

Elder Abuse: Awareness & Prevention

“Elder Abuse: A single or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust, which causes harm or distress to an older person. This type of violence constitutes a violation of human rights and includes physical, sexual, psychological and emotional abuse; financial and material abuse; abandonment; neglect; and serious loss of dignity and respect.”

World Health Organization WHO



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What is Elder Abuse?

Physical, emotional, & sexual abuse, as well as exploitation, neglect, and abandonment of a person 60 yrs of age or over.

Emotional abuse: Verbal assaults, threats of abuse, harassment, or intimidation.

Confinement: Restraining or isolating *[other than for medical reasons]*

Passive Neglect: Caregiver's failure to provide the person with life's necessities, including, but not limited to, food, clothing, shelter, & medical care.

Willful Deprivation: Denying medication, medical care, shelter, food, a therapeutic device, or other physical assistance, and exposing that person to the risk of physical, mental, or emotional harm *[except when the older, competent adult has expressed a desire to go without such care]*

Financial Exploitation: The misuse or withholding of resources by another.

MGL Definitions: Elder Abuse

Department of Elder Affairs c19A §14

- Elderly Person- **60 yrs of age or over** [is considered an “Elderly Person” in Massachusetts].
- Abuse- An act or omission which results in **serious physical or emotional injury** to an elderly person **or financial exploitation** of an elderly person. [Includes Assault]
- Financial Exploitation- An act or omission by another person, which causes a substantial monetary or property loss to an elderly person, or causes a substantial monetary or property gain to the other person.

Assault vs. Assault & Battery

- Assault- Attempting to use physical force against another, or demonstrating an intention to use immediate force against another. *[A person does not need to inflict injury or even make physical contact with another to commit an assault].*
- Example: Throwing a punch at someone that misses. *[The victim does not need to be in fear or even be aware of the action].*
- Example: The mere threat of imminent physical harm. *[The aggressor must intend to put the victim in fear of bodily harm and the conduct must be reasonably perceived as threatening imminent physical harm].*

Assault vs. Assault & Battery

- Assault and Battery- Deliberately touching the victim in a way that is likely to cause bodily harm, or without the victim's consent.
- Example: There must be physical contact. *[The victim does not need to sustain injury, as long as there is physical contact it would be an Assault & Battery].*



Assault Statutes: 60yrs & older

MGL c265- Crimes against the person

- ❑ 265/15A Assault and battery by means of a dangerous weapon- victim must be 60 years or older.
- ❑ 265/15B Assault with dangerous weapon, victim 60 or older.
- ❑ 265/18 Assault with intent to rob or murder, victim 60 or older.
- ❑ 265/19 Robbery by unarmed person, victim 60 or older.

Domestic Assault

- ❑ 265/13M- Assaults against family or household members.

Family and household members include persons who:

- ❑ are or were married to one another
- ❑ are or were residing together in the same household
- ❑ are or were related by blood or marriage
- ❑ have a child in common
- ❑ are or have been in a substantive dating or engagement relationship. Including LGBT

Mandated Reporting

- ❑ Massachusetts law requires mandated reporters to make reports of suspected elder abuse to the Elder Protective Services program.
- ❑ Includes self neglect, along with caretaker neglect and financial exploitation.
- ❑ Mandated reporters include: medical professionals, therapists, counselors, assisted living professionals, case managers, home health aids, outreach workers, police officers, firefighters and EMT's.

Elder Abuse Facts & Statistics [ncoa]

- Approximately 1 in 10 Americans aged 60+ have experienced some form of elder abuse.
- Some estimates range as high as 5 million elders who are abused each year.
- One study estimated that only 1 in 14 cases of abuse are reported to authorities.
- Abusers are both women and men. In almost 60% of elder abuse and neglect incidents, the perpetrator is a family member. Two thirds of perpetrators are adult children or spouses.

National Council on Aging

Elder Abuse Facts & Statistics [ncoa]

What makes an older adult vulnerable to abuse? Social isolation and mental impairment (such as dementia or Alzheimer's disease) are two factors. Recent studies show that nearly half of those with dementia experienced abuse or neglect. Interpersonal violence also occurs at disproportionately higher rates among adults with disabilities.

