

National Center on Elder Abuse NEWSLETTER

October 2004

VOLUME 7 No. 1

Policy & Legislation

Elder Justice Act Update

Elder Justice Legislation "Held Up" In Committee

On October 11, the Senate joined the House and adjourned for the fall election campaign. Despite the bill's strong bipartisan support, the John Breaux Elder Justice Act of 2004, S. 333 remains pending in committee with an uncertain status. Senator Bob Graham's decision to put a "hold" on S.333 prevented the bill from coming directly to the Senate floor for a vote.

The postponement has left the Elder Justice Coalition with a new challenge, however, Senator Graham's office has indicated they are confident the Elder Justice Act will pass. Congress will return on November 16 for a brief "lame duck" session. The Elder Justice Coalition will continue to actively encourage passage of this important legislation during the final weeks before Congress adjourns for the year.

The Elder Justice Coalition now has 357 members from around the country. We encourage you to visit the Coalition Web site and learn more > <http://www.elderjusticecoalition.com/>. The Web site includes the latest version of the Senate bill, S. 333, as well as a list of the Senate and House (H.R. 2490) co-sponsors.

— Robert Blancato, President, National Committee for the Prevention of Elder Abuse
ncpea@verizon.net

2005 White House Conference on Aging Unveils Web Site

The White House Conference on Aging (WHCoA) has officially unveiled its Web site at www.whcoa.gov. The new WHCoA site maps out information about the planning and progress of the 2005 conference scheduled to take place October 23 – 26 in Washington, DC.

In addition to its archives on the WHCoA Policy Committee and public listening sessions, this Web site contains information about WHCoA designated events and delegate selection, issue areas being considered for the conference, a WHCoA calendar, and links to other e-government resources.

The mission of the WHCoA is to make policy recommendations to the President and Congress, and to assist the public and private sectors in promoting dignity, health, independence, and economic security of current and future generations of older Americans.

The WHCoA Policy Committee continues its work to refine and focus the conference agenda. Public listening sessions were held in Boise, ID, Birmingham, AL, and Idaho Falls, ID throughout the month of October.

The 2004 National Adult Protective Services Association 15th Annual Conference, held September 29 to October 1 in Portland, Maine, has the distinction of being the first official WHCoA designated event. Events like this offer an opportunity for organizations to play a part in WHCoA priority setting at the national level. National Applications for officially designated WHCoA events will be accepted until July 1, 2005.

White House Conference on Aging

October 23 – 26, 2005

Hyatt Regency, Washington, DC
on Capitol Hill
400 New Jersey Avenue, NW
Washington, DC

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See our Web site for details
www.elderabusecenter.org.

In Focus:

“Am I My Neighbor’s Keeper?”

NCEA Spotlight: Elder Concerns and Abuse Prevention Task Force, Portsmouth, NH

In wake of high-profile case, task force seizes opportunity to educate

“In March of this year, in a quiet town and a nice New Hampshire neighborhood, where mostly older people live, a 74-year old woman [allegedly] beat her 85 year old sister to death. The beatings took place over weeks.

— L. Rene Bergeron, PhD, April 2004, e-mail letter to NCEA listserve

In the weeks following the tragic death of Alice Keyho of Hampton, New Hampshire, Dr. L. Rene Bergeron, an associate professor of social work at the University of New Hampshire, acted quickly in concert with her colleagues on the Elder Concerns and Abuse Prevention Task Force to speak out about elder abuse and family violence. Although the exact cause has not yet been identified, authorities believe Keyho died from punches, kicks, and other forms of battering by the younger sister with whom she lived.

Dr. Bergeron and her colleagues facilitated two town hall-style meetings about elder abuse prevention, called **Am I My**

Neighbor’s Keeper?, to answer questions, call attention to the problem of elder abuse, make information about community supports available, and try to explain how people can help. The first meeting, on April 26, was held in a nursing home in the town where the death occurred, the other in a church hall later in the evening. Approximately 50 concerned citizens and residents attended.

