ABUSE LATER IN LIFE (MARCH 2017)

“How beautifully leaves grow old. How full of light and color are their last days.”
(John Burroughs, American Naturalist and Author: 1837-1921, http://www.ncall.us/)

FACTS AND STATISTICS

Statistics underscore the need to understand abuse encountered later in life:

- Women comprise more than half (55.8%) of the adult population 65 and older.¹
- It is estimated that roughly two-thirds of elder abuse victims are women.²
- The U.S. population is projected to increase from 319 million to 417 million between 2014 and 2060; the 400 million mark should be reached in 2051. By 2030, one in five Americans is projected to be 65 and over³
- Florida had nearly 4.4 million residents (23.4%) aged 60 or older in 2010.⁴
- According to census projections, the proportion of Florida’s population 60 and older is growing more rapidly than other components of the population.⁴
- One in ten of community-residing older adults reported experiencing elder abuse in the past year.⁵
- It is not uncommon for an elder to experience more than one type of mistreatment at the same time.
- Almost 90% of all elder abuse occurs in a domestic setting—usually by someone the victim knows.⁷
- The abuser may be the elder’s caregiver, and in their eyes, the only person who helps them.⁸
- Elders who experienced even modest abuse had a 300% higher risk of death when compared to those who had not been abused.⁹
- Older victims tend to sustain more serious physical and other injuries during an assault due to age-related physiological changes.¹⁰
- Historically, elders have not been perceived as victims of sexual assault, even by some judges;¹¹ thus, it is often over-looked.¹⁰
- Older victims of sexual abuse were violated most often by spouses or intimate partners.¹²
• Domestic violence by an intimate partner may be “domestic violence grown old” or may be “late onset of domestic violence”.  

• Older women, seeking companionship, may enter into an abusive relationship for first time.

• Abuse against elders is hugely under-reported; it is estimated that for every case that is reported, 24 are not.

• Elders who are not computer literate may have difficulty navigating help sites.

• Risk factors among caregivers include: inability to cope with stress; depression; lack of support from other possible caregivers; and substance abuse.

**SYMPTOMS OF ABUSE**

*Physical Signs of Abuse*
- Cuts, puncture wounds, burns, bruises, welts
- Dehydration or malnutrition
- Poor coloration, sunken eyes or cheeks
- Soiled clothing or bedding
- Lack of necessities such as food, water, or utilities

*Behavioral Signs of Abuse*
- Fear, anxiety, agitation, anger
- Isolation, withdrawal, depression
- Non-responsiveness, resignation, ambivalence
- Contradictory statements, implausible stories, hesitation to talk openly, confusion, or disorientation

*Financial or Material Exploitation*
- Improper use of an elder’s funds, property, or assets
- Abuse of Power of Attorney
- Cashing checks without permission; forging signature on checks
- Using an ATM or debit card without permission
- Forcing or deceiving an older person into signing a document

*Sexual Abuse*
- Nonconsensual sexual contact of any kind, including assault or battery, rape, sodomy, coerced nudity or sexually explicit photographing
Self-neglect

- When individuals fail to provide themselves with whatever is necessary to prevent physical or emotional harm or pain.

FLORIDA LAW

Elder abuse is a crime in Florida. Section 825.102(1) defines elder abuse as:

- Intentional infliction of physical or psychological injury upon an elderly person or disabled adult;
- An intentional act that could reasonably be expected to result in physical or psychological injury to an elderly person or disabled adult; or
- Active encouragement of any person to commit an act that results or could reasonably be expected to result in physical or psychological injury to an elderly person or disabled adult.

If a domestic violence injunction petition is used in an elder abuse case, petitioner and respondent must be family or household members, defined in § 741.28(3) as:

- “Spouses, former spouses, persons related by blood or marriage, person who are presently living together as if a family or who have lived together in the past as if a family and persons who are parents of a child together regardless of whether or not they have been married or lived together.
- With the exception of persons who have a child in common, the family or household members must be currently residing together or have in the past resided together in the same single dwelling unit.”

