

HIDDEN VICTIMS

Intimate Partner Violence and Elder Abuse in the Opioid Crisis

Amy C. Burke

Assistant Deputy Attorney General

Kentucky Office of the Attorney General

Criminal Division

1024 Capital Center Drive

Frankfort, Kentucky 40601

502.696.5395



Fair Use

COPYRIGHT DISCLAIMER UNDER SECTION 107 OF THE COPYRIGHT ACT 1976

Copyright Disclaimer Under Section 107 of the Copyright Act 1976, allowance is made for "fair use" for purposes such as criticism, comment, news reporting, teaching, scholarship, and research. Fair use is a use permitted by copyright statute that might otherwise be infringing. Non-profit, educational or personal use tips the balance in favor of fair use.

Objectives

- Understanding of how to approach cases of Intimate Partner Violence in Later Life and Elder Abuse
- Recognize Challenges Inherent in IPVILL and Elder Abuse in Opioid Crisis
- Enhance Justice Outcomes for Survivors

- <https://www.wcpo.com/news/crime/victims-son-girlfriend-charged-in-double-homicide-near-aurora>

Consider this....

- Discussions of violence and abuse against specific social groups, such as women and children, have entered the public conversation in unprecedented ways in recent decades. But elder abuse has not been part of that discussion. People are largely unfamiliar with the term or the problem it represents; are unclear about the extent to which it occurs; do not know why it happens; and, as a result, lack the tools needed to consider and evaluate appropriate solutions.

SO,

- While experts view elder abuse as a priority social issue and a significant problem facing older people, the public does not. Elder abuse is not on the public's radar. Despite the prevalence of elder abuse (roughly 10 percent of older people are estimated to experience it at some point), the public is largely unaware of its scope or significance. Elder abuse rarely comes to mind when members of the public think about the challenges that older people face.
- When people think of older people as victims of abuse, this reinforces their assumption that older people are vulnerable and helpless, which ultimately fuels fatalistic attitudes.

AND,

- In addition, people assume that sexual abuse has to do with sexual desire and, because they think of older people as nonsexual, they have difficulty thinking about this type of elder abuse. As a result, members of the public do not think of sexual abuse as a form of elder abuse.
- When members of the public think about the causes of elder abuse, they focus almost exclusively on character and personality traits of either the person who commits elder abuse or the person who has experienced it. People reason that elder abuse is the result of moral failures of the person who has committed abuse.

- Older Americans are one of the fastest increasing categories of Opioid/ drug abuse.
- While numbers regarding use by younger populations has decreased, numbers among older individuals have increased.
- <https://www.washingtonpost.com/news/powerpost/wp/2018/05/25/unseen-face-of-the-opioid-epidemic-drug-abuse-among-the-elderly-grows/>
- <https://www.asaging.org/blog/rural-older-adults-hit-hard-opioid-epidemic>
- <https://acl.gov/sites/default/files/programs/2018-06/ACL%20Opioid%20Fact%20sheet%20-%20June%202018.pdf>

CONCLUSION,

- While experts recognize the role of individual behaviors, they focus equal, if not more, attention on a set of structural causes of elder abuse. From this expert perspective, elder abuse is a *social* problem; it is the result of how our society structures interactions and provides resources and supports. Experts emphasize the ways in which our social system puts people in positions to commit abuse and leaves others susceptible to experiencing it.
- These types of explanations make it difficult for people to recognize how mental health or substance use issues may increase the likelihood of abuse. Furthermore, when people focus on individual characteristics, traits, and intentions to explain elder abuse, they border on victim-blaming by assuming that older people can be frustrating to deal with and difficult to manage. Or they reason that abuse is a form of intergenerational “payback”—a way for children to take revenge against parents who abused or mistreated them when they were young.

- A major challenge for communicators is thus to broaden people's view of elder abuse beyond the people who are immediately involved and help people understand the social contexts in which elder abuse is more or less likely to occur.
- Also an understanding of how Opioid abuse can lead to older populations being victimized as both populations addicted to the drug, and *by* populations addicted to the drug.

Deterioration belief of aging

- People are capable of aspirational views of aging and think about it as a process of gaining wisdom and attaining greater freedom and fulfillment. Yet more frequently, people view aging as a process of deterioration, decline, and increasing dependency.
- The assumption that people who experience elder abuse are deteriorating, dependent, and helpless activates the related model of *Paternalism*. While the public believes that elder abuse is not right and should be combatted, people consistently treat older people as objects to be cared for and protected rather than as subjects to be empowered and engaged.

Mapping the Gaps



Experts



Public



Think of Violence against Women movement

- Same strides and knowledge gleaned from this movement can be good starting point in looking at violence in later life including physical, sexual, and mental abuse, exploitation and neglect.
- ◆ Guarantee confidentiality. Evidence shows that victims may not seek legal assistance, counseling, or help unless they are certain that their identity, communications, and records will be kept confidential.
- ◆ Ensure that victims, advocates, victim/witness specialists, and lawyers understand the parameters of confidentiality. Ensure that criminal justice and victim service professionals understand the existing privileges.