Elders who have been abused have a 300% higher risk of death when compared to those who have not been mistreated. While likely underreported, elder financial abuse and fraud costs older Americans \$36.5 billion per year. Yet, financial exploitation is self-reported at rates higher than emotional, physical, and sexual abuse or neglect.

Warning Signs of Elder Abuse

Physical abuse, neglect, or mistreatment: Bruises, pressure marks, broken bones, abrasions, burns

Emotional abuse: Unexplained withdrawal from normal activities, a sudden change in alertness, or unusual depression; strained or tense relationships; frequent arguments between the caregiver and older adult

Financial abuse: Sudden changes in financial situations

Neglect: Bedsores, unattended medical needs, poor hygiene, unusual weight loss

Verbal or emotional abuse: Belittling, threats, or other uses of power and control by individuals

How Elder Abuse Can Be Prevented

- ✓ Taking care of your health.
- ✓ Attending support groups and learning about domestic violence and senior help services.
- ✓ Planning for your own future. With a power of attorney or a living will, you can address health care decisions now to avoid confusion and family problems later. Seek independent advice from someone you trust before signing any documents.
- ✓ Staying active in the community and connected with friends and family. This will decrease social isolation, which has been connected to elder abuse.

How Elder Abuse Can Be Prevented

- ✓ Posting and opening your own mail
- ✓ Not giving personal information over the phone
- ✓ Using direct deposit for all checks
- ✓ Lock up your valuables [Money]
- ✓ Having your own phone
- ✓ Reviewing your will periodically
- ✓ Knowing your rights. If you engage the services of a paid or family caregiver, you have the right to voice your preferences and concerns. If you live in a nursing home, call your Long Term Care Ombudsman [Advocate]

Financial Exploitation SCAMS [ncoa]

- Scams targeting seniors have become so prevalent that they're now considered "the crime of the 21st century."
- Why? Because seniors are thought to have a significant amount of money sitting in their accounts.
- Financial scams also often go unreported or can be difficult to prosecute, so they're considered a "low-risk" crime. However, they're devastating to many older adults and can leave them in a very vulnerable position with little time to recoup their losses.
- It's not just wealthy seniors who are targeted. Low-income older adults are also at risk of financial abuse.

Financial Exploitation SCAMS [ncoa]

It's not always strangers who perpetrate these crimes.

Over 90% of all reported elder abuse is committed by an older person's own family members, most often their adult children, followed by grandchildren, nieces and nephews, and others.

**ON WATCH:
ELDER FINANCIAL ABUSE SCAMS**

PROTECTING THE PEOPLE YOU LOVE

1 in 5 people over the age of 65 report being a victim of fraud or abuse.

\$36.5 BILLION Elder Financial Abuse cost seniors in the U.S. over \$36.5 BILLION each year.

The infographic features a dark purple background with white and gold text. It includes icons of five stylized human figures, with the fifth figure holding a large exclamation mark, and a stack of five gold coins with dollar signs.

Financial Exploitation SCAMS

Financial Exploitation is an act or omission by another person, which causes a substantial monetary or property loss to an elderly person, or causes a substantial monetary or property gain to the other person.

Financial exploitation is a crime in Massachusetts when committed against a person 60 yrs of age or older.

Source Credit:

- National Council on Aging NCOA
- Consumer Financial Protection Bureau CFPB
- Financial Fraud Enforcement Task Force
- Federal Trade Commission FTC
- Executive Office of Elder Affairs EOEAA
- STOPFRAUD.GOV
- Scams and Safety- fbi.gov
- Scams and Fraud- AARP



How SCAMS Work

(ROBO-CALLS): Robo-calls take advantage of sophisticated, automated technology to dial a large amount of phones from anywhere in the world.

While there are legitimate uses for robo-calls, they can also be used to carry out a variety of scams on trusting older adults who answer the phone.

•Scammers often manipulate or “spoof” the actual phone number of a government agency, or spoof a number from your local zip code. This can trick people into thinking the caller is from a valid source.

