



ILLINOIS FAMILY VIOLENCE COORDINATING COUNCILS

Semi-Annual State Council Meeting

January 7, 2003

Loyola University

Chicago, Illinois

**Serving Elder Victims,
As a Community How Can We Respond?**

Meeting Summary

There were approximately 175 people in attendance from local and state committees and councils.

Welcome

The day began with a welcoming address by Judge Thomas G. Russell, Co-chair of the Illinois Family Violence Coordinating Councils. Judge Russell thanked everyone for coming to learn more about elder abuse. Although reports of elder abuse have increased and the issue is becoming more visual, like other types of family violence, it is still a silent crime. Often victims suffer in silence and do not or are unable to report the abuse. Our purpose is to end abuse, protect victims and hold perpetrators accountable. We have a responsibility for one another. The quality of consciousness we bring to our work can determine our effectiveness and every challenge is an opportunity for more growth, to redeem ourselves, and to be a catalyst for healing.

Award Presentation

Justice Benjamin K. Miller Recognition Award

Justice Bruce Black was honored for his excellence in leadership, support and commitment to the Family Violence Coordinating Councils and the prevention of family violence. He was presented with the Justice Benjamin K. Miller Recognition Award for the Prevention of Family Violence.

Judge Thomas G. Russell and Janice DiGirolamo, Co-chairs of the Illinois Family Violence Coordinating Councils spoke about Justice Black's career and history of involvement with the Illinois Family Violence Coordinating Councils. They offered the following remarks:

Judge Thomas G. Russell - Judge Black has a long history of service in Tazewell County. He served as State's Attorney, was elected to the bench as trial judge for 16 years and elected Chief Judge of the Tenth Judicial Circuit. He was my predecessor as Co-chair of the Illinois Family

Violence Coordinating Councils. His tireless, passionate voice raised the standard for judicial involvement in local and state Family Violence Coordinating Councils. To both protect victims and rehabilitate perpetrators is a noble and appropriate goal. Judge Black helped pave the way. Always generous with his time and wise advice, he continues to inspire judges.

Janice DiGirolamo - "I have no doubt that we are saving lives that we will never know about," Judge Black once said. In his position as Co-chair, Judge Black was our "guardian angel." He never separated himself from the community. We came to count on his energy, advocacy and integrity. We honor him today with a humble token of appreciation. A donation of books will be made to the John Marshall Law School in Chicago, Illinois, in Justice Black's honor.

Justice Black accepted the award and said that the quality of lives and the ability to pursue justice depends on the partnerships we establish. "The best partners I've had were those that I partnered with in the prevention of family violence. The benefits I received surpassed anything that I could have contributed. The experience was enriching because the men, women and children that we serve have such a need for the justice that many were denied over the years, and because you have the best hearts in the world."

Janice introduced Kathleen Quinn as a valued IFVCC partner and our state's finest advocate for elder rights. Kathleen is Bureau Chief of the Bureau of Elder Rights, Department on Aging and a member of the Illinois Family Violence Coordinating Councils' Steering Committee.

**Kathleen Quinn, Bureau Chief, Bureau of Elder Rights
Elder Abuse and Family Violence Coordinating Councils**

Illinois is the only state that has a statewide effort such as the Illinois Family Violence Coordinating Councils. Thank you for coming to discuss ways to collaborate and develop effective partnerships to address the issue of elder abuse. Today is the beginning of a discussion we want to continue.

There are two things that I want you to learn today, and one question I want you to begin to answer:

1. How to identify potential indicators of elder abuse.
2. Where and how you can report suspicions of elder abuse.
3. How can I shape my job to be better able to respond to elder abuse?

Elder Abuse - Elder abuse is the physical, sexual or emotional maltreatment of a person 60 years of age or older. Abuse can also manifest in the form of neglect (failure by the caregiver to provide the elder with food, clothing, shelter and medical attention), and financial exploitation (misuse of the elder's finances for the exploiter's personal gain). Elder Abuse can be complex criminal behavior. Many times perpetrators of the abuse are children of the elder or other family members that are well intentioned, caring individuals who are overwhelmed and abuse out of ignorance and lack of resources.