“We really tried to leave them with the notion of how important detection is” and where responsibility lies, Dr. Bergeron told NCEA in a recent interview. She added that the most important thing is to be aware.

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Points of view or opinions expressed in this publication do not necessarily represent the official views of AoA/HHS or any of the NCEA’s affiliated partners.

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We Just Didn’t Know...

She was the classic case of an isolated victim with no contacts near her. There was never any referral to APS because no one knew what was going on within the home.

— Rene Bergeron, PhD, April 2004, e-mail letter to NCEA listserve

It is well-documented that abusers often isolate their victims. Of the accused in this much-publicized case, it looks, in hindsight, like there were signs of concern, but they were very subtle. “She had certainly made many comments to people and neighbors that she neither liked her sister nor wanted her to be living with her,” Dr. Bergeron said. “But this alone did not cue people, not educated about elder abuse, to ask more.”

“I suspect she had some underlying mental health issues,” said Dr. Bergeron. “I haven’t interviewed her, but the family is clearly troubled. It looks like this had

been a family where they never got along.” Although research indicates that the great majority of families are not abusive, this family appears to have had a “long history of dominant relationships,” she said.

Community forums can serve as important venues for raising awareness. Uppermost in people’s minds in New Hampshire were questions about:

1. Why the victim or perpetrator would not ask for help.
2. How a family member could do this.
3. Specifics of neglect and abuse.

Continued on page 6

Little by Little You Change the Culture

She did not have a doctor, but she did go and have her hair done until a few months before her death.

— Rene Bergeron, PhD, April 2004, e-mail to NCEA listserv

Adding particular poignancy to the case, local news reports recounted that Alice Keyho's hairdresser was the only person when interviewed who said, "I noticed when she didn't come."

While it's too late for Alice, her death has served as a terrible lesson to many in the community and has also helped to spur more collaboration that could help avert a similar tragedy. "The local hospital has started to screen," said Dr.

Bergeron. "It's a beginning. That has been a very positive change in getting the medical community more involved. And, we're thinking about a broader task force that would really look at family violence, including violence against animals."

Dr. Bergeron added: "We're trying to develop a much broader forum so we can better refer and talk with one another and close some of the gaps."

A Footnote:

Last August, a Rockingham County grand jury indicted Alice Keyho's sister, 74, on six counts of first-degree assault. She is free on bail.

Dr. L. Rene Bergeron is pleased to answer questions about the Hampton case and the work of the Elder Concerns & Abuse Prevention Task Force. She may be reached at (603)862-1786, lb@cisunix.unh.edu

Family Violence Against Elders

According to estimates from the National Crime Victimization Survey:

- Of the 165,330 older Americans who were victims of non-fatal violence each year between 1992 and 1997, about 22 percent were injured, and about 6 percent received treatment of some type at a hospital.
- Victims of murder over age 64 were 2 times more likely than victims between ages 12 and 64 to have been killed by relatives or intimates
- Relatives, intimates, and other persons well known to the victim committed one-fifth of the violence against people 65 and older.
- Crimes against elders were more likely to occur in or near their homes and in the day rather than at night, compared to crimes against younger victims.

SOURCE: Crimes Against Persons Age 65 or Older, 1992–97, Bureau of Justice Statistics, U.S. Department of Justice www.ojp.usdoj.gov/bjs/pub/pdf/cpa6597.pdf

Family Ties That Break

Learn more about the case:

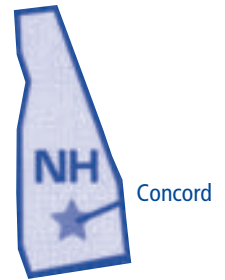
- *Elder Abuse is No Rarity in New Hampshire*, Portsmouth Herald, March 30, 2004 > www.seacoastonline.com/news/03302004/news/7927.htm
- *Sibling Assaults Unusual*, The Hampton Union, March 30, 2004 > www.hampton.lib.nh.us/hampton/biog/helengarland/siblingassaults.htm
- *Details Unsealed In Elder's Death*, The Hampton Union, June 8, 2004 > www.seacoastonline.com/news/hampton/06082004/news/20512.htm
- *Garland Indicted on Six Counts of Assault*, The Hampton Union, June 16, 2004 > <http://www.hampton.lib.nh.us/hampton/biog/helengarland/garlandindicted.htm>

