



# A Silent Crisis

A growing number of seniors face risk of abuse

By Carrie Abner

Grace was an elderly woman living alone in Oregon. At the age of 90, she was deaf, partially blind and in a wheelchair. She hired a full-time caregiver, who bilked her of \$56,000 between March and September 1999, draining her accounts completely. Sadly, Grace's family and officials only became aware of the abuse after her death.

In Georgia, emergency workers found Geneva, a 71-year old woman, in her home. At 71 pounds, she was too weak to stand up. Her son, Steven, locked her in her room, refused to give her food, and stole her Social Security checks. Instead of providing loving care for his aging mother, he threatened to kill her and bury her in the woods if she complained of the abuse.

Unfortunately, cases like these represent a growing crisis in the United States. For most seniors, the “golden years” are an opportunity to relax, travel and enjoy time with family and friends. For too many Americans, however, these years turn into a nightmare of abuse, neglect and exploitation—often at the hands of people they know and trust.

### A Growing Crisis

According to some estimates, as many as 5 million American seniors are victims of elder abuse each year. The National Center on Elder Abuse describes elder abuse as “any knowing, intentional, or negligent act by a caregiver or any other person that causes harm or a serious risk of harm to a vulnerable adult.”

While official definitions vary significantly from state to state, most experts agree that elder abuse can be broken down into the categories of physical abuse, sexual abuse, emotional or psychological abuse, financial exploitation, and neglect or abandonment.

Recent trends reveal a significant increase in reported incidents of elder victimization. In 1986, state adult protective services agencies received 117,000 reports of abuse and neglect of seniors age 60 and older. In 1996, APS agencies received 293,000 reports, an increase of 150 percent.

These statistics, however, fail to show the immensity of the crisis. A national study conducted by NCEA in 1998 found that cases of elder abuse were grossly underreported. The study estimated that approximately half a million seniors were victims of abuse or neglect in domestic settings in 1996, yet only 16 percent of these cases were reported to state APS agencies. For every case that was reported to officials, another five cases went unreported. In other words, experts know only the “tip of the iceberg” regarding the scope of domestic elder abuse.

Other studies point to concerns in institutional settings, such as nursing homes, foster homes, and other residential facilities. A report issued by the Special Investigations Division of the U.S. House of Representatives Committee on Government Reform in 2001 noted that approximately 30 percent of nursing homes nationwide were cited for abuse violations between January 1, 1999, and January 1, 2001. Moreover, statistics show that the number of nursing homes cited for abuse violations is rising.

And as the U.S. population ages, the incidence of elder abuse is expected to rise. In 2000, there were an estimated 35 million individuals age 65 or older in the United States, comprising nearly 13 percent of the total population. The Federal Interagency Forum on Aging-Related Statistics reports that the size of the older population is expected to double by 2030, growing to 70 million and leaving millions more seniors at risk.

“The occurrence and severity of elder mistreatment are likely to increase markedly over the coming decades, as the population ages, caregiving responsibilities and relationships change, and increasing numbers of older persons require long-term care,” according to a report issued in 2002 by the National Research Council’s Panel to Review Risk and Prevalence of Elder Abuse and Neglect.

Yet, awareness of elder abuse remains relatively low. According to Maine Attorney General Steven Rowe, “Elder abuse, neglect, and exploitation have not received the attention they demand. We are only slowly defining the scope of the problem in our nation, and unraveling the complexity of this societal problem.”

### The Cost of Elder Abuse

While there have been no comprehensive studies of the costs associated with elder abuse, experts note they are likely significant.

“When elder abuse victims lose their homes or financial resources through exploitation and end up in a nursing home on Medicaid or in government-subsidized housing, the taxpayers pick up those costs,” said Lori Stiegel of the American Bar Association’s Commission on Law and Aging. “When elder abuse

## American Probation and Parole Association Provides Training on Elder Abuse

Community corrections professionals, including pretrial, probation and parole officers, may encounter elder abuse in their work with offenders and are a vital component in a community's response to and protection of elder abuse victims. The Office for Victims of Crime, U.S. Department of Justice, awarded a cooperative agreement to the American Probation and Parole Association to develop and pilot test a curriculum on elder abuse for community corrections professionals. The project is being conducted in collaboration with Justice Solutions and the American Bar Association's Commission on Law and Aging. The one-day training curriculum, entitled, "Identifying and Responding to Elder Abuse: The Vital Role of Community Corrections Professionals," provides probation, parole and pretrial officers with information and skills to identify potential abuse among seniors with whom defendants or offenders on their caseloads have contact.