How to identify potential indicators of elder abuse - Ms. Quinn distributed a brochure that outlined the following potential indicators of elder abuse:

Physical Indicators

- Injuries that have not been properly cared for
- Injuries incompatible with statements made
- Cuts, lacerations or puncture wounds
- Bruises, welts; discoloration, especially bilateral/multiple in various stages of healing
- Dehydration, malnourishment or weight loss without medical explanation

- Pallor or poor skin hygiene
- Sunken eyes or cheeks
- Evidence of inadequate care, such as improperly cared for bedsores
- Eye problems, retinal detachment
- Pulled out hair
- Soiled clothing or bed; left in own waste
- Burns such as by cigarettes, acids, or ropes
- Locked in room; tied to furniture or toilet
- Broken bones

Financial Indicators

- Unpaid bills when income is adequate
- Food, clothing & care needs not met
- Overcharged for rent or services
- Personal loans not repaid
- Complaints of theft of property or money
- Missing checks, jewelry or other valuables
- Power of attorney signed by confused person
- Suspicious changes in titles to property
- Caregiver overly concerned with person's money
- Promises of lifelong care in exchange for assets
- ATM transactions by homebound elder
- Utility shut-offs or threats of shut-offs
- Large telephone bills run up by caregiver

Family/Caregiver Indicators

- Indifference or hostility to client
- Excessive blaming of client
- Problems with alcohol or drugs
- Previous history of violence
- Failure to comply with the care plan
- Social isolation of the victim; withholding of affection
- Conflicting accounts of incidents
- Threats and intimidation of client

Behavioral Indicators of Client

- Withdrawn, depressed, resigned, helpless
- Hesitates to talk openly
- Gives implausible stories about injuries or events
- Denies problems
- Appears fearful of caregiver or family member
- Has lost touch with family & friends other than caregiver or alleged abuser

Elder homicide - Many elder homicides are undiscovered. Generally, elder deaths are not looked at closely and discovered to be homicides because one would expect an 85 year old person to die. And, in the past elder murder/suicides were believed to be suicide pacts. Research has shown that the deaths were usually caused by the man and not consented to by his spouse. Upon further study of that relationship a history of the woman being battered by the husband will be revealed. There is a need to be more alert and to learn how to screen for it.

Where and how you can report suspicions of elder abuse - The Department on Aging contracts out to local agencies across Illinois to provide Elder Abuse and Neglect Program services. A suspected case of abuse should be reported to the Department on Aging's Senior Helpline at 800/252-8966 or to the local elder abuse provider agency. A list of agencies can be obtained by contacting the Department on Aging at 217/785-3356 or online at www.state.il.us/aging/

We have seen financial exploitation, sexual assault, physical abuse and gang activity in some nursing homes. Suspected cases of abuse in nursing homes or other long term care facilities should be reported to the Illinois Department of Public Health's Nursing Home Hotline at 800/252-4343 or the Long Term Care Ombudsman Program at 800/252-8966.

I want you to meet the elders and see the faces that go with the stories - Ms. Quinn closed with a video presentation of the television program 20/20 on the topic of elder abuse. The program outlined four stories that showed cases of neglect, financial exploitation and physical abuse. Although the type of abuse varied, the two common threads in each case were isolation and denial. Caregivers isolated the elders, cutting them off from friends and other family members that they previously had contact with; and the elders were often unable to talk about and report the abuse and reluctant to file a complaint.

One of the most important things that we can do to help prevent elder abuse is to reduce isolation of our elders. There is a lot of suffering going on. We need to find these people and help them. And in our work we need to periodically answer the question: *How can I shape my job to be better able to respond to elder abuse?*

Paul Greenwood, Prosecutor, Elder Abuse Unit, San Diego County District Attorney's Office
What changes are necessary to address the Elder Abuse crisis in our communities?

Mr. Greenwood is a prosecutor for the San Diego County District Attorney's Office. He heads the Elder Abuse Unit, a department that he created to aggressively pursue elder abuse cases. Following are Mr. Greenwood's remarks:

The diversity of agencies represented here today is truly remarkable. We must cultivate these relationships. I began working in the area of elder abuse seven years ago and quickly realized that I had to cultivate partnerships. We cannot in isolation bring about change in our communities.

