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## Exposing financial exