

# Signs of Abuse, Neglect and Exploitation

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# Housekeeping

- All on mute. Use Questions function for substantive questions and for technical concerns.
- Problems getting on the webinar? Send an e-mail to [NCLER@acl.hhs.gov](mailto:NCLER@acl.hhs.gov).
- Written materials and a recording will be available at [NCLER.acl.gov](http://NCLER.acl.gov). See also the chat box for this web address.

# About NCLER

The National Center on Law and Elder Rights (NCLER) provides the legal services and aging and disability communities with the tools and resources they need to serve older adults with the greatest economic and social needs. A centralized, one-stop shop for legal assistance, NCLER provides Legal Training, Case Consultations, and Technical Assistance on Legal Systems Development. Justice in Aging administers the NCLER through a contract with the Administration for Community Living's Administration on Aging.

# About Justice in Aging

Justice in Aging is a national organization that uses the power of law to fight senior poverty by securing access to affordable health care, economic security, and the courts for older adults with limited resources.

Since 1972 we've focused our efforts primarily on populations that have traditionally lacked legal protection such as women, people of color, LGBT individuals, and people with limited English proficiency.

# About ABA COLA

The ABA Commission on Law and Aging is a collaborative and interdisciplinary leader of the American Bar Association's work to strengthen and secure the legal rights, dignity, autonomy, quality of life, and quality of care of aging persons.

The Commission accomplishes its work through research, policy development, advocacy, education, training, and through assistance to lawyers, bar associations, and other groups working on issues of aging.

# Key Lessons

1. Everyone who works with vulnerable adults should look for physical, emotional, and behavioral signs of abuse, neglect, or exploitation.
2. Unexplained changes in behavior, such as fear, nervousness, or changes in emotional stability can be an indicator of a wide array of issues.
3. All financial exploitation involves the unauthorized theft of the money or property of the person, but not all exploitation leaves the person unable to meet basic needs.
4. Be observant, if something does not look right, smell right, or sound right, extend the conversation, or consult with Adult Protective Services, law enforcement, a social worker, or other professional.

# Defining Abuse, Neglect, and Exploitation

# National Center on Elder Abuse

- **Physical Abuse**—*Inflicting, or threatening to inflict, physical pain or injury on a vulnerable elder, or depriving them of a basic need.*
- **Emotional Abuse**—*Inflicting mental pain, anguish, or distress on an elder person through verbal or nonverbal acts.*
- **Sexual Abuse**—*Non-consensual sexual contact of any kind, coercing an elder to witness sexual behaviors.*
- **Exploitation**—*Illegal taking, misuse, or concealment of funds, property, or assets of a vulnerable elder.*
- **Neglect**—*Refusal or failure by those responsible to provide food, shelter, health care or protection for a vulnerable elder.*
- **Abandonment**—*The desertion of a vulnerable elder by anyone who has assumed the responsibility for care or custody of that person.*

# Everyone

- Everyone who has contact with older adults, or adults who are vulnerable, will encounter persons who are being abused, neglected, or exploited.
- The goal of this program is to offer clues of physical, behavioral, and emotional signs to look for.
- Abuse, neglect and exploitation may be obvious, however, just as likely, the signs are subtle.
- Something that does not look, smell, or feel right.

# Examples of Physical Abuse

- Hitting
- Twisting
- Scratching
- Rough handling
- Burning / scalding
- Unnecessary use of restraints

# Robert

- Robert is unable to transfer from chair to bed, or bed to chair without help. Several family members and paid caregivers trade off helping him live in his home. You visit on a 90 degree summer afternoon and find him wearing a long sleeve t-shirt. He continually rubs his wrists and tugs the shirt sleeves down. He is perspiring. He asks you to read documents to him, as his glasses are missing. His nephew never leaves the room, and declines your offer to help Robert get replacement glasses.

# Poll #1

- What senses are you engaging in searching for signs of abuse? (You may select multiple answers on the GotoWebinar Poll)
  - A. Vision
  - B. Hearing
  - C. Smell
  - D. Taste
  - E. Intuition

# Physical Signs To Look For

- Physical injuries bruises, scratches, abrasions.
  - Look on face, arms, legs.
- Broken bones or sprains.
  - Casts, splints, difficulty moving or handling objects.
- Circular Burns
  - Cigarette burns
- Redness or scalding of the skin, especially on the back, bottom of the legs, buttocks, back of the arms.
  - Signs of scalding from overly hot water

# More Physical Signs

- Ligature marks on the wrists, ankles or around the waist
  - Evidence of restraints
- Signs of malnutrition or dehydration.
  - Ask about breakfast or lunch
  - Look for water or other drinks at hand
  - Weight loss or significant gain (clothes don't fit)
- Repeated injuries
  - Ask about injuries
  - Patterns in health insurance claims (may use different providers to cover)