Dynamics of Elder Abuse - Elder abuse is a crime that often goes unpunished and unreported. Many victims do not report because they are unable to talk about it, fear or shame. Victims who are scammed by a telemarketer sometimes feel that exposing what happened will lead to a loss of independence. They would rather lose \$50,000 than reveal the incident to their children and possibly be placed in a nursing home.

Seniors are the fastest growing population. In home care for senior citizens is the third largest growing career however, it is frightening who may be caring for your parents. Often minimal background checks are conducted on the staff. I saw a case in which a convicted child molester employed at a senior home sodomized and raped a 79 year old female resident. Thousands of convicted felons are currently working with elders. However, in the majority of cases of abuse, perpetrators of that abuse are the elder's children and or other family members that are the primary caregivers.

Elder Abuse can be prosecuted as physical, mental or financial abuse -

Physical and Mental Abuse

- Assaults and batteries
- Aggravated assaults and attempted murder
- Sexual assault
- Neglect
- Manslaughter when neglect causes death
- Murder
- Intimidation/mental and psychological abuse
- Torture
- Robbery and extortion

Financial Abuse

- Theft
- Credit card fraud
- Real estate/property transfers
- Home improvement scams
- Telemarketing and sweepstakes scams
- Burglaries
- Overcharging for work by unlicensed contractors & other merchants
- Investment fraud

Lessons learned from domestic violence - Self determination by the victim is not the answer. I won't allow victims to stop me from prosecuting. I explain to them that it is my job to prosecute and that we must stop the perpetrator so that he/she does not have an opportunity to repeat the offense. I ask them, do you want this to happen to your neighbor, your friend? We can prevent it happening by putting the person in jail. We can convict the perpetrator without the assistance of the victim. Abuse is a crime against not just the abused.

The San Diego County District Attorney's Office, Elder Abuse Unit - When I began working in the San Diego County District Attorney's Office, I was assigned to prosecute elder abuse cases but there weren't any. I didn't have any cases so I went out and asked police officers, where are the cases? The response I received was, "I did not take a report on the incident since the victim would not make a good witness." Some reasons offered were because he/she is forgetful, senile, long-winded, disabled, grumpy or fragile and will probably die before he/she is scheduled to come to court. We must smash these stereotypes.

Since our Elder Abuse Unit began in January 1996 we have seen:

- ▶ Increased public awareness of the issue
- ▶ Increased referral call
- ▶ Mandatory training for law enforcement officers
- ▶ Vertical prosecutions of all elder abuse
- ▶ Prosecution of over 300 felony cases
- ▶ Increased staff from 1 to 5 prosecutors
- ▶ San Diego is beginning a death review for elder deaths

By law, in California you can videotape interviews of elder victim for use in court. We ask that all of our law enforcement officers who respond to elder abuse calls take a video camera with them on the call.

Additionally, remember that paramedics make excellent witnesses and are considered to be neutral. Interview paramedics and ask questions about what they saw, smelled or heard. 911 tapes provide important *clues*. All dispatchers should be trained on elder abuse, what questions to ask on a call and which answers should raise red flags.

More is needed - Elder abuse is where domestic violence was 30 years ago. Some believe that over the next 10-15 years elder abuse will surpass the incidence of domestic violence. There are changes we need to make that are necessary to better address the issue. Prosecutors need to be less active and more pro-active. Go out into the communities and the homes of our elders. Talk to seniors, visit senior centers and ride along with adult services advocates. An improved response by law enforcement to elder abuse calls. When elders become homeless, where do they go? Civic leaders need to find a way to expand current resources and provide additional resources to meet the needs of elders.

Building awareness - We must raise awareness about the issue. Some suggestions raising awareness are by:

- Forming multi-disciplinary team to address the issue
- Speaking to community groups
- Arranging senior forums
- Training for law enforcement officers
- Educating the emergency room nurses, doctors and the medical community at large. Doctors and nurses are mandated reporters
- Training for the faith community. A law was recently passed making clergy mandated reporters for elder abuse.
- Training for bank personnel on potential indicators of financial exploitation
- Training for first responders - paramedics and fire personnel.