•Scammers often request specific forms of payment that don't always require identification, such as a prepaid debit card, gift cards, cash, wire transfer, or by using special technology. •

•Scammers often use high-pressure tactics that play on the emotions of their victim to get them to send cash as quickly as possible.

Financial Exploitation SCAMS [ncoa]

Know the signs of potential elder financial abuse:

- Unusual account activity, such as large cash withdrawals or an increase in ATM transactions.
- Inability to explain the unusual account activity.
- Increased confusion about banking and financial issues.
- Adding a co-signer to the elder's account.
- Unexpected interest from a third party in the elder's financial affairs.
- Attempts by a third party to access the elder's account(s) or make withdrawals.
- Request to notarize forms the elder does not understand when asked.
- Explanation of a deal that sounds "too good to be true," or online solicitation.

How Do I Protect Myself

- Be cautious of providing personal information over the phone and via the internet. Most legitimate organizations will not ask you to provide information like your social security number.
- If you do make a purchase, make sure you know the caller is legitimate, particularly if providing bank account and routing numbers. Be especially cautious if told you won a contest you did not enter, or if you receive unsolicited emails or calls for services you were not seeking.
- Never sign something that you don't understand. Have a trusted-unbiased person assist you when entering into contracts or signing a legal document. Monitor your financial accounts for unusual activity.

Cryptocurrency

A cryptocurrency is a digital currency, which is an alternative form of payment created using encryption algorithms.

The use of encryption technologies means that cryptocurrencies function both as a currency and as a virtual accounting system.

BITCOIN: is a decentralized digital currency that can be transferred on the peer-to-peer bitcoin network.

Popular Online Payment Apps:

- PayPal
- Skrill.
- Stripe.
- Square.
- Venmo.
- Payoneer.
- Shopify Payments.
- QuickBooks Payments.

5 Scams Targeting Older Adults

- **Government Impersonation.** Scammers pretend to be from the IRS, Social Security Administration, or Medicare. They may say you have unpaid taxes and threaten arrest if you don't pay immediately. They may also threaten to cut off benefits if you don't provide personal information.
- **Impending Lawsuit.** The victim receives an urgent, frightening call from someone claiming to be from the government, or a law enforcement agency (like the police). They are told if they don't pay a fine by a certain deadline, they will be sued or arrested for some made-up offense.
- **Sweepstakes and Lottery Scams.** Scammers say you won the lottery or a prize and you must send money upfront to cover taxes and processing fees.
- **Can You Hear Me "Robo-call".** When the older adult says "yes," the scammer records their voice and hangs up. The criminal then has a voice signature to authorize unwanted charges on items like stolen credit cards.
- **Grandparent Scam.** Scammers call pretending to be a grandchild asking for money to solve an urgent financial problem (such as overdue rent, car repairs, or jail bond). In other versions, the caller claims to be a doctor, or lawyer trying to help the grandchild.

Medicare/Health Insurance Scam [ncoa]

Every U.S. citizen or permanent resident over age 65 qualifies for Medicare, so there is rarely any need for a scam artist to research what private health insurance company older people have in order to scam them out of some money.

In these types of scams, perpetrators may pose as a Medicare representative to get older people to give them their personal information, or they will provide bogus services for elderly people at makeshift mobile clinics, then use the personal information they provide to bill Medicare and pocket the money.



Counterfeit Prescription Scam [ncoa]

Most commonly, counterfeit drug scams operate on the Internet, where seniors increasingly go to find better prices on specialized medications. This scam is growing in popularity—since 2000, the FDA has investigated an average of 20 such cases per year, up from five a year in the 1990s.

The danger is that besides paying money for something that will not help a person's medical condition, victims may purchase unsafe substances that can inflict even more harm. This scam can be as hard on the body as it is on the wallet.



Funeral & Cemetery Scam [ncoa]

FBI: 2 types of funeral & cemetery fraud perpetrated on seniors.

In one approach, scammers read obituaries and call or attend the funeral service of a complete stranger to take advantage of the grieving widow or widower. Claiming the deceased had an outstanding debt with them, scammers will try to extort money from relatives to settle the fake debts.

