The Growing Concern of Elder Abuse

Page Ulrey
National Association of Women Judges
38th Annual Conference
October 6, 2016
King County Prosecutor’s Office
Elder Abuse Project

• Formed in 2001 to prosecute cases of elder financial exploitation, neglect, sexual assault, and homicide

• Trains first responders, medical community, and public

• Works to improve systemic response to elder abuse
Some Things We’ve Learned About Elder Abuse
It Comes in Many Forms

- Physical/Emotional Abuse
- Sexual Abuse
- Neglect/Abandonment*
- Financial Exploitation*
Common Methods of Elder Financial Exploitation

• Scams by strangers who target vulnerable elders

• Embezzlement by those legitimately in control of elder’s assets
  – Powers of attorney, guardians, accountants, bill payers, financial advisers, brokers

• Unauthorized takings by those with access to elder’s checks, debit and credit cards

• Undue influence by stranger or trusted other
84% of elder abuse is committed by the elderly victim’s relative, most often the victim’s adult child.

-U.S. Administration on Aging
It is a Growing Crisis

- $18 Trillion or more will move between the generations in the next 20 years
- 10,000 people turn 65 every day and will do so during the next 17 years
- 10% will be victims of elder abuse
- 20% will be victims of financial exploitation
For every one case that is reported, 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)
Victims Often Don’t Report Due to:

- Fear of losing independence
- Fear of retaliation by perpetrator
- Lack of knowledge or disbelief that exploitation is occurring
- Emotional dependence on perpetrator
- Dementia
Victims Are Often:

- Men
- Grieving (loss of partner or spouse)
- With health problems
- Confused
- Lonely, isolated
- Suffering from mild to moderate dementia
Older Victims with Dementia

• May be unable to recognize abuse
• May be unable to report abuse
• May be the perpetrator of abuse
• May not be believed
Almost 50% of people with dementia experience some form of abuse.

Cooper, C., Selwood, A., Blanchard, M., Walker, Z., Blizard, R., & Livingston, G.
Early Alzheimer’s Disease

Symptoms:
- Short-term memory loss
- Word loss
- Judgment impairment

Financial Abuse
Financial Capacity

• One of the first abilities to decline as cognitive impairment and early dementia occur
  – Triebel et al, 2009

• Declining skills are often detectable before a diagnosis of dementia

• PCPs frequently miss declining capacity in patients due to:
  – Lack of training
  – Use of inadequate screening tools (MMSE)
Mid Alzheimer’s Disease

**Symptoms:**

- Behavior changes
- Loss of Insight

**Physical abuse**
Severe Alzheimer’s Disease

Symptoms:

• Loss of ability to communicate
• Loss of mobility
• Swallowing impairment

Neglect and Sexual Abuse
We Face Many Challenges in Prosecuting It

• Lack of reporting by mandatory reporters and community

• Lack of adequate training of law enforcement, prosecutors and Adult Protective Services on:
  – Recognizing neglect and financial exploitation
    • Common misperception that abuse of Power of Attorney is civil, not criminal
  – Recognizing and understanding cognitive impairment
  – How to investigate, prove case when victim has dementia or is deceased
We Face Many Challenges in Prosecuting It

• Lack of experts to:
  – Conduct capacity evaluations of victims
  – Advise us on medical aspects of neglect, abuse cases
  – Conduct forensic accounting of financial records

• Lack of specialization of prosecutors, detectives
It is Devastating

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

- Mark Lachs, MD
Feel Free to Contact Me

Page Ulrey

page.ulrey@kingcounty.gov

(206)477-1943

*Thanks to Laura Mosqueda, MD