Additional sources of information:

- "Sibling Relationships in Later Life," *Aging Families Series Bulletin #1*, Ohio State University Extension > www.hec.ohio-state.edu/familife/aging/PDFs/Siblings%20Bulletin.final.pdf
- Domestic Abuse in Later Life Relationships, National Center on Elder Abuse > www.elderabusecenter.org/pdf/research/relations.pdf
- "Dynamics of Abuse in Late Life," *From a Web of Fear and Isolation to a Community Safety Net: Cross-Training on Abuse in Later Life*, Pennsylvania Coalition Against Domestic Violence, 2002 > http://www.aging.state.pa.us/aging/lib/aging/DVLL_Chapter_1.pdf

On the Front Lines

New Hampshire Facts & Stats¹



- In 2002, New Hampshire Division of Elderly and Adult Services received 1,964 protective reports, up from 239 in 1980.
- In calendar year 2003, 1,873 reports were received, 1,245 of which concerned alleged victims who were age 60 or older.
- The most frequent age range of alleged victims reported was 80 to 89 years; four individuals were over 100 years of age.
- Of the 1,873 total cases in 2003, 813 were self-neglect; 297 were emotional abuse; 222 were physical abuse; 203 were exploitation; and 45 were sexual abuse.

SOURCES: New Hampshire State Plan on Aging October 1, 2003 – September 30, 2005 > www.dhhs.state.nh.us/DHHS/DEAS/LIBRARY/Program+Report-Plan/spoa.htm; Lynn Koontz, NH Division of Elderly and Protective Services, "Protecting Adults Abused by Adults," *Crossroads*, Spring 2004 > www.state.nh.us/doc/crossroadsspring2004.pdf; and "Elder Abuse Is No Rarity in New Hampshire," *Portsmouth Herald*, March 30, 2004 > www.seacoastonline.com/news/03302004/news/7927.htm.

¹The statistics highlighted in this column are gathered from a variety of state-specific data sources and should be cited using the sources referenced. Readers should note that elder abuse incidence and prevalence rates vary among states and differ depending on the definitions used and state laws regarding reporting. The National Center on Elder Abuse cannot guarantee and assumes no responsibility for the accuracy or completeness of the information.

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NCEA Partners

- National Association of State Units on Aging
- American Bar Association Commission on Law and Aging
- Clearinghouse on Abuse and Neglect of the Elderly, University of Delaware
- National Adult Protective Services Association
- National Committee for the Prevention of Elder Abuse

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Sara Aravanis, *Director*

Susan Coombs Ficke, *Writer/Editor*

Request for Information

Call the NCEA Help Desk at

(202) 898-2586,

e-mail ncea@nasua.org,

or visit

www.elderabusecenter.org.

New Hampshire Online Resources

Agency Sources

- NH Adult Protection Program > <http://www.dhhs.state.nh.us/DHHS/ADULTPROTECTION/default.htm>
- NH Long-Term Care Ombudsman Services > <http://www.dhhs.state.nh.us/DHHS/DEAS/ltc-ombudsman.htm>
- NH Coalition Against Domestic and Sexual Violence > http://www.nhcadsv.org/elder_abuse.cfm
- NH Department of Justice > <http://doj.nh.gov/>

Statutes

- Title XII, Public Safety and Welfare, § 161-F: 42-47 Ombudsman and Protective Services to Adults > <http://www.gencourt.state.nh.us/rsa/html/indexes/161-F.html>
- NH Code of Administrative Rules – Adult Protection, Chapter He-E 700 > <http://www.gencourt.state.nh.us/rules/he-e700.html>

References and Resources

- Governor's Commission on Domestic and Sexual Violence, *Elder Abuse: Domestic Violence Protocol*, June 1999 > <http://doj.nh.gov/victim/pdf/dvelder.pdf>