Another tactic of disreputable funeral homes is to capitalize on family members' unfamiliarity with the considerable cost of funeral services to add unnecessary charges to the bill. In one common scam of this type, funeral directors will insist that a casket, usually one of the most expensive parts of funeral services, is necessary even when performing a direct cremation, which can be accomplished with a cardboard casket rather than an expensive display or burial casket.

Fraudulent Anti-Aging Products Scam [ncoa]

Many older Americans seek out new treatments and medications to maintain a youthful appearance, putting them at risk of scammers. Whether it's fake Botox like the one in Arizona that netted its distributors (who were convicted and jailed in 2006) \$1.5 million in barely a year, or completely bogus homeopathic remedies that do absolutely nothing, there is money in the anti-aging business.

Botox scams are particularly unsettling, as renegade labs creating versions of the real thing may still be working with the root ingredient, botulism neurotoxin, which is one of the most toxic substances known to science. A bad batch can have health consequences far beyond wrinkles or drooping neck muscles.

Telemarketing/Phone Scam [ncoa]

Perhaps the most common scheme is when scammers use fake telemarketing calls to prey on older people, who as a group make twice as many purchases over the phone than the national average. While the image of the lonely senior citizen with nobody to talk to may have something to do with this, it is far more likely that older people are more familiar with shopping over the phone, and therefore might not be fully aware of the risk.

With no face-to-face interaction, and no paper trail, these scams are incredibly hard to trace. Also, once a successful deal has been made, the buyer's name is then shared with similar schemers looking for easy targets, sometimes defrauding the same person repeatedly.

Telemarketing/Phone Scam [ncoa]

The Pigeon Drop

The con artist tells the individual that he/she has found a large sum of money and is willing to split it if the person will make a “good faith” payment by withdrawing funds from his/her bank account. Often, a second con artist is involved, posing as a lawyer, banker, or some other trustworthy stranger.



Telemarketing/Phone Scam [ncoa]

The Fake Accident Ploy

The con artist gets the victim to wire or send money on the pretext that the person's child or another relative is in the hospital and needs the money.



Telemarketing/Phone Scam [ncoa]

The Charity Scam

Money is solicited for fake charities. This often occurs after natural disasters.



Homeowner Scam [ncoa]

Scammers like to take advantage of the fact that many people above a certain age own their homes, a valuable asset that increases the potential dollar value of a certain scam.

A particularly elaborate property tax scam in San Diego saw fraudsters sending personalized letters to different properties apparently on behalf of the County Assessor's Office. The letter, made to look official but displaying only public information, would identify the property's assessed value and offer the homeowner, for a fee of course, to arrange for a reassessment of the property's value and therefore the tax burden associated with it.

Reverse Mortgage Scam [ncoa]

Closely related to the homeowner scam, there is the potential for a reverse mortgage borrower to be scammed.

Scammers can take advantage of older adults who have recently unlocked equity in their homes. Those considering reverse mortgages should be cognizant of people in their lives pressuring them to obtain a reverse mortgage, or those that stand to benefit from the borrower accessing equity, such as home repair companies who approach the older adult directly.



Sweepstakes & Lottery Scam [ncoa]

This simple scam is one that many are familiar with, and it capitalizes on the notion that “there’s no such thing as a free lunch.” Here, scammers inform their mark that they have won a lottery or sweepstakes of some kind and need to make some sort of payment to unlock the supposed prize.

Often, seniors will be sent a check that they can deposit in their bank account, knowing that while it shows up in their account immediately, it will take a few days before the (fake) check is rejected. During that time, the criminals will quickly collect money for supposed fees or taxes on the prize, which they pocket while the victim has the “prize money” removed from his or her account as soon as the check bounces.

The Grandparent Scam [ncoa]

The grandparent scam is so simple and so devious because it uses one of older adults' most reliable assets, their hearts.

Scammers will place a call to an older person and when the mark picks up, they will say something along the lines of: "Hi Grandma, do you know who this is?"

When the unsuspecting grandparent guesses the name of the grandchild the scammer most sounds like, the scammer has established a fake identity without having done a lick of background research.

