Pacific McGeorge Elder and Health Law Clinic Honors World Elder Abuse Awareness Day June 15

June 15, 2013 is World Elder Abuse Awareness Day. It is estimated that one in 10 older adults and one in two people with dementia are victims of elder abuse. Elder abuse is a severely underreported crime. The cases that come through the Pacific McGeorge Elder and Health Law Clinic are only the tip of the iceberg because we know that for every case of abuse that is reported there are another 23 that go unreported. Underreporting is due to a number of factors including lack of awareness and the reluctance of victims.

Elder abuse takes many forms, including financial abuse, physical abuse, psychological abuse, isolation and sexual abuse. Financial abuse, in particular, is frequently encountered by students working with clients in our Clinic. Financial exploitation often accompanies other forms of elder abuse, especially psychological and verbal abuse.

Elder abuse may be perpetrated by strangers, caregivers or family members. Family members are more frequently the abusers than any other group. At the McGeorge Elder and Health Law Clinic we find that adult sons and daughters are the most common abusers. Sometimes this may be the very same person who has been charged with caring for the elder in their home. Seniors come to the McGeorge Elder and Health Law Clinic, often by way of a referral from Adult Protective Services, looking for assistance when they find themselves in the difficult situation of living with a person who is abusive toward them. Seniors tell us that they have called the police and were told that the dispute was a civil matter or that the senior needs to start eviction proceedings against the abuser. However, serving eviction papers on an abuser living or staying in the home of a senior can enrage an abuser and make the situation worse or even dangerous. In these cases, an Elder Abuse Restraining Order may be the more appropriate option. An Elder Abuse/Dependent Adult Restraining Order protects seniors age 65 and older and dependent adults with disabilities from abuse including physical, mental, financial, and neglect. If the abuser is living in the home, the senior can also ask the court for an immediate move out order, which requires the abuser to move out of the home immediately.

Ms. C is an example of an elder abuse case successfully handled by the Elder and Health Law Clinic. Ms. C, aged 72, lived in her home with her adult son, Anthony, who had recently been released from prison. Ms. C discovered jewelry, cash and other valuable items missing from her home. She suspected Anthony was using drugs in her home and supporting his habit by
pawning her possessions. When she asked him about the missing items he became extremely angry, physically aggressive and yelled profanities at her. The aggression, yelling and profanity-laced name calling became a regular occurrence. In this situation, serving her son with eviction papers likely would have further endangered Ms. C who already kept canes and bats stashed around the house for protection from her son and his explosive temper. With the help of the Clinic, Ms. C obtained an Elder Abuse Restraining Order requiring her son, Anthony, to immediately move out of her home and stay away from her. Today, Ms. C lives peacefully in her home and no longer suffers from the constant stress caused by her son's abuse.

If you or someone you know has been a victim of elder abuse it is important to remember that it is a crime! Report elder abuse to your local police. You can also contact Sacramento Adult Protective Services at 916.874.9377 if you suspect abuse. The McGeorge Elder and Health Law Clinic is able to assist low income Sacramento County seniors with legal matters including elder abuse and restraining orders. Please call 916.340.6080 for a consultation.

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