The Elder Justice Act - The Elder Justice Act was established September 2002. The act proposes: the creation of offices of elder justice at departments of public health, departments of human services and departments of justice; the creation of “safe havens” for at risk seniors; and increase in the prosecution of elder abuse cases; and an increase in funding for senior services. We must hold our elected officials more accountable.

Bonnie Brandl, Senior Project Coordinator, National Clearinghouse on Abuse in Later Life/Wisconsin Coalition Against Domestic Violence

How do communities support older battered woman? Successful Strategies

Kathleen Quinn introduced Ms. Brandl as the national leader and expert in partner abuse in later life. Following are Ms. Brandl’s remarks:

Seeing the world through the lense of caregiver stress. Is this power and control?

We have heard caregivers say: “I didn’t mean to do it. I snapped. He/she is doing and saying all of these different things on purpose to annoy me.”

Ms. Brandl showed the audience a video that outlined stories about seniors who had been victims of abuse and included interviews with the individuals who committed the abuse. We need to listen carefully to the language. One of the stories depicted the abuse of an elderly woman by her daughter. Ms Brandl asked the audience: “What did you hear and see?” Some responses were:

- The bruises on the victim seemed to be targeted to certain areas that wouldn't be noticed by anyone except probably healthcare provider. And her daughter said that she was afraid that the doctor would see what she had done to her mother.
- The daughter used a lot of "I" statements, talking about herself and blaming her mother for her behavior. She said that she believed that her mother would soil herself intentionally to hurt her.
- She would pound on a wall that was in close proximity to her mother
- The batterer seemed to own her own behavior and admitted that it was wrong
- The batterer did seem to own her behavior but at the same time minimized the behavior

The varied reactions to the video show that there is a need for us to collaborate and discuss abuse cases.

In domestic violence among older victims, there is a higher percentage of male victims, approximately 2/3 of victims are female and 1/3 male. The typical perpetrators of the violence are sons, daughters, caregivers or anyone who has a trusting relationship with the victim. Abusers believe that they are entitled to engage in the chosen behavior to get what they want. Research has shown that the abuse is more about power and control than "caregiver stress."

We need to collaborate; we need to run these cases by one another.

During my work with the task force in Longmont, Colorado, we would meet in senior homes and talk to the seniors. Some of the stories we learned about were:

- A victim unaware of available services was planning to begin sleeping in her car the next day
- A 68 year old woman remarried a man who began abusing her
- A male victim was living in the basement of his home and would enter and exit through a window while his wife and son lived upstairs
- A 77 year old female who was a victim of abuse by her husband. The police responded twice with no arrest. The victim was sent to live with her niece, then to a nursing home and finally back to her husband
- A 99 year old senior's grandson and his friends moved in and began selling drugs from the home. The senior was moved into a shelter until the police could make an arrest.
- A 101 year old senior's son-in-law was coming to the nursing home that she resided in and sexually assaulting her

What we learned and groups that moved forward - Working in communities we found turf issues, experienced a lot of yelling at one another and highlighting of what was being done wrong instead of identifying our common ground. Some wanted to develop more support groups for caregivers. Some more advocacy for elders. Some wanted more arrests and aggressive prosecutions. Many times we had to bring the group back to together and remind them that what we all wanted was victim safety and ask, "what can we do to that end?"

We found that successful programs have a defined target population. Participants have a common understanding of the issue, the dynamics of abuse and the barriers that victims face. And they develop a program and implement it.

It is easy to think that you can come up with the answers through a small group. Expand the group. Talk to older women about what they want and need. With our project we did focus groups with

older groups. Too often we focus on inviting the usual suspects and talk about what we know and what we read, then design “pie in the sky projects.”

After identifying what you need and what you want to do, spend time with the services (i.e. victim witness, domestic violence, sexual assault, elder) training one another before beginning your outreach work.