The Grandparent Scam [ncoa]

Once “in,” the fake grandchild will usually ask for money to solve some unexpected financial problem (overdue rent, payment for car repairs, etc.), to be paid via Western Union or MoneyGram, which don’t always require identification to collect. At the same time, the scam artist will beg the grandparent “please don’t tell my parents, they would kill me.”

While the sums from such a scam are likely to be in the hundreds, the very fact that no research is needed makes this a scam that can be perpetrated over and over at very little cost to the scammer.

Investment Schemes [ncoa]

Because many seniors find themselves planning for retirement and managing their savings once they finish working, a number of investment schemes have been targeted at seniors looking to safeguard their cash for their later years.

From pyramid schemes like Bernie Madoff's (which counted a number of senior citizens among its victims), to fables of a Nigerian prince looking for a partner to claim inheritance money to complex financial products that many economists don't even understand, investment schemes have long been a successful way to take advantage of older people.

Internet Fraud [ncoa]

While using the Internet is a great skill at any age, the slower speed of adoption among some older people makes them easier targets for automated Internet scams that are ubiquitous on the web and email programs. Pop-up browser windows simulating virus-scanning software will fool victims into either downloading a fake anti-virus program (at a substantial cost) or an actual virus that will open up whatever information is on the user's computer to scammers.

Their unfamiliarity with the less visible aspects of browsing the web (firewalls and built-in virus protection, for example) make seniors especially susceptible to such traps.

Internet Fraud [ncoa]

Email/Phishing Scam

A senior receives email messages that appear to be from a legitimate company or institution, asking them to “update” or “verify” their personal information. A senior receives emails that appear to be from the IRS about a tax refund.



IRS Scam

The IRS Does Not:

- ❑ Call to demand immediate payment using a specific payment method such as a prepaid debit card, gift card or wire transfer. Generally, the IRS will first mail a bill to any taxpayer who owes taxes.
- ❑ Demand that you pay taxes without the opportunity to question or appeal the amount they say you owe. You should also be advised of your rights as a taxpayer.
- ❑ Threaten to bring in local police, immigration officers or other law-enforcement to have you arrested for not paying.
- ❑ The IRS also cannot revoke your driver's license, business licenses, or immigration status.

Threats like these are common tactics scam artists use to trick victims into buying into their schemes.

How to Protect Yourself

Is It A Scam?

Commonwealth of Massachusetts Executive Office of Health and Human Services

1. Is the sales person using high pressure sales tactics? Scams often say things like, “Act Now!”; “Time is running out!”; “This is a onetime offer!”
2. Are you being asked to pay upfront fees? Lottery and sweepstakes scams often employ this tactic. If you really won something the fees can be taken out of your winnings.
3. Are you being told that you won a contest that you didn't enter? Lottery and sweepstakes scams almost always start this way. You can't win a contest that you didn't enter.
4. Have you been scammed in the past? Often scam victims have their personal contact information sold to other con artists. You may get unsolicited calls from people promising to get your money back or provide other remedies or offers. These 'offers' can be scams too. Beware!

How to Protect Yourself

5. Did you receive unsolicited mail, emails, or phone calls for services that you were not seeking? Research the companies that you want to employ. Many scams begin with someone knocking on your door offering services, or sending out promotional materials. This often happens in the case of home repair scams.

6. Are you being contacted by the police over the phone? Verify that they are who they say they are. Some scams begin with a person pretending to be a police officer who tells you that they are concerned that you have been a victim of a crime. They then proceed to solicit your personal information.



How to Protect Yourself

- Sign up for the Do Not Call Registry at www.donotcall.gov.
- When no longer needed, shred junk mail, old bills, bank statements and any other documents that have personal identifying information.
- Don't give out personal information over the phone unless you originated the call and you know with whom you are talking. Particularly safeguard your social security number.
- It is ok to be rude. If a sales person calls you or comes to your door who does not seem to be taking no for an answer, it is ok to terminate the conversation. Hang up the phone or close the door. You don't have to let yourself be pressured into anything.
- Never sign something that you don't understand. Have a trusted and unbiased professional assist you when entering into contracts or signing legal documents.
- If you hire someone for personal assistance services, in home care services, etc. ensure that they have been properly screened with criminal background checks completed.

