Abuse in Later Life

Chapter 9

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Introduction

• Older adults are the least likely to become victims of violent crime
• Property crime, not personal violence, is highest percentage of crime against persons aged 65 or older
• Older population is expected to grow
• Expected to make up more than 20 percent of the population by the year 2030
Definitions

• The American Bar Association and the National Center on Elder Abuse both refer to older adults as aged 60 and above
• The Bureau of Justice Statistics differentiates older crime victims as being aged 65 and above
• There is no federal law that specifically protects older adults from abuse
• All states have laws that protect older adults from maltreatment, definitions of who qualifies for protection varies by state
Elder mistreatment or abuse

Defined as follows:

1. Intentional actions that cause harm or create a serious risk of harm to a vulnerable elder by a caregiver or other person who stands in a trust relationship to the older adult, or

2. Failure by a caregiver to satisfy the older adult’s basic needs or to protect the older adult from harm
Elder Abuse or Intimate Partner Abuse?

- Much of the abuse that occurs against older adults does consist of intimate partner abuse.
- Older adult mistreatment may suggest to some that there is a difference between elder abuse and intimate partner violence.
- Abuse against older adults can overlap either as elder abuse or domestic violence or both.
- If it both, then it may be defined as *abuse in later life*.
Adult Protective Services (APS)

- Services provided to older adults and people with disabilities who are in danger of being mistreated or neglected, or are unable to protect themselves, and have no one to assist them
- All states have an APS program
- APS is the first responder for allegations of abuse or neglect against an older adult
- May be part of social services department or contracted by a private, non-profit agency
Prevalence

- We do not know the exact numbers of individuals affected by elder abuse
- Studies provide approximations, considered to be very low because of underreporting
- Estimated that 2.1 million older adults are victimized by physical, psychological, and other forms of abuse and neglect every year
- One out of every six cases is reported
- Every 2.7 minutes an older American is being victimized
Three Categories of Abuse

• **Family or domestic elder abuse**
  • refers to several forms of maltreatment by someone who has a special relationship with the older person

• **Institutional elder abuse**
  • Abuse of the older person who lives in a residential home for older persons such as a nursing home, foster home, or group home

• **Self-neglect or self-abuse**
  • Behavior that threatens his or her own health or safety. Involves the failure to provide adequate food, water, clothing, shelter, personal hygiene
Family Abuse

- Intimate partner constitutes a significant number of cases of abuse against adults over the age of 50
- Incidence of spouse abuse in older couples is significantly less than that in younger couples
- 7 percent of older battered women also had been forced to have sexual intercourse with their husbands
- One study found that over 71 percent of women receiving domestic violent services, reported physical abuse
Patterns of Abuse

- **Spouse abuse grown old**: victims have been abused for most of their adult lives
- **Late onset cases**: abuse begins late in life by partners who had not previously been abusive
- Cases involving women who enter into abusive relationships late in life, frequently the second or third spouse or intimate partner
- Situations in which previous abuse existed in the family, and women are now battered by their sons or daughters
- Perpetrators: 90 percent are family members
Institutional Abuse

- About 1.6 million people live in approximately 17,000 licensed nursing homes
- 900,000 to 1 million live in 45,000 residential care facilities
- Both state and federal statutes regulate and monitor nursing homes, the responsibility for protection rests with the states
- Obtaining a clear picture of maltreatment is difficult due to the diverse agencies and definitions involved
Misuse of Restraints

- It involves the chemical or physical control of an older adult beyond a physician’s order or outside accepted medical practice.
- Restraints may be used in nursing homes under two conditions:
  1. A person is confused and unable to comprehend or remember that by moving about, he or she may harm self or someone else, or
  2. A person is unable to maintain his or her position because of a severe physical handicap such as paralysis.
Self-Neglect and Abuse

- Refers to the inability or failure of an older adult to adequately care for his or her own needs
- Is the most common form of older adult maltreatment and must be differentiated from abuse by another person
- About 37 percent of cases involve self-neglect
- Requires APS intervention, may accompany other types of abuse for which there are criminal consequences
Signs of Self-Neglect

• Lacking food or basic utilities
• Refusing medications
• Hoarding animals and/or trash
• Unsafe living conditions or vermin-infested living space
• Inability to manage finances
• Disorientation, incoherence
• Alcohol or drug dependence
Forms of Abuse

- Physical Abuse
- Emotional/Psychological Abuse
- Sexual Abuse
- Financial Exploitation
- Neglect
- Abandonment
Physical Abuse

- Defined as inflicting or threatening to inflict, physical pain, or injury on a vulnerable older adult, or depriving them of a basic need
- Ranges from slapping or shoving to restraining with ropes or chains
- Using enough force to cause injury or unnecessary pain, behavior may be regarded as abusive even if the harm was not intentional
- Signs of possible physical abuse:
  - bruises or grip marks,
  - rope marks or welts,
  - repeated unexplained injuries
Emotional/Psychological Abuse