# More Physical Signs:

- Over or under-medicated
  - Sleepy without explanation
  - Flat or blunted affect, zoned out, without explanation
  - Blood sugar irregularities
  - Blood pressure irregularities
  - Lack of needed medication
  - Multiple prescriptions for pain medication, or anxiety medications, or tranquilizers
- Broken or missing eyeglasses or dentures.
  - Repeatedly broken or lost (ask about history)
  - Ask about accidents

# Behavioral or Emotional Signs

- Frequent emergency room visits
  - Prescriptions from different doctors
  - Look at insurance claims
- Reluctance to seek medical care for injuries
  - Covering up
- Dismissive explanation of injuries such as “I must have bumped into the table” or “he must have walked into the wall.”

# More Behavioral/Emotional Signs

- Refusal by family or caregivers to allow the person to be alone with you
  - Explain why you need to visit alone
  - Being locked out when others are not home
- Isolation of the person by family, friends, or caregivers, changes in social contacts
  - Change in long-term social interaction
  - Phone, text message, email, social media
  - Making it difficult for the person to get out

# More Behavioral/Emotional Signs:

- No-shows or canceled appointments without explanation
  - Try to reschedule
  - Ask why – call to follow up
- Dynamics of power and control
  - Controlling behavior that appears to have no rational basis
  - Look to Power and Control dynamics in Domestic Violence for model

# Behavioral/Emotional Signs Cont.

- Unexplained changes in behavior such as withdrawal.
  - Ask what is happening in the person's life
  - Ask about health
- Signs of fear (especially of a particular person)
  - Watch facial expressions
  - Physical reactions to persons or names
- Emotional discomfort with the presence of a person or when talking about a person.
  - Watch face and behavior, relaxing when a person leaves the room
- Changes in clothing that may suggest covering up injuries
  - Long sleeves, long pants, hats, scarfs that are inconsistent with changes in the weather

# Mildred

- Mildred is 84, and in frail health. You visit her at home. She asks if you can connect her with someone to change her power of attorney and health care surrogate – naming her new housekeeper. When you ask to speak with her in private, the housekeeper leaves the room, but stands in the foyer just outside of the room you are meeting in. Mildred stutters and fumbles with papers as she talks with you. When you suggest that naming the housekeeper might not be the best idea, she looks past you to the foyer and grimaces.

# Poll 2

What are the red flags?

- A. Making changes in favor of someone new in her life
- B. The housekeeper standing in the foyer
- C. Nervous behavior
- D. Facial expression
- E. All of the above

# Examples of Sexual Abuse

- Forced or non-consensual sexual contact
- Any sexual contact with a person who is unable to consent
- Forced to view pornography
- Non-consensual photography with nudity or suggestive content

# Physical Signs of Sexual Abuse:

- Bruises around the breasts or genitals
  - Most likely to be observed by health care or personal care
- Bruising or abrasions in or around the mouth
- Torn or bloody clothing or bedding
  - Housekeepers are a front-line of observation
- Unexplained vaginal or anal bleeding
- Sexually transmitted infections

# Behavioral and Emotional Signs of Sexual Abuse:

- Inappropriate interactions between the person and caregivers, friends, or family members.
  - Unusual signs of affection, touching, words
- Behavioral changes such as withdrawal, or fear.
  - Look for changes
- Sudden changes in emotional state, or aggression.
  - People may fight back, striking out against everyone
- Increased shyness around familiar persons
  - Hesitancy about showering or bathing
  - Hiding – covering up

# Poll 3

What decisional abilities do psychologists look for in determining if a person has capacity to consent to sexual activity?

- A. The ability to understand the nature and consequences of the act.
- B. The ability to end a relationship.
- C. The ability to participate safely
- D. A and C
- E. All of the above

# Examples of Emotional Abuse

- Inflicting mental pain, anguish, or distress on an elder person through verbal or nonverbal acts.
- Do what I want you to do or I will \_\_\_\_\_.
- Demeaning statements about the person
- Ignoring
- Gestures

# Emotional and Behavioral Signs of Emotional Abuse

- Changes in behavior, such as withdrawal, depression or fear
- Behaviors such as rocking, nail biting, thumb sucking, mumbling to themselves
- Nervous or fearful behavior
- Inappropriate emotional responses, or changes in emotional responses
- Withdrawal from social activities

# Emotional and Behavioral Signs of Emotional Abuse Cont.

- Unexplained changes in sleep patterns
- Isolation by caregiver or family members
- Behavior of others that is aggressive, or demeaning, or short tempered
- Unexpected or seemingly unwilling compliance