In the Eye of the Media

Headlines from Around the Country

Policy & Legislation

★ *Montgomery Advertiser* — *Montgomery, AL* **Elder abuse bill backed by victim's family**

"While waiting for the wheels of justice to turn, the family of an elderly woman who was sexually assaulted in a Millbrook nursing home is working to make sure changes are made to protect seniors... The victim, now 91, is in a care facility in Florida... [The family] have worked with the National Coalition of Nursing Home Reform in an effort to get The Elder [Justice] Act through Congress..." 9/27/04 Full story >

www.montgomeryadvertiser.com/NEWSV5/storyV5RAPE27W.htm

★ *Malden Observer* — *Malden, MA*

Political Notes

"...Representative Paul J. Donato, D-Medford, Malden, and Representative Christopher G. Fallon, D-Malden, announced that the House recently passed a supplement budget that provides \$1,375,000 to the Department of Elder Affairs for Elder Protective Services positions. Sponsored by Representative David B. Sullivan of Fall River, the bill provided a legislative language change to include self-neglect as part of the statutory definition on elder

abuse, which has been enacted through this year's 2005 fiscal budget. The most significant implication of the change in law mandates reporters of elder abuse to report suspected incidents of self-neglect to the appropriate Local Protective Services Agency or to the Elder Abuse Hotline, who will intervene..." 10/14/04 Full story >

www2.townonline.com/malden/localRegional/view.bg?articleid=105091

Community Awareness

★ *WATE Knoxville* — *Knoxville, TN* **State seminars helping identify elder abuse**

"As baby boomers age, elder abuse becomes more of a problem. However, many people don't realize it's happening. So the East Tennessee Elder Abuse Coalition (ETEAC) held a Tuesday seminar in Knoxville to address the problem... In Knox County, adult protective services averages about 50 reports of abuse or neglect for people 60 and older each month..." 10/12/04 Full story > www.wate.com/Global_story.asp?S=2419076

Research & Scholarship

"Intimate Partner Violence: What Are Physicians' Perceptions?"

by Therese Zink, MD, MPH, Sandra Regan, MGS, Linda Goldenhar, PhD, Stephanie Pabst, MEd, and Barb Rinto, MPA, University of Cincinnati, Cincinnati, Ohio

Journal of the American Board of Family Practice, Vol. 17, No. 5 / October 2004

OBJECTIVE: To understand primary care providers' (physicians, nurse practitioners, and physician assistants) awareness of intimate partner violence (IPV) among women over 55 years of age.

RESULTS: Providers fell along a continuum of thoroughness for identifying and managing IPV in older women. In addition to the barriers commonly reported about IPV screening in younger women, providers described limited understanding of the diagnoses commonly associated with IPV, frustration with older women's unwillingness to disclose problems and ask for help, and limited community services that accommodate older women with IPV.

RECOMMENDATIONS: Helping providers adopt a "chronic disease" management mindset for IPV may assist them in pacing

themselves for the ongoing evaluation and management required with IPV in the health care setting, especially in older victims. Providers recommended that communities sponsor public awareness campaigns about IPV as a problem for all women and that aging and IPV agencies work together. In addition, because older victims may be unwilling to leave an abusive marriage, communities, agencies, and health providers need to be creative in providing assistance and safety within the home. Training APS intake workers to screen and refer IPV victims to the appropriate resources is also recommended.

On the Internet at > www.medscape.com/viewarticle/489079?src=mp

"Elder Abuse — Seminar"

by Mark S Lachs, MD, Weill Medical College of Cornell University, New York City mchlachs@mail.med.cornell.edu and Karl Pillemer, PhD, Department of Human Development and Cornell Gerontology Research Institute, Cornell University, Ithaca, New York

The Lancet, Vol. 364, No. 9441 / October 2, 2004

SUMMARY: Drs. Mark Lachs and Karl Pillemer highlight preva-

Continued on page 6

lence numbers, definitions, the evidence for major risk factors and intervention strategies, and give physicians a framework for how best to deal with suspected maltreatment of older people. Statistics are cited showing that the rate of elder abuse is probably between 2% and 10%, and older people who have been mistreated are over three times more likely to die within three years compared with those not abused. With excellent reference tables for doctors and clinicians, advantages and disadvantages of screening for elder abuse are discussed, and interventions that are specific to the context or situation are highlighted.