Learn and Stay Informed

➤ Sign up for AARP's Fraud Watch:

https://action.aarp.org/site/SPageNavigator/FWN_Registration_Page.html

➤ Check out AARP's interactive national fraud map:

<http://action.aarp.org/site/PageNavigator/FraudMap.html>

➤ Consumer Financial Protection Bureau offers information and tools for older Americans:

www.consumerfinance.gov/older-americans

➤ The Financial Fraud Enforcement Task Force offers resources and reports to help protect yourself against common types of frauds and scams:

<https://www.stopfraud.gov/sf/elder-fraud-and-financial-exploitation>

➤ Stay alert to common frauds and scams by checking consumer protection sites such as

www.Fraud.org

➤ External Web Site Policy and FBI Common Fraud Schemes:

www.fbi.gov/scams-and-safety/common-fraud-schemes

Reporting Elder Abuse

- Abuse Reports can be filed 24 hours a day either online www.mass.gov/report-elder-abuse or by phone at (800) 922-2275.
- Elder abuse includes: physical, sexual, and emotional abuse, caretaker neglect, financial exploitation and self-neglect.
- Elder Protective Services can only investigate cases of abuse where the person is age 60 and over and lives in the community.
- To report abuse of a person by nursing home or hospital, call the Department of Public Health at (800) 462-5540.
- Call 911 or local police if you have an emergency or life-threatening situation.

Reporting Identity Theft

- Contact your local financial institution immediately.
- File a report with the Federal Trade Commission at www.identitytheft.gov



FEDERAL TRADE COMMISSION

IdentityTheft.gov

Local Assistance & Advocacy

- Local Senior Outreach Program
- Local Police: Holland Police Department
Phone: 413-245-7222 Email: police@hollandma.org
- Greater Springfield Senior Services, Inc: Phone: 800-922-2275
- Stop Abuse Today, Inc: stopabusetoday.org



Stop Abuse Today, Inc

Purpose: Stop Abuse Today, Inc is a 501 c 3 nonprofit whose purpose is to support abuse victims and their families. Our primary objective is to provide education, awareness, outreach and support concerning domestic abuse, elder abuse and bullying among our youth. The group strives to develop partnerships with our school systems and our public safety officials, as well as other community groups and local and state government leaders.

History: In 2001, the Towns of Brimfield, Holland & Wales joined forces with the Tri-Town Domestic Violence Task Force which was created after Wales resident, Sheryl Crane, was murdered by her estranged husband. Over the years, the Task Force worked to support abuse survivors and to raise awareness in our communities on how to break the cycle of violence. On November 3rd, 2017, at a meeting of the original Trustees, the Task Force was designated as the charter member of Stop Abuse Today, Inc.

Stop Abuse Today, Inc

Formation: At its inception we formed an Executive Governance Committee of Officers to oversee the organization. The group established a regulations document which includes articles of organization, bylaws, and formal meeting rules. On January 4th, 2018, the Internal Revenue Service officially determined Stop Abuse Today, Inc as a tax exempt organization.

Focusing on elder abuse and bullying in addition to domestic abuse makes our group unique. Our members and partners have the ability and expertise to focus on different aspects of the education, prevention and support process, ranging from those who can provide support in the areas of counsel and recovery, to those who can provide support in matters related to the criminal and legal procedure. Working together as a cohesive group of people from varying backgrounds allows us to contribute to the cause from different perspectives, which in turn allows us the ability to provide a more comprehensive service overall.

Stop Abuse Today, Inc

Task Forces: Stop Abuse Today, Inc operates 3 Task Forces which work independently of one another within the organization. This allows us to coordinate our assets and integrate personnel, priorities and protocols in an efficient manner. Having individual groups of people focus on one subject then bring their ideas forward allows us to successfully organize plans with a consistent and equitable approach and allows us to generate a productive and well organized operating system.

- **Domestic Violence Task Force**
- **Elder Abuse Task Force**
- **Anti-Bullying Task Force**

Stop Abuse Today, Inc does not receive direct funding from municipal or government agencies so we are reliant on donations and grants in order to operate.