# Neglect Defined

- **Neglect**—*Refusal or failure by those responsible to provide food, shelter, health care or protection for a vulnerable elder.*
- Caregiver-neglect is the failure by a person who has a legal or moral obligation as a caregiver to provide for the basic needs of an adult who is vulnerable
  - Caregiver neglect is a legal and social issue
- Self-neglect is the failure of the person, despite the ability to do so, to provide for basic needs.
  - Self neglect is a legal issue if the person lacks capacity
  - If the person has capacity, self-neglect is a social issue unless it presents a risk to public safety (code enforcement)

# Signs of Neglect

- Dirty or unkempt appearance
- Dirty, excessively worn, or seasonally inappropriate clothing
- Sudden unexplained weight loss, loss of appetite, dehydration
- Inappropriate or lack of food in the home
- Lack of access to appropriate nutrition
- Untreated illness, chronic condition, or injury
- Needed or missing durable medical equipment such as canes, walkers, wheelchairs
- Missing or broken eyeglasses, dentures, or hearing aids

# Signs of Neglect Cont.

- Frostbite or heat exhaustion
- Bedsores
- Soiled diapers
- Unusually dirty or cluttered living environment (look for a major change in cleanliness or clutter)
- Insect infestation, rodent infestation
- Mold, mildew or other environmental hazards
- Complaints to or citations from code enforcement about living conditions
- Utility disconnects
- Unsafe or inappropriate housing
- Missed appointments
- Person in need of care, left alone for extended periods of time, or left alone in a public place

# Exploitation Defined

- **Exploitation**—Illegal taking, misuse, or concealment of funds, property, or assets of a vulnerable elder.
- Most often comes in as a request for services
- Often results in the person being left penniless
- Not all exploitation results in the person not being able to meet basic needs

# Signs of Exploitation

- Unmet needs, or unpaid expenses, despite seemingly adequate income and assets.
  - Utility disconnects, or asking for help with basics
- Missing financial statements.
- Missing personal property.
  - Is there anything you can't find?
- Unusual banking activity.
  - Moving accounts, new accounts, transfers
- Unusual debit or ATM card usage.
  - Homebound person using the ATM
  - Debit card used for shopping

# Signs of Exploitation Cont.

- Unusual or unauthorized credit card use.
  - Review statements
- Paying for goods or services that are not provided.
  - Ask, and people will tell you
- Checks payable to cash.
- Giving cash to others for shopping.
  - All shopping done by others should be documented with detailed receipts
- Unexplained purchases of “gift cards” or stored value cards.
  - Payment for frauds and scams
- Wire transfers.
  - Especially outside the country

# Signs of Exploitation Continued

- Phone calls, taken in private.
  - Scams, frauds
- Unusual deliveries of mail, UPS, or express service deliveries.
  - Scams and frauds will send documents
- Charges for international calls, without explanation
- Unusual emails, phone calls, and other communications with persons outside of the country.

# More Signs of Exploitation

- The person suddenly expecting a windfall.
  - It will all be okay soon.
- Frequent or rapid turnover of investments.
- New friend, or advisor in the person's life, followed by changes in behavior.
- Adding names to financial accounts.
- Changing agent on a power of attorney, or documents missing.
- Sudden or unexplained changes in estate plans.

# George

- George is lovingly cared for at home, by family and hospice. He is unable to leave home. He writes down his ATM card pin and has family members withdraw cash for him from time to time, but never accumulates cash. He has credit cards issued in the names of a couple of family members so they can do household shopping for him. His credit card number was “on file” on his online shopping sites with his passwords stored on his home computer. His online banking user name and password were stored on his home computer (and the computer was not password protected.)

# Poll 4

- In what ways is George financially vulnerable? (You may select multiple answers)
  - A. His ATM / debit card could be used without his knowledge
  - B. Cash is being withdrawn and not accumulated by a person who can't get out of the house
  - C. Improper use of the credit cards
  - D. Anyone with access to his computer could shop on his accounts
  - E. Online banking was compromised

# Ten short screening questions:

1. How often do you see or talk with family or friends?
2. Is there anyone you don't trust or who makes you feel uncomfortable?
3. Have you received any paperwork, in the mail or delivered to the door that you don't understand or that frightens you?
4. Has anyone hurt you, called you names, or treated you poorly?
5. Have you noticed anything missing? Or, is there anything you can't find?

# Ten short screening questions cont.

6. Tell me about your finances?
7. Does anyone help you with your money?
8. Is there anything I can bring you? Or, is there anything you need?
9. Have you created or changed a power of attorney or estate plan recently?
10. Is there anyone new in your life or living with you?

# Bottom Line

- Be observant, if something does not look right, smell right, or sound right, extend the conversation, or consult with Adult Protective Services, law enforcement, or a social worker.

# Questions?



Type your questions in the question box on the webinar interface.

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# Case Consultations

Case consultation assistance is available for attorneys and professionals seeking more information to help older adults. Contact NCLER at [ConsultNCLER@acl.hhs.gov](mailto:ConsultNCLER@acl.hhs.gov).