ABUSIVE TACTICS BY FAMILY MEMBERS INCLUDE:

**PHYSICAL ABUSE**

- Slaps, hits, punches
- Throws things
- Burns
- Chokes
- Breaks bones

**SEXUAL ABUSE**

- Makes demeaning remarks about intimate body parts
- Is rough with intimate body parts during care giving
• Takes advantage of physical or mental illness to engage in sex
• Forces the performance of unwelcome sex acts
• Forces the watching of pornographic movies

**ABUSING DEPENDENCIES/NEGLECT**
• Takes walker, wheelchair, glasses and dentures
• Takes advantage of confusion
• Denies or creates long waits for food, heat, care or medication
• Does not report medical problems
• Understands but fails to follow medical, therapy or safety recommendations
• Causes the victim to miss medical appointments

**FINANCIAL EXPLOITATION**
• Steals money, titles, or possessions
• Takes over accounts, bills, and spending without permission
• Abuses a power of attorney

**THREATS/INTIMIDATION**
• Threatens to leave, commit suicide or institutionalize
• Abuses or kills pets or prized livestock
• Destroys property
• Displays or threatens with weapons

**RIDICULING VALUES/SPRITUALITY**
• Denies access to church or clergy
• Makes fun of personal values
• Ignores or ridicules religious/cultural traditions

**EMOTIONAL ABUSE**
• Humiliates, demeans, ridicules
• Yells, insults, calls names
• Degrades, blames
• Withholds affection
• Engages in crazy-making behavior
• Uses silence or profanity

**USING FAMILY MEMBERS**
• Magnifies disagreements
• Misleads family members about extent and nature of illnesses/conditions
• Excludes or denies access to family
• Forces family to keep secrets

**ISOLATION**
• Controls visits and travel
• Limits time with friends and family
• Denies access to phone or mail

**USING PRIVILEGE**
• Creates a master/servant relationship
• Makes all major decisions

**ISSUES AND SOLUTIONS**
• Apart from the age difference of the petitioners, many elder abuse cases are similar to other domestic violence cases; however, additional issues arise when either or both petitioner and respondent are elderly.

• Options for shelter and the provision of ongoing care may be difficult for the petitioner if the respondent is the primary care giver. As for the respondent, there may be fewer possible alternative living arrangements outside the shared home and the respondent might also be in need of care.

• Although most batterers’ intervention programs (BIPs) are focused on intimate partner or spousal violence, a batterers’ intervention program is preferable to an anger management program in an elder abuse case for the same reason as in spousal/intimate partner domestic violence situations.

• Domestic violence has little or nothing to do with not being able to control one’s temper; it is almost always a purposeful pattern of behavior designed to exercise power and control over another person. This holds true in elder abuse cases as well as other domestic violence cases.
Although the majority of perpetrators of domestic violence are men, women can be perpetrators as well. There are very few BIPs designed for women. The lack of BIPs designed for women should be addressed.

Access to the courts for the elderly is an important concern.

CONCLUSION

As the number of aging citizens in Florida increases, the need for Florida courts’ assistance to deal with violence perpetrated against those citizens in domestic settings and institutional settings will increase as well.

The severity of personal losses associated with elder abuse coupled with data suggesting that victims of elder abuse have a shorter life expectancy underscore the importance of providing assistance to this fragile segment of the population.

Injunctions for protection against domestic violence and judicial centers designed to specifically address elder abuse are important; however, much more remains to be done.

REFERENCES WITHIN THIS ARTICLE

1 United States Census Bureau (2012).
2 Lifespan of Greater Rochester, Inc. Weill Cornell Medical Center of Cornell University, & New York City Department for the Aging. (2011).
4 https://aoa.acl.gov/AoA_Programs/HPW/Behavioral/docs2/Florida%20Epi%20Profile%20Final.pdf
6 Lifespan of Greater Rochester, Inc., Weill Cornell Medical Center of Cornell University, & New Your City Department for the Aging. (2011).
7 Charles T. Corley, Secretary, Florida Department of Elder Affairs, Focusing on Education and Outreach to Prevent Elder Abuse, Elder Update, Volume 25, number 4, July/August 2014.
8 http://www.courts.ca.gov/documents/Elder_Abuse_Protection_Court.pdf
14 Ibid.
15 Charles T. Corley, Secretary, Florida Department of Elder Affairs, Focusing on Education and Outreach to Prevent Elder Abuse, Elder Update, Volume 25, number 4, July/August 2014.
16 http://www.courts.ca.gov/documents/Elder_Abuse_Protection_Court.pdf

ADDITIONAL RESOURCES
Florida Department of Elder Affairs: http://elderaffairs.state.fl.us/index.php
National Adult Protective Services Association: http://www.napsa-now.org
National Clearinghouse of Abuse in Later Life: http://www.ncall.us/
National Committee for the Prevention of Elder Abuse: http://www.preventelderabuse.org