WHY FAMILY VIOLENCE INCLUDES ELDER ABUSE
The presenter DOES NOT have an interest in selling a technology, program, product, and/or service to CME/CE professionals.
Broken Trust — Dot

Maine Public Broadcasting Network
Dot’s Case

- The social worker: Met Dot through a local mental health agency
- Home health care, PT, social worker from nursing agency: For in-home rehab
- LE: Dot’s daughter dared her to contact the police
- Bank: Dot’s daughter’s friend worked at the bank
- APS: No referral to APS
Dot’s Outcome

- SW: Worked with Dot, Provided support
- Others: Were told of abuses, but did not report it or assist Dot
- LE: Interviewed Dot in her daughter’s presence and then told her how lucky she was to have a daughter who kept her at home rather than in a nursing home; No charges or investigation; no prosecution
- Bank: Helped the daughter get her name on Dot’s accounts

Result: Dot lost everything, including her home.
Elder Abuse: Under the Radar

For every one case of elder abuse that comes to the attention of a responsible entity... another twenty three cases never come to light.

Source: NYS Elder Abuse Prevalence Study; Weill Cornell Medical College, NYC Department for the Aging; Lifespan; (2011)
Slide courtesy of Life Long Justice
Key Training Points

- Focus on victim safety
- Be aware of and avoid assumptions
- Recognize abuser tactics
- Work collaboratively
Objectives

As a result of this training, you will be able to:

- Discuss elder abuse and its causes
- Identify how abusers justify elder abuse
- Describe co-occurring investigating
- Develop strategies to effectively interview older adults
- Describe the challenges older victims face when seeking safety and justice in elder abuse cases
What is Elder Abuse?

When an older adult experiences:

- Physical, sexual, or emotional abuse
- Neglect
- Financial exploitation

(Any of the above may co-occur with each other)
Recognizing Elder Abuse

Group Exercise

Consider physical and sexual abuse, neglect, and financial exploitation. What would be some of the indicators of these forms of abuse?

- Victim indicators
- Suspect indicators
- Environmental indicators
Who Are Victims of Elder Abuse?

- Age: Over 60
- Gender: Majority of victims are female; but also older males
- All racial, ethnic, socio-economic, and religious backgrounds
U.S. Population Age 65 and Older is on the Rise 1990-2050

Source: U.S. Census Bureau population estimates. Slide courtesy of Life Long Justice.
Who Commits Elder Abuse?

- Intimate partners
- Adult children and other family members
- Caregivers
- Others in positions of authority

This definition excludes victimization by strangers.
Where Does Elder Abuse Occur?

- Private residences
- Public settings
- Facility settings
Dynamics of Elder Abuse

Why Does Elder Abuse Occur and Persist?
How Are Older People Harmed?

- Accidents
- Well-intended caregivers
- By persons with physical/mental health conditions who can’t control aggressive behavior
- Elder abuse (intent)
Why Does Elder Abuse Occur and Persist?

- Greed
- Power and control
Wheel adapted with permission from Domestic Abuse Intervention Project, Duluth, MN in 2006
Abuser Behaviors

Abusers often:

- Lie
- Manipulate
- Charm
- Justify their behavior
- Blame the victim and others
Common Abuser Justifications

Blames the Victim

- “She’s clumsy” (accident)
- “She didn’t do what I wanted” (victim’s behavior)
- “She started it” (mutual abuse)
- “He hit me when I was a child” (learned behavior)
Common Abuser Justifications

Abuser Excuses

- “I have a problem with my temper” (anger)
- “I was drunk or high” (substance abuse problem)
- “I’m sick. It’s not my fault.” (physical or mental health issue)
- “In my culture, elders share their resources” (culture)
- “He is too difficult to care for” (caregiver stress)
Caregiver Stress

- Emotions and feelings that some caregivers experience while assisting a person with medical needs or disabilities.
Providing Care Can Be Stressful

- Sometimes the stress is overwhelming and may cause distress
- Signs of caregiver distress: overeating, lack of sleep, depression, substance abuse, etc.
Caregiver Stress and Abuse

- Early research was based on abuser’s self-reports
- Subsequent research states caregiver stress is not the primary cause of elder abuse
Reframing Caregiver Stress and Abuse

- Everyone experiences stress but most do not abuse.
- Abuse is a pattern of tactics rather than an isolated incident.
- Stressed caregivers target only the older adult—not others.
- Abusers use caregiver stress as an excuse to create sympathy for themselves.
Outcomes If Abusers’ Justifications are Believed Without Further Investigation

- Offenders are not held accountable
- Message to abusers—do whatever you want with no consequences
- Providing abusers with services to address stress, anger, or substance abuse does not deal with power and control or greed
- Victims may not reach out for help again
- Victim safety is not addressed
Indicators of Exploitation

- Elder doesn’t know what happens to their money
- Checks no longer come to the house
- Unexplained disappearance of funds or valuables
- Elder reports signing papers and doesn’t know what was signed
- Transfer of property, savings
“Civil” Mindset

- Many times, the victim will have willingly signed financial documents such as checks, property transfers, etc. If they didn’t understand what they were signing, it doesn’t make it any less a crime.

- “Durable Power of Attorney” doesn’t give the agent a right to use assets as own

- These are THEFT cases.
Powers of Attorney and Guardianships

**Power of Attorney**
- An instrument which transfers authority to make decisions or financial management to another

**Health Care Power of Attorney**
- An instrument which transfers authority to make decisions concerning healthcare issues to another.

**Guardianships**
- A court order granting certain powers to a family member, other individual, governmental agency, or institution to control the affairs of another person.
Applicable Laws

**These are Theft Cases**

- Misuse of Entrusted Property (M.R.S.A. Title 17-A, § 903, Class D)
- Endangering the Welfare of a Dependent Person (M.R.S.A. Title 17-A, § 555, Class D)
- Theft by Misapplication of Property (M.R.S.A. Title 17-A, § 358, Class B, C, D, E based on $)
Applicable Laws (continued)

- Theft (M.R.S.A. Title 17-A §353)
- Improvident Transfers (M.R.S.A. Title 33, Chapter 20 §1022, Undue Influence)
- Silver Alert Program (M.R.S.A Title 25 §2201)
  - 60 and older and under “extraordinary circumstances” 18 to 59. Credible threat to the safety and health of the person and “dementia, etc.” as determined by LE.
Adult Protective Services
24 Hour Hotline
1-800-624-8404

To report suspected abuse, neglect or exploitation of incapacitated or dependent adults
RESOURCES

☐ Adult Protective Services: 1-800-624-8404
☐ Area Agencies on Aging: 1-877-ELDERS-1
☐ Domestic Violence Agencies: 1-800-537-6066
☐ Legal Services for the Elderly: 1-800-750-5353
☐ Mental Health Crisis: 1-888-568-1112
☐ Sexual Assault Agencies: 1-800-871-7741

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Thank You

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