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victims need services from adult protection programs, long-term care ombudsman programs, state regulatory agencies, law enforcement agencies, prosecutors, public guardians, or the resources of a court system to help protect them from further abuse, the taxpayers bear those costs."

The societal costs of elder abuse are equally troubling.

Trudy Gregorie of Justice Solutions, a national criminal justice organization, argues that "the elderly are more at risk than any other age groups to suffer serious consequences of victimization."

According to the U.S. Bureau of Justice Statistics, more than one in five elderly victims of nonlethal violence between 1992 and 1997 sustained injuries. The physical impact of assaults can be serious for the elderly, as they are often more susceptible to broken bones and injuries and may require more time to recuperate than younger individuals.

For seniors targeted with financial crimes, victimization can mean the loss of lifelong savings and pension benefits. Unable to recover such losses by returning to the work force or through investments, elder victims may find themselves suddenly dependent on public assistance programs or going without food, medication or other necessities.

Moreover, a 1998 study in the *Journal of the American Medical Association* found that elders who are mistreated are three times more likely to die within 10 years than those who do not experience such abuse.

## Overcoming Legislative and Interagency Obstacles

In recent years, states have addressed the problem of elder abuse and neglect through a variety of legislative initiatives to better respond to and prevent the victimization of American seniors.

All states and the District of Columbia have enacted laws addressing elder abuse. Yet, these laws vary greatly from state to state in their definitions of elder abuse and in the state and local

mechanisms they create to detect and address incidents of abuse.

In most states, for instance, elder abuse laws protect those age 60 and older. Yet, states like Maryland and Nebraska protect those 65 and older, while Alabama's laws cover those age 55 and older.

Forty-four states include mandatory reporting requirements as part of their laws addressing elder abuse; however, these requirements also differ substantially. Some states require only health professionals to report suspected cases of elder abuse, while others require any person to report such suspicions.

According to some experts, the differences in state laws can impact how effectively incidents of abuse are handled.

A study conducted by the University of Iowa in 2003 found higher investigation rates for states with mandatory tracking and reporting requirements. The findings also indicated higher rates of substantiating, or verifying, cases of abuse in states that include more elder abuse definitions in regulations and in states that have caseworkers who investigate elder abuse exclusively.

Other challenges states face include the need for interagency coordination at the state and local levels, a growing trend in elder abuse responses. A. Ricker Hamilton, protective program administrator for Maine and past president of the National Adult Protection Services Association, argues that coordination among agencies is critical to protect elderly victims.

"The community, multidisciplinary approach is the only one that has been effective," Hamilton said. "Unless you have a systemic response in place, cases [of elder abuse] will fall by the wayside."

The Maine Elder Death Analysis Review Team includes representatives of a number of agencies involved in addressing elder abuse, such as the state police, the Office of the Attorney General, Office of the Medical Examiner, Victims Services and Health Care Crimes Unit, Long Term Care Ombudsman Program, Adult Protective Services, the Maine Chiefs of Police and others. According to Hamilton, who chairs the team, the diversity promotes synergy among team members, enhancing the group's capacity to address incidents of elder abuse and neglect and to protect victims in a cost-effective way.

While multidisciplinary teams like MEDART are becoming increasingly common, coordination remains a major challenge for states due to limited agency mandates, finite resources, competing priorities and work force shortages.

In a report to the U.S. Senate Special Committee on Aging in 2004, the Government Accountability Office cited a lack of systematic coordination among agencies and courts when incapacitated elders are abused by their guardians or representative payees. The GAO found that agencies and courts rarely notify each other of such incidents, leaving seniors vulnerable to further abuse or neglect.

The result of such lack of interagency coordination, Hamilton warns, is that "these victims remain hidden. Elder abuse continues to be undetected and underreported. We need to develop a systemic response to elder abuse before we become victims."

