, her daughter told Mary she would have her committed if she became any more troublesome.

**Surrogate abuse** takes place in the form of destruction of property or pets. Common objects for violence are articles of sentimental value to the elderly person or items that seem vital to an enjoyable life. Following is an example of surrogate abuse.

Sara Thompson's daughter-in-law killed Sara's cat. She told Sara that she had to get rid of the cat because it ate too much. She added that Sara ate too much, too. Sara lived in fear that she would be murdered as well.



**Crimes Against the Elderly** have severe physical and emotional impact on its victims. Abuse and neglect inflict serious physical injuries and pain on elders who are often extremely vulnerable and dependent on their caretakers.

Elder maltreatment imposes severe emotional trauma on the victim. The maltreatment is most often perpetrated by one in a position of trust. The elderly person may have been abused most of his or her life by a spouse or others. Many are confused about why they were abused, often unjustly blaming themselves for the abuse. Victims feel embarrassed and ashamed about what happened and have trouble discussing the abuse. The home should be a place of comfort and refuge, but for too many elderly people it is a place of punishment and fear. As the nation's population of vulnerable elders increases, so will the incidence of elder maltreatment unless the seriousness of the problem is recognized and steps taken to prevent it.

Unfortunately, the problem of elder maltreatment has not been adequately researched and many assumptions exist. But basic information is known. First, most abusers are related to the victim, and are usually adult children or spouses. Second, the abused usually live with their abusers. Third, elder abuse is usually reported by third parties (California Department of Justice, 1991).

Put yourself in the place of the elder maltreatment victims and imagine how you would feel if you were being abused or neglected. **No one has the right to abuse or neglect elders in any manner, regardless of one's circumstances.**





**Read the following story.**

Rita Yeates is a confused 91-year-old woman who is cared for by her granddaughter. On one occasion she was found in saturated adult diapers, and on another, she was restrained with ropes around her waist and had several small cuts over her eye.

While the granddaughter appears to care a great deal for her grandmother and tries hard to meet her needs, Mrs. Yeates requires around-the-clock care. Adult protective services staff is investigating and attempting to place Mrs. Yeates in a nursing home.

**Jot down answers to the following questions and be prepared to discuss them in class.**

**1. What type of abuse is indicated in the case example? Explain your answer.**

**2. Would you allow Rita to stay with her granddaughter or place her in a nursing home? Defend your answer.**

## Who Are The Abused?

Do you know an elderly person you think may be being abused? If so, think of that person and place an "X" to the left of the identifying symptoms below.

- Frequently female
- Often over 75
- Usually live with their abuser
- Internalized blame — believes he/she "causes" the problem
- Often ashamed
- Passive — rarely takes action on his/her own behalf
- Socially isolated
- Compliant
- Loyal — may defend the abuser; often deny the abuse
- Dependent
- Frail
- May be suffering from a mental or physical impairment

## Indicators of Elder Abuse

The following indicators do not necessarily imply elder abuse. They can, however, be helpful clues in assessing the situation. The physical assessment of abuse should be obtained from a physician or trained health practitioner.

Thinking of the same person, place an “X” beside items you have observed.

*Physical:*

- \_\_\_\_\_ Uncombed hair or unshaven
- \_\_\_\_\_ Poor skin condition or poor skin hygiene
- \_\_\_\_\_ Unkempt, dirty
- \_\_\_\_\_ Patches of hair missing and/or bleeding below the scalp
- \_\_\_\_\_ Malnourished or dehydrated
- \_\_\_\_\_ An untreated medical condition
- \_\_\_\_\_ Soiled clothing or bed
- \_\_\_\_\_ Torn, stained or bloody underclothing
- \_\_\_\_\_ Foul smelling
- \_\_\_\_\_ Cuts, pinch marks, skin tears, lacerations or puncture wounds
- \_\_\_\_\_ Unexplained bruises or welts
- \_\_\_\_\_ Bruises or welts in various stages of healing
- \_\_\_\_\_ Burns - may be caused by cigarettes, caustics, friction from ropes or chains
- \_\_\_\_\_ Injuries that are incompatible with explanations
- \_\_\_\_\_ Injuries that reflect outline of object used to inflict it - electric cord, belt, hand
- \_\_\_\_\_ Home and yard in obvious need of repair

*Emotional:*

- \_\_\_\_\_ Confused
- \_\_\_\_\_ Frightened
- \_\_\_\_\_ Extremely forgetful
- \_\_\_\_\_ Withdrawn
- \_\_\_\_\_ Depressed
- \_\_\_\_\_ Helpless
- \_\_\_\_\_ Angry
- \_\_\_\_\_ Disoriented about time and place
- \_\_\_\_\_ Giving unbelievable responses when asked about maltreatment
- \_\_\_\_\_ Hesitant to talk freely

*Social:*

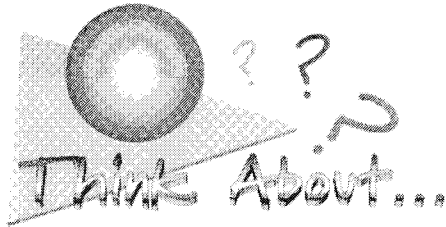
- \_\_\_\_\_ Elder is isolated or lonely with no friends or relatives who drop by
- \_\_\_\_\_ Family members or the caregiver isolates the elder, restricting the person's contact with others
- \_\_\_\_\_ Elder's interaction or activity within the family is restricted or prohibited
- \_\_\_\_\_ Family of elder is isolated
- \_\_\_\_\_ Elder is not given the opportunity to speak for him/herself or to see others without the caregiver present
- \_\_\_\_\_ Family has a history of violence or drug or alcohol abuse, with its members using those behaviors to cope with stress
- \_\_\_\_\_ Unemployed adults with emotional problems living with the elder