- ◆ Tailor services, legal assistance, and advocacy to meet the requirements of immigrant victims of violence against women. Provide services that are linguistically and culturally appropriate and tailored to a victim's cultural, religious, and spiritual beliefs.
- ◆ Understand the impact of criminal convictions on the immigration status of victims and perpetrators. Ensure that safety planning for immigrant battered women accounts for their immigration status and helps them avoid any conduct that might compromise their status.
- ◆ Use state databases as supplements to National Instant Criminal Background Check System (NICS) background checks to prevent domestic violence perpetrators from obtaining firearms.

- ◆ Promote efforts to remove firearms from violent offenders who are prohibited from access or ownership pursuant to federal or state laws. Enhance the enforcement of federal and state firearms prohibitions related to domestic violence.
- ◆ Upgrade state crime victim compensation programs. Implement confidentiality policies, expand categories of eligible victims and eligible providers, increase available funds, evaluate program rules and requirements, and conduct outreach campaigns to ensure victim safety and recovery.

Signs to look for

Physical Abuse

- Complaints of being physically assaulted.
- Unexplained falls and injuries
- Burns and/or bruises in unusual places or of an unusual type
- Cuts, finger marks or other indicia of physical restraint
- Excessive repeat prescriptions OR under -usage of medications
- Malnourishment or dehydration without an illness related cause
- Evidence of inadequate care or poor standards of hygiene
- Person seeks medical attention from a number of different doctors or medical centers.

Behavioral and Emotional Abuse

- Change in eating patterns or sleep problems
- Fear, confusion or air of resignation
- Passivity, withdrawal or increasing depression
- Helplessness, hopelessness or anxiety
- Reluctance to talk openly
- Contradictory statements or ambivalence not resulting from mental confusion
- Avoidance of physical, eye or verbal contact with caregiver
- Older person is isolated by others.

Sexual abuse

- Complaints of being sexually assaulted
- Sexual behavior that is out of keeping with the older person's usual relationships and previous personality
- Unexplained changes in behavior such as aggression, withdrawal or self-mutilation
- Frequent complaints of abdominal pain or unexplained vaginal or anal bleeding
- Recurrent genital infections, or bruises around the breast or genital area
- Torn, stained or bloody underclothes

Financial Abuse

- Withdrawals of money that are erratic, or not typical of the older person
- Withdrawals of money that are inconsistent with the older person's means
- Changing a will or property title to leave house or assets to "new friends or relatives"
- Property is missing
- Older person "can't find" jewelry or personal belongings
- Suspicious activity on credit card accounts
- Lack of amenities, when the older person could afford them
- Untreated medical or mental health problems
- Level of care is not commensurate with the older person's income or assets

Caregiver Indicators.....

- Caregiver appears tired or stressed
- Caregiver appears excessively concerned or unconcerned
- Caregiver blames the older person for acts like incontinence
- Caregiver behaves aggressively
- Caregiver treats the older person like a child or in a dehumanized way
- Caregiver has a history of substance abuse
- Caregiver has a history of abusing others (animals as well)
- Caregiver does not want the older person to be interviewed alone.
- Caregiver responds defensively when questioned, may be hostile or evasive

Caregiver Indicators.....

- Caregiver has been providing care to the older person for a long period of time
- Caregiver seemingly living beyond their means to do so
- Caregiver having financial issues, bad check writing or delinquencies with bank accounts
- Caregiver is appearing “out of it”
- Caregiver or family member appears to be under influence of drugs/ alcohol
- Caregiver has allowed other family members or parties to move into older person’s home or given them use of older person’s vehicle

Justice for Survivors

- <https://keck.usc.edu/experts-develop-new-tool-to-track-injuries-in-older-adults/>
- <https://violenceinterventionprogram.org/about-vip/our-programs/elder/>

Resources

- <https://chfs.ky.gov/agencies/dcbs/dpp/apb/Documents/2018elderabuserreport.pdf>
 - Kentucky Report on Elder Abuse 2018
- <https://acl.gov/programs/protecting-rights-and-preventing-abuse/elder-justice/late-life-domestic-violence>
 - Administration on Community Living – Late Life Domestic Violence

Resources

- https://www.who.int/violence_injury_prevention/violence/global_campaign/en/chap5.pdf

- World Health Organization report on Elder Abuse

https://ncea.acl.gov/NCEA/media/Publication/NCEA_EAfacts_2019_5.pdf

<https://acl.gov/aging-and-disability-in-america/issue-briefings>

<http://s3-us-east-2.amazonaws.com/ncall/wp-content/uploads/2018/12/04154636/PowerControlDomesticAbuseLaterLife.pdf>

Domestic Violence in Later Life PDF

Resources

- <http://s3-us-east-2.amazonaws.com/ncall/wp-content/uploads/2018/12/04154706/ViolenceAgainstOlderWomen.pdf>
 - Survivors in the Margins: The Invisibility of Violence Against Older Women