

Vulnerable Adult Neglect, Abuse and Exploitation

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From 1 to 2 million Americans aged 65 or over have been harmed by a caretaker in a domestic or institutional setting.

--National Research Council

Even mild abuse, neglect, or exploitation increase premature deaths in the elderly by 300%.

Mark Lachs, MD
Weill Cornell
Medical College



For every one case
that is reported,

1

another twenty-three cases
never come to light.

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Source: NYS Elder Abuse Prevalence Study; Weill Cornell Medical College, NYC Department for the Aging; Lifespan; (2011)

Overview

- General information
- Red flags of abuse, neglect and exploitation
- The role of the criminal justice system
- What happens after a case is reported
- Case examples

Types of Abuse

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

* Often co-occurring

Victim Risk Factors

- Social Isolation/loneliness
- Dementia
- Dependence on others
- Poor physical health
- Substance abuse
- Lack of resources

Common Characteristics of Abusers

- 9 out of 10 perpetrators are family members, often an adult child
- Living at home with elderly person
- Divorced or single
- Unemployed/unmotivated
- Mental health issues
- Substance abuse issues
- Gambling or shopping addicts

Dynamics of Elder Abuse

- Victims may be uncooperative due to:
 - Embarrassment or shame
 - Love for the suspect
 - Dependence on the suspect
 - Denial about abuse

Dynamics of Elder Abuse

- Fear of retaliation by the suspect
- Fear of being placed in nursing home
- Fear of being discharged from facility
- Alienation from justice system

Physical Abuse

Red Flags of Physical Abuse

- Unexplained bruises, welts, lacerations, burns, fractures
- Injuries incompatible with explanations given
- Injuries that reflect outline of object (belt, cord, hand)

Red Flags of Physical Abuse

- Repeated injuries
- Inappropriate restraints
- Frequent changes of doctors/hospitals
- Sudden changes in behavior

Neglect

Indicators of Neglect (usually multiple are present)

- Untreated medical conditions
- Pressure ulcers (bedsores)
- Dehydration and /or malnutrition
- Unavailability of food and water
- Soiled clothing
- Poor hygiene
- Poor dental, nail care

Indicators of Neglect

- Unsanitary, cluttered living conditions
- Soiled bedding / undergarments
- Smell of urine, feces
- Withholding medications
- Over-medicating
- Absence of medical necessities/ assistance devices

Financial Exploitation

How Does Financial Exploitation Occur?

- Scams and identity theft (stranger)
- Theft, coercion and fraud
- **Undue influence**
- **Abuse of legal authority (i.e., Power of Attorney)**

Possible Indicators of Financial Exploitation:

- Sudden changes in spending/banking habits
- Suspicious ATM withdrawals
- Unpaid bills
- Purchases of items not needed by or appropriate for elder

Possible Indicators of Financial Exploitation:

- Sudden interest in elder by previously uninvolved family member
- New friend who takes unusual interest in elder
- Sudden or unexplained changes to elder's legal/financial documents (joint account holder, will, power of attorney, etc.)

Powers of Attorney and Guardianships

- **Power of Attorney**

- An instrument which delegates authority to make decisions or financial management to another

- **Guardianship**

- A court order granting certain powers to a family member, other individual, governmental agency, or institution to control the affairs of an incapacitated person

Effects of Financial Exploitation

- Often co-occurring with neglect, physical violence, sexual abuse
- Very often leads to significant declines in victim's physical and mental health
- Victims often left with nothing

Sexual Assault

Potential Signs of Sexual Abuse

- Infections, pain, or bleeding in genital areas or mouth
- Difficulty walking or sitting
- Torn, stained, and/or bloody clothing including underwear, bedding, or furnishings
- Inappropriate (enmeshed) relationships between the older adult and abuser

Potential Signs of Sexual Abuse

- Bruises to outer arms, chest, mouth, genitals, abdomen, pelvis, or inside thighs
- Bite marks
- Unexplained STDs or HIV

Potential Behavioral Cues

Unexplained or sudden changes in:

- Mood or temperament
- Weight
- Personal hygiene
- Substance use or abuse
- Sleep patterns

Potential Behavioral Cues

- Coded disclosures such as “He’s my boyfriend;” “He loves me;” “I’m his favorite girl.”
- Reacts to offender in inappropriate or romantic ways
- Seems hypervigilant
- Shies away from being touched
- Appears afraid, embarrassed, ashamed, withdrawn or depressed

The Role of Law Enforcement

- Respond to:
 - 911 calls
 - Non-emergency calls
 - Welfare checks
 - Faxed reports from APS and RCS
- Patrol officers or detectives respond, take report

The Role of Law Enforcement

- If case is likely criminal, detective investigates further
 - Interviews victim, suspect, witnesses
 - Gathers evidence
 - Scene evidence
 - Photographs
 - Documents (i.e., bank records, medical records)

The Role of Law Enforcement

- If believes case is a crime, submits to prosecutor for filing
 - King County Prosecutor's Office
 - All felonies in King County
 - All misdemeanors in unincorporated King County
 - City prosecutors' offices
 - All misdemeanors in incorporated cities

The Role of Prosecutors

- Review cases received from law enforcement
 - File charges
 - Decline to file
 - Request additional investigation

The Role of Prosecutors

- If charges are filed
 - May request bail
 - May request no contact orders with victim/s, witnesses

The Role of Prosecutors

- Represent State/City at hearings
 - First / Second Appearance
 - Arraignment
 - Case Setting
 - Omnibus (trial readiness hearing)
 - Guilty Plea or Trial
 - Sentencing

- If you are having problems with police response to a case in King County, call Amanda Froh or Page Ulrey
- If you are having problems with APS' response to a case, consider requesting a multidisciplinary staffing of the case

Feel free to contact us. . .

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- Thanks to Office on Violence Against Women, National Clearinghouse on Abuse in Later Life