On the Internet at >
www.thelancet.com/journal/vol364/iss9441/full/lan.364.9441.review_and_opinion.30887.1

“Elder Abuse by Caregivers: A Study of Prevalence and Risk Factors in Hong Kong Chinese Families”

by Elsie Chau-Wai Yan Kong and Catherine So-Kum Tang “ctang@cuhk.edu.hk, Chinese University of Hong Kong
Journal of Family Violence, Vol. 19, No. 5 / October 2004

OBJECTIVE: To establish preliminary estimates and related risk factors for elder abuse among Hong Kong Chinese families.

FINDINGS: A total of 276 elder Chinese participated in the study, among which 27.5% reported having experienced at least one abusive behavior committed against them by their caregivers during the surveyed year. The most common form of abuse was verbal abuse (26.8%). Physical abuse (2.5%) and violation of personal rights (5.1%) were relatively less common.

For assistance on obtaining published studies, contact the Clearinghouse on Abuse and Neglect of the Elderly at CANE-UD@udel.edu.

Calendar/Coming Up

November is National Family Caregivers' Month 2004 “Share the Caring”

The National Family Caregivers Association has a range of resources available to help raise public awareness of issues facing family caregivers. Download free “How To Guides” on:

- Getting Media Attention:
<http://www.thefamilycaregiver.org/empowerment/nfcmonth.cfm>
- Conducting a Family Caregivers Town Hall/Community Meeting:
<http://www.thefamilycaregiver.org/pdfs/townhallguide.pdf>

Additional resource materials are available for purchase >
www.thefamilycaregiver.org/empowerment/nfcmonth_form.cfm.

21st Annual Adult Protective Services Conference

**November 2 – 5
Holiday Inn Select
San Antonio, Texas**

Sponsored by Texas Department of Family and Protective Services, topics include:

- When Injuries Speak: Forensic Wound Identification and Documentation
- Intimate Partner Violence Among Persons with Disabilities
- Signs and Symptoms of Mental Illness
- Working with Self-Neglect
- Developing an Effective Case for Elder Abuse in Later Life
- Elder Abuse: Is It a Crime or a Civil Matter?

Online registration:
www.apsconference.org

For more information contact: Amanda Mathews, (512) 438-5506, amanda.mathews@dfps.state.tx.us

2004 NAELA/NGA/NCPJ Joint Conference

“Reaching New Heights in Law and Aging Partnerships”

Joint Conference of the National Academy of Elder Law Attorneys, National Guardianship Association, and National College of Probate Judges

**November 11 – 14, 2004
The Broadmoor
Colorado Springs, CO**

Registration Deadline:
October 29, 2004

Online registration:
<http://www.naela.org/Conference/ConfDetail.cfm?ConfID=27>

For more information, contact: Pam Carlson, NAELA Meeting Planner, (520) 881-4005, ext. 108, pcarlson@naela.com.

News Briefs

Post Doctorate Fellowships Available

The University of New Hampshire (UNH) Family Research Laboratory is soliciting applications for post-doctoral fellowships for research on family violence. These NIMH-funded, full-time positions are open to new and experienced researchers with doctorates in the fields of psychology, sociology, social work, law, nursing, public health, and medicine. The fellowships are intended for work in the area of child abuse, marital violence, **elder abuse**, sexual abuse, child victimization, rape, homicide and other family-violence related topics with special attention to **mental health impact**.

Fellows must be able to reside within commuting distance to UNH. Annual sti-

pends run from \$35,568 to \$51,036, depending upon number of years since receipt of doctoral degree.