Some suggestions -

- ▶ Try to ensure that everyone is at the table remembering that elders typically disclose to healthcare providers, clergy or friends
- ▶ Develop a team that is represented by as many disciplines as possible
- ▶ Talk about and work on all of the issues, not just the issues for younger victims
- ▶ Agencies serving elders should have brochures that are appropriate for elders, showing elder images
- ▶ Try to involve everyone. McDonald’s sponsored place mats printed with contact information for elder services through the Meals on Wheels program
- ▶ When thinking about communities and services for elders, try to keep longevity, keep the program going. “Baby boomers” are aging. This group is going to get larger

Panel

Jean Pazan, Local Council Administrator - 5th Municipal District - Cook County Family Violence Coordinating Council

Roll Call Training with Police Agencies about Elder Abuse Services

The following are Ms. Pazan’s remarks:

The Roll Call Training project was developed by one of my Council committees, the Elder Abuse Committee. Our Elder Abuse Committee worked hard on how to make our community aware of the resources and services available to assist with elder abuse situations. The committee decided to begin with the Law Enforcement field of our district.

As the council administrator I worked with the committee to develop the handout materials and a written mission statement. Judge Anthony Montelione, Presiding Judge of the Fifth Municipal District, and Council Chair wrote a letter to all of the Police Chiefs informing them of the project and them to participate.

I spoke to the Chiefs at one of their Chiefs Meetings which we found to be one of the best ways to get most of them together. I let them know that I would be calling and setting up times and dates to visit their departments with information on the Elder Abuse Resources available to assist their officers. Most of the departments were very accepting and willing to work with our council.

After each of the Chiefs or Senior Law Enforcement Officers were contacted, dates were scheduled to visit each of the 31 police departments in our district. I was assisted by Marianne Cursio of the Crisis Center for South Suburbia, which was helpful because she is a Court Advocate with knowledge of Elder Abuse, and the Criminal Domestic Violence Courtroom. We started in May of 2002 and completed a visit to each department by the beginning of August 2002.

Each department was presented with folders made specifically for their department, video tapes on Criminal and Civil Orders of Protection created by our Court Committee, and a video from Polaroid on how to document injuries. The folders contained resource guides from agencies that worked

with their department, and contacts and phone numbers. We are also in the process of creating laminated index resource cards for the police officers to have in their squad cars. An example was provided to officer for their feedback.

In August of 2002, we held a forum at the Bridgeview Courthouse with Elder Resource Personnel for a question and answer session. The forum included approximately 38 law enforcement officers and representatives from: the Crisis Center for South Suburbia Court Advocates and Community Policing, PLOWS, Stickney Township on Aging, Cook County Animal Control, State's Attorney's Office, Victim Witness Program of SAO, Community Family Services, Arab American Family Services and South West Center on Aging.

The success of the project has helped build collaboration between our law enforcement and elder service providers within the Fifth Municipal District. The Community Policing Group from the Crisis Center for South Suburbia has now been invited to present their program to more departments and they have build a network for some of the department to come on board with their program to follow up with victims after a domestic violence call. I have also had police officers call me directly regarding individual cases to work with them to identify the appropriate agency and assistance for their clients. The project has opened the door for a clearer understanding and respect of each others role in aiding elder individuals.

**Robyn O'Neill, Regional Long Term Care Ombudsman/Attorney, Legal Assistance
Foundation of Metropolitan Chicago
*Crimes in Nursing Homes***

The following are Ms. O'Neill's remarks from the panel presentation and a summary of the breakout session discussion:

The Long Term Care Ombudsmen program is an advocacy program for residents in nursing homes. We inform residents of their rights, and investigate and resolve complaints. Most of the reports of suspected abuse within nursing homes are received from the Department of Public Health, the Department on Aging and family members of the elder residents. Crimes in nursing homes often are not reported partly because what is defined as a crime in nursing homes is different from what is defined as a crime when occurring outside of the nursing home. Verbal abuse is the hardest type of abuse to prove and is only considered a crime, unless threats are made.

