



Victim Assistance Newsletter

Elder Abuse by Loralai Feyrer

The Arizona Revised Statute A.R.S. 46-451(A) (1) defines abuse as the intentional infliction of physical harm, injury caused by negligent acts or omissions, unreasonable confinement, sexual abuse, or assault.

Tens of thousands of elderly adults are abused each year. The abuse takes place not only in facilities designed for their care, but also in their own homes or the homes of relatives. More than half a million reports of abuse reach authorities every year and millions of cases go unreported.

Elder abuse takes several forms including intimidation, threats, neglect, and financial manipulation. Some of the most common are as defined below:

Physical abuse is intentional use of force such as hitting, shoving, restraints, and confinement. These result in injury, physical pain, or impairment.

Sexual abuse can mean having sexual contact without the elder's consent, showing them pornographic material, making them watch sex acts, or forcing them to undress.

Emotional abuse is the abuse of the elderly resulting in emotional distress. There are two forms of emotional abuse, verbal and non-verbal.

- Verbal – intimidation, yelling, threats, humiliation, blaming
- Non-verbal – neglect of the elderly, isolation of the adult from friends and/or family, and terrorizing the adult

Elder neglect is the failure of the caregiver to perform the acts that have been entrusted to them, such as filling prescriptions or purchasing food. Elder neglect accounts for more than half of the elder abuse reported. This can be either intentional or unintentional. The caregiver may be ignorant of the elder's needs or just not realize the extent of care required.

The elderly are targets for financial exploitation or unauthorized use of their funds or property. A caregiver may misuse an elder's

checking, credit card, or other accounts. They may forge signatures, steal cash or household goods, or even an identity.

Institutional abuse is carried out by unethical doctors, nurses, hospital personnel, and professional care givers. It may include charging for services not rendered, overcharging or double-charging for services or care, and over or under medicating the elderly client.

Signs and symptoms of abuse are:

- Welts, scars, sores, cuts, broken bones, and dislocations in places they would normally not be expected
- Bruises and other injuries in different stages of healing
- Bruising or other markings that reflect the shape of the objects used to inflict the injuries, e.g., electrical cord or belt buckles, etc.
- Bilateral bruising on upper arms from shaking
- Cigar or cigarette burns
- Submersion burns, e.g., sock like, glove like, doughnut like shaped on buttocks. Can be patterned like objects used, i.e., electric burner
- Failure to take medications or overdose of medications
- Inability to visit or unavailability of the elder adult
- Unexplained venereal disease or genital infection
- Bruises around breasts or genitals
- Weight loss or dehydration
- Bedsores
- Unsanitary or unsafe living conditions
- Significant withdrawals from accounts such as checking, savings, or certificates
- Change in the will, power of attorney, or titles
- Unnecessary services or goods such as magazines
- Duplicate billing
- Billing for services not rendered
- Problems within the care facility

Victim Assistance Newsletter

Elder Abuse (continued from front)

Looking at the profile of the typical abuser would be helpful in preventing elder abuse. The abuser is, more often than not, a caregiver. Although abuse in health care facilities and group homes is usually highly publicized; the most common abuser is a family member.

Risk factors include caregivers who are not prepared to provide care. They lack training and generally are a caregiver not by choice, but because they were the only one available. This often breeds frustration and a feeling of being trapped in a difficult position. As the demands increase for the caregiver, tempers may flare.

Providing resources for stressed or frustrated caregivers is the best community response. A senior HELP LINE (602) 264-4357 or 1-888-264-2258 provides round-the-clock information regarding helpful community resources.

If you are an elder adult who is being abused, tell a doctor, friend, or neighbor whom you trust. If you suspect abuse is occurring report it to the Peoria Police Dept. at (623) 773-8311 or Adult Protective Services at (877) 767-2385.

It is our job to be vigilant and aware of the elder adults in our life. After all, their life may depend on it.

Victim Compensation by Joseph Taussi

Crime can have a serious impact on its victims, affecting many aspects of their lives. The impact can be physical, emotional, psychological, or economic and is most likely a combination of these.

In 1986, Arizona attempted to lessen the economic impact by establishing the Crime Victim Compensation Fund. Annually, each county receives a portion of the fund. The respective County Attorneys are designated to distribute these funds in compliance with established rules.

Victims can file claims in the county in which the crime occurs. The County Crime Victim Compensation board reviews the claims and approves or denies them. Awards are not guaranteed

Victim Compensation

but are based on victim eligibility and fund availability. The maximum award for any single claim is \$20,000.00.

Eligibility requirements include:

- The crime occurs in Arizona and is reported within 72 hours of discovery.
- The compensation application is filed within two years.
- The victim cooperates with law enforcement.
- The victim suffers physical injury, a medical condition, extreme mental distress, or death.
- Economic loss is not covered by a collateral source available to the victim i.e. health insurance.

Crime related expenses which can be covered by the funds include medical costs, mental health counseling (maximum allowed \$5,000), funerals (\$5,000 maximum), wage loss (minimum wage after exhausting all accumulated leave), and crime scene clean-up.

Non-covered expenses include attorney fees, property loss or repair, and pain and suffering. Persons who are victimized while incarcerated or have escaped incarceration, home arrest or a work furlough program are not eligible.

Finally, an award can be denied or reduced if the following conditions exist:

- The victim recouped the economic loss from a collateral source.
- The victim bears some degree of responsibility for the cause of injury or death through negligence or intentional unlawful conduct, if that conduct substantially provoked or aggravated the incident causing the injury or death.
- The victim has not fully cooperated with the appropriate law enforcement agency.
- Compensation program funds are insufficient to make an award.

For more information in Maricopa County call (602) 506-4955 or contact Peoria Police Department Victim Assistance at (623) 773-7019 or via the internet at: ww.maricopacountyattorney.org/Victim_Services/index.html