## Strengthening State Responses

As state officials become increasingly aware of the problem, they face a number of challenges in developing mechanisms to address it.

A recent survey by the National Association of State Units on Aging highlighted interagency coordination, community educa-

tion, training for staff and service providers, and funding as ongoing challenges for states as they strengthen programs to protect seniors from abuse.

Experts also cite a lack of clarity in state laws regarding elder abuse as a major challenge. Some point to the need to ensure that state laws are clear, that victims are included in discussions about the design of such laws, and that penalties are increased for those who abuse seniors.

As states continue to address this growing problem, they should consider the following recommendations:

- *Provide opportunities to develop multidisciplinary teams.* In October 2004, the Oregon Governor’s Elder Abuse Task Force reported, “Nearly every county in Oregon has implemented elder abuse MDT’s, and the numbers of investigations and prosecutions has steadily risen ever since.” Multidisciplinary teams promote interagency communication regarding complex cases of elder abuse and neglect, enabling states to better meet victims’ needs and to develop comprehensive prevention programs.
- *Provide training opportunities for state agency staffs and their private sector partners on elder abuse and appropriate responses.* It is critical to provide ongoing training opportunities for law enforcement, state units on aging, adult protective services, long-term care ombudsmen and employees of agencies on aging to ensure that employees are equipped to respond to elder victimization. Extending such training to private partners, including legal, medical and financial professionals, can further enhance a community’s capacity to properly identify and respond to cases of elder abuse.
- *Promote public awareness campaigns.* As communities become increasingly aware of the problem of elder abuse and state mechanisms for reporting incidents, it is likely that more cases will be referred to state officials for investigation, substantiation and, where appropriate, prosecution. Public awareness campaigns also empower victims to report cases of abuse and educate them about the services available to protect them.
- *Institute mandatory reporting and tracking mechanisms.* Studies show that states with systems in place to report and track cases of elder abuse have greater rates of investigation and substantiation.
- *Have a dedicated team of investigators who handle elder abuse cases exclusively.* Research indicates a significant increase in the rate of substantiation for states with investigators dedicated exclusively to elder abuse cases, compared to states with investigators who handle both child and elder abuse cases.
- *Clearly define elder abuse in state laws, statutes and regulations.* States are able to more effectively document and investigate cases of elder abuse when official definitions are clear and precise.
- *Promote and share promising practices in response and prevention.* A number of state programs are yielding positive responses. States can learn a great deal from each other on how best to address the problem of elder abuse when promising practices are shared broadly.

- *Collaborate with other states to standardize elder abuse laws.* The variation in state laws on elder abuse makes it difficult to understand the scope of the elder abuse crisis in the United States. States should collaborate with each other to address disparate laws and standardize official definitions of elder abuse by developing model laws or new interstate agreements.

Cases like those of Geneva and Grace demonstrate the serious threats seniors face. Their stories also serve as powerful reminders of the need to continue efforts to combat the elder abuse crisis. Given the complexity of the problem, officials must continue to enlist the help of a variety of state agencies, private sector partners, community members and seniors themselves.

As the U.S. population ages, states will continue to face the challenges of elder abuse, neglect and victimization. While states have already taken important steps to address this growing problem, much more remains to be done.

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## Innovative Programs: The Oregon Elder Abuse Task Force

In February 2004, Oregon Gov. Ted Kulongoski established the Elder Abuse Task Force to develop recommendations to strengthen state systems to protect seniors from abuse. In October 2004, the governor highlighted several recommendations he plans to pursue through administrative action in partnership with state and local agencies and the private sector, including the following:

- Develop an expedited process for criminal background checks of caregivers and strengthen guidelines provided to caregivers who are hired before background checks are completed.
- Develop a criminal history registry to alert care-providers if an applicant has a criminal record.
- Renew training for bank employees about fraud and financial exploitation of the elderly.
- Develop a best practices curriculum and training video to educate caregivers on caring for the elderly and signs of possible abuse.

Kulongoski is also considering recommendations for an “Oregon Elder Justice Act of 2005,” which would provide additional protection to elder victims of financial exploitation, theft or physical abuse; include sexual abuse as part of the state’s statutory definition of elder abuse; and strengthen Oregon’s mandatory reporting law.