*Financial:*

- \_\_\_\_\_ Unusual activity in bank accounts, such as withdrawal from automatic teller machines when the person cannot walk or get to the bank
- \_\_\_\_\_ Signatures on checks and other documents that do not resemble the older person's signature
- \_\_\_\_\_ Checks and other documents are signed when the elder cannot write
- \_\_\_\_\_ Lack of conveniences - TV, personal grooming items, appropriate clothing
- \_\_\_\_\_ Numerous unpaid bills and overdue rent when someone has been designated to pay the bills
- \_\_\_\_\_ The elder has been placed in a nursing home or residential care facility that is inconsistent with his or her income or assets. For example, a senior with income of \$2000 a month is placed in a facility costing only \$350 a month.
- \_\_\_\_\_ The elder is denied necessary placement and/or services by the person controlling the elder's resources. For example, the elder needs services but the relative or person controlling the assets won't spend the money.

(Reprinted from Lifeline...Preventing Elder Abuse, California Attorney General's Office, November, 1992))



**Read the following case example.**

Annie Wilson, 76, was assaulted several times by her son who was living with her at home. Neighbors reported these incidents to the police, but the victim and her son denied everything, claiming instead that the neighbors were assaulting them!

The abuse continued until finally the son knocked his mother down, hurting her badly enough that she needed hospitalization. Although Mrs. Wilson still didn't want to press charges, the injuries were severe enough that the son was arrested and charged with felony elder abuse.

1. **What type of abuse is indicated in the case example? Explain your answer.**
2. **How did the community get involved in this case example?**
3. **What else might the neighbors have done to help Mrs. Wilson?**

## Why Elders Are Abused

Adult children are the most frequent abusers of the elderly in domestic settings. Thirty-five percent of the elder abuse cases in 1994 involved adult children of the abused as abusers. "Other relatives" ranked as the second most frequent abusers (13.6%), and spouses ranked third (13.4%) (NCEA, 1995).

Many factors can lead to elder abuse. It is important to know what these problems are in order to better understand and prevent this form of societal violence.

**Again, think of the elderly person you believe may be being abused. Mark an "X" by those items which fit the person's caregiver(s).**

**The caregiver may be overwhelmed by his/her own problems such as:**

\_\_\_\_\_ **drug/alcohol problems**

\_\_\_\_\_ **mental disabilities**

\_\_\_\_\_ **external stressors (divorce, loss of job, trouble w/law, poor or crowded housing).**

\_\_\_\_\_ **Violence was learned as an acceptable way to solve problems in the family.**



\_\_\_\_\_ The caregiver may resent the additional demands placed on him or her.

\_\_\_\_\_ The caregiver may be acting out unresolved resentments and anger from earlier years.

\_\_\_\_\_ The caregivers may need additional supportive services he or she does not know how to access or can't afford.

\_\_\_\_\_ The caregiver may simply not love, or be unable to love, the parents.

\_\_\_\_\_ The caregiver may be confused about role reversal — still expects the elderly parent to meet his/her needs.

\_\_\_\_\_ The caregiver may displace anger on the parent that would more appropriately be targeted on another authority figure.

\_\_\_\_\_ The caregiver has poor impulse control and lashes out not only at parents but many people.



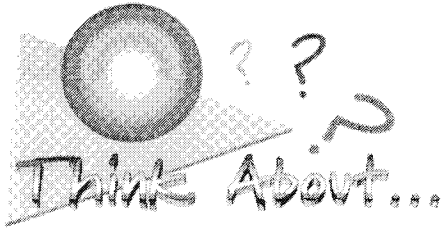
## White Collar Crimes and the Elderly

You will learn more about white collar crime in a later chapter, but you need to learn the definition now.

White collar crimes are fraudulent schemes, usually perpetrated by persons of social and economic status, targeted against persons or organizations for the purpose of illegal financial gain.

Examples of white collar crime include mail fraud, telemarketing fraud, insurance fraud, and credit card fraud. White collar and fraudulent perpetrators often target elderly victims. The elderly can be particularly vulnerable if they are isolated and lonely, having time to pay attention to all their mail, to telephone calls and to visitors. They become even more vulnerable if they are economically distressed. Con artists, aware of these dynamics, can easily manipulate these victims. Because they exchange lists with one another, several of these groups may approach an elderly victim who has responded favorable to another manipulative vendor.

Once aware of the crime, many elderly victims are reluctant to come forward because they feel ashamed of having been “taken in.” They fear that if their adult children find out, they will deem them incompetent to handle their own financial matters and seek a Power of Attorney or guardianship, thus limiting the elderly person’s independence.



1. In almost all states, laws have been drafted to require the reporting of elder abuse and neglect just as in the cases of child sexual and physical abuse and neglect. What would you do if you found out that an elderly person had been taken advantage of by a scheme that required them investing cash that was never returned to them?

2. What would you do if you discovered that an elderly person in a hospital, nursing home, foster home, or day care program was being abused or neglected?

GUEST SPEAKER NOTES