For more information, contact David Finkelhor, Co-Director, Family Research Laboratory, (603) 862-1888; email: david.finkelhor@unh.edu. Complete applications should be sent to Program Administrator, Family Research Lab, Univ. of N.H., 126 Horton SSC, Durham, NH 03824.

Application form: www.unh.edu/frl/Fellowship_App_Form.htm
Deadline: February 1, 2005

U.S. Postal Service and Better Business Bureaus Aim to Educate Public About Elder Fraud

Early this month, the Council of Better Business Bureaus, Inc. (CBBB) announced it has joined forces with the U.S. Postal Inspection Service in a major initiative to educate the public about fraudulent schemes being perpetrated against older Americans.

As part of this campaign, the Postal Inspection Service has released a film, "Dialing for Dollars," featuring an investment fraud scheme that targets older Americans. The film underscores how easy it is for seniors to fall prey to the high-pressure sales tactics of the professional scam artist, and it prompts discussion on both the national and community level to develop strategies to address this problem.

Among the examples of schemes cited that have recently been reported to local Better Business Bureaus is one in which telephone solicitors claiming to be from the federal government tried to sell "Medicare-approved" discount drug cards to seniors. Elderly people were told to supply their bank account information so that "the government" could confirm their identity.

To assist seniors who are prime targets for scam artists, the campaign public service announcement recommends these strategies:

- 1 Help put seniors' phone numbers on the **National Do Not Call Registry** by phoning 1-888-382-1222 or visiting > www.donotcall.gov.
- 2 Advise older Americans to never place their outgoing bill payments in an unsecured mailbox to help stop identity theft.
- 3 Urge them to tell any suspicious telephone caller that they are going to check with the BBB before agreeing to anything and do so.
- 4 Give them a copy of the Postal Inspection Service's new film DVD, "**Dialing for Dollars.**" The DVD is free and can be ordered by calling toll-free 1-877-987-3728 or visiting > www.usps.com/postalinspectors.

In conjunction with the campaign, Idaho Senator Larry Craig, Chairman of the U.S. Special Committee on Aging, sponsored a resolution designating October as Protecting Older Americans from Fraud Month. For more tips on how you can advise seniors, go to:

- U.S. Postal Service > <http://www.usps.com/postalinspectors/dial4dol.htm>
- Council of Better Business Bureaus, Inc. > <http://www.bbb.org/alerts/article.asp?ID=537>
www.consumer.gov/idtheft

Seeking MOUs

NCEA is continuing to seek out memoranda of understanding and memoranda of agreement that have been developed related to elder abuse, neglect, or exploitation, including but not limited to the delivery of adult protective services. For purposes of this collection effort, the terms "memoranda of understanding" or "memoranda of agreement" are defined to include protocols, policies and procedures, and interstate compacts.

The NCEA plans to analyze submitted documents and create a searchable database in order to respond more comprehensively to requests for technical assistance and to make it easier for interested persons and organizations to find and obtain documents developed by other entities.

NCEA will not disseminate the documents. Instead, the database will provide contact information enabling interested persons to ask questions about and/or acquire the documents from their source. Your willingness to share your documents with others working to prevent or respond to elder abuse will help all of us avoid "reinventing the wheel."

Please submit pertinent documents by e-mail to the Clearinghouse on Abuse and Neglect of the Elderly at CANE-UD@udel.edu. If it is not possible to transmit the documents electronically, please mail or fax to: CANE, 211 Alison West, Department of Consumer Studies, University of Delaware, Newark, DE 19716, (302) 831-6081.

Warning Signs to Be Aware Of

- Frequent phone calls during daytime hours from a "nice" man or lady.
- Excessive knickknacks or prizes received through the mail.
- Regular use of special couriers rather than the U.S. Postal Service.
- Multiple money orders or certified cashier checks drawn from a local bank.
- A hesitation to discuss their prizes, sweepstakes or purchases.
- Questionable or unexplainable check-book debits and credit card charges.

Source: Council of Better Business Bureaus

**National Center on
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2004

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