- Inflicting mental pain anguish or distress on an older adult through verbal or nonverbal acts
- May involve name-calling, using intimidating and threatening language, causing fear, mental anguish, and emotional pain to the older adult
- Signs of possible emotional abuse:
  - uncommunicative and unresponsive
  - unreasonable fearful or suspicious
  - lack of interest in social contacts
Sexual Abuse

- Seriously underestimated
- Nonconsensual sexual contact of any kind defines sexual abuse
- Older victims less likely to report than are younger victims
- Signs of possible sexual abuse:
  - Unexplained vaginal or anal bleeding
  - Torn or bloody underwear
  - Bruised breasts
  - Venereal diseases or vaginal infections
Financial Exploitation

• Defined as illegally taking, misuse, or concealment of funds, property, or assets
• May include misuse of older adults’ funds to embezzlement, fraud, taking money under false pretenses, forgery, and forced property transfers, purchasing expensive items with the person’s money without their knowledge, or denying the person access to his or her own funds or home
• Signs of possible financial exploitation:
  • life circumstances do not match the size of estate
  • large withdrawals from bank accounts, switching accounts
  • signatures on checks do not match older adult’s signature
Neglect

• It is the refusal of failure to provide food, shelter, healthcare, or protection for a vulnerable older adult
• Signs of neglect may include:
  - Sunken eyes or loss of weight
  - Extreme thirst
  - Bed sores
• Some neglect may be caused by caretakers who are too young or inexperienced to take care of an older person with special needs
Abandonment

• Is the intentional and permanent desertion of an older adult in any place or leaving the person without means or ability to obtain necessary food, clothing, shelter, health care, or financial support

• Risk factors for abandonment include:
  • Absence of available significant other or peers
  • Advanced age
  • Cognitive impairment
  • Decreased health status
  • Depression
  • Functional impairment
  • Impaired psychosocial health
  • Inadequate personal resources
  • Physical impairment
The Victims of Abuse Against Older Adults

- **Age:**
  - typical victim 80 years old, frail, and dependent

- **Gender**
  - During the older years, men and women are equally likely to become victims of physical abuse
  - 3 victimizations per 1,000 person over the age of 50

- **Race**
  - Minority populations increasing at a faster rate than the white population difficult to assess the risk of abuse

- **Cultural Differences**
  - Shame and embarrassment are frequent reasons why older adults across cultural boundaries are reluctant to report domestic violence
Vulnerability

- Though older people are less likely to be victims of crime than teenagers, the number of crimes against them is hard to ignore
- People aged 80 and older, and women of all ages, are at greater risk
- Older adults dependent on others for basic care are particularly vulnerable
- Reasons why people may not seek help:
  - Uncertainty about who to talk to
  - Uncertainty about what can be done
  - Fear of not being believed
  - Fear of getting involved
Undue Influence

- Undue influence occurs when people use their role with the older adult to exploit the trust, dependency, and fear of others
- Deceptive use of power is used to gain control over the decision making of the vulnerable adult
- Not related to the person’s intelligence, but cognitive impairment may make the manipulation easier to accomplish
Consequences of Abuse against Older Adults

- Severe emotional distress
- Highest rate of suicide of any age group is among the older adult
- High rates of depression
- Psychic trauma of victimization
- Possible physical injuries
- Lost of dignity
- Shame
- Self-blame and guilt
Civil Verses Criminal Action

• The determination on civil versus criminal action is extremely complex
• Prosecution is rarely presumed
• Because of dependency, the older adult is reluctant to follow through with criminal court proceedings
• Institutional settings often handle their own
• Fear of retaliation, often drop the charges
Mandated Reporting

- Forty-four states and the District of Columbia have mandatory reporting laws under which physicians, nurses, social workers, and others designated by the state are legally required to report suspected abuse against older adults.

- **Mandatory reporter**: a person required by law to report allegations and/or suspicions of abuse against an older adult.
Multidisciplinary Team Response

- Slow response from the criminal justice community in addressing the needs of the older adults
  Significant changes have been seen in the last decade
- Prosecutions have been rare in the past
- Make up of team varies from state to state, they share common prevention goals, includes: professionals, criminal justice system, victim witness assistance program and aging services
Police Response

• Law enforcement is encouraged to use a multidisciplinary approach to abuse against older adults and neglect investigation
• Overlapping responsibilities of multiple state agencies, including long-term ombudsmen, APS, department of social services, and law enforcement, make it amenable to agency cooperation
• Call for services of these agencies is expected to increase dramatically
• Mandatory arrest may lead to increase violence