Some facilities will not accept individuals with mental illness because they can not provide adequate services to address those issues. Empty beds are sometimes filled with individuals who do not need to be there but have no other place to go. The nursing home has a responsibility to report suspected incidences of abuse to the police. Some facilities follow the appropriate procedures in investigating and reporting incidents and some facilities cover up the incidents or are uncooperative throughout the investigation. Often police officers respond, fill out the report, but nothing happens. Police officers need specific training on how to investigate a suspected case of abuse in a nursing home. Our office can issue a citation but is not an enforcement group and when nursing homes are fined, the fines are usually minimal or later reduced. We go into child care facilities and are outraged by the discovery of poor care. Poor care in nursing homes becomes acceptable because staff are overwhelmed. Family members who visit have a tremendous impact on the care of the nursing home resident. State's Attorney's must be willing to prosecute these cases.

The staffing of nursing homes is also an issue. The minimum staffing ratio in Illinois is too low to provide acceptable care and there is not a federal database to do criminal background checks.

The Guardian Ad Litem just finished a study of crimes reported in nursing homes in 2000. In Illinois 158 cases were reported of which, 26 were sited and 1 was fined. None were criminally prosecuted.

There is a need for all agencies to collaborate and begin looking at nursing home issues differently.

Joyce DeRenzy - Director, Senior Strength, Center for Prevention of Abuse, Peoria, IL
Elders' Access to Court Systems

The following are Ms. DeRenzy's remarks from the panel presentation and a summary of the breakout session discussion:

Many factors can contribute to an elder person's fear of the judicial system. Often elder victims will not go to court to testify, or will recant prior statement for fear that the perpetrator of the abuse (usually a family member) will go to jail. There are approximately 33 million seniors, many with special needs. Some of those special needs can be intimidating and serve as barriers to utilizing the court system. Through our program we sought to raise awareness of this.

What we did was to engage judges in an interactive, subjective training by assigning each judge a handicap. Preparation for the training took several months. Some of the handicaps assigned were:

- restricted mobility (had to maneuver in a wheelchair)
- impaired vision (wore special glasses that created the affect of having glaucoma and presented with legal documents to read that included small fonts)
- restricted arm movement (wore a sling on one arm impairing movement)
- restricted hand movement (wore special gloves to impersonate arthritis and impair grasping and writing ability)

The first awareness training was conducted in September 2001 for 30 judges and was approximately three hours long. Since that time, two additional training were conducted. The trainings have been successful because participants have gained a better understanding of some of the barriers that elders can face when attempting to navigate through the court house and court system.

Linda Bookwalter - Executive Director, SWAN, Olney, IL
Multidisciplinary Community Approach

The following are Ms. Bookwalter's remarks from the panel presentation and a summary of the breakout session discussion:

SWAN is local elder abuse and neglect program provider. SWAN's services include housing and transitional housing programs, a food program and domestic violence shelter services.

There are often variations in what seniors want and what we think they want. I work with a local M-Team that covers 9 counties. Our M-Team is a multi-disciplinary group comprised of: elder abuse and domestic violence advocates; law enforcement officers; the Chief of Police; state police; mental health and healthcare personnel; and the State's Attorney. We meet each month and review and discuss cases to determine how we can best resolve the issues involved and provide appropriate services. SWAN provides approximately 25 elder cases a month.

Marshall Hayes, Executive Director, Elder Care Services of DeKalb County, DeKalb, IL
Organizing a Community Response

The following are Ms. Hayes' remarks from the panel presentation and a summary of the breakout session discussion:

We were surprised to discover that many people did not know what elder abuse was. In 1997 we launched a community awareness/education program. Training was provided for community members and law enforcement. Our program was underwritten by the Illinois Violence Prevention Authority and supported by the Department on Aging. A training tool that included a manual, handouts and video tapes was developed and distributed to over 60 agencies across Illinois that provide local elder abuse and neglect program services. As a result, our agency became the fastest growing caseload in the state.

The breakout session sought to answer the question: "What would you like to see happen in your community?" Some responses were:

- Senior victims of elder abuse speaking at conferences and forums about their experience
- Increased law enforcement response
- Aggressive prosecution of cases
- Time committed to meeting with senior groups and informing them of available services
- Training for bank personnel on financial exploitation of elders
- Public service announcements to educate on what elder abuse is, what resources are available and how they can be accessed
- The provision of a forum for seniors to provide feedback on the accessibility and effectiveness of programs for elders
- Increased collaboration of elder advocacy groups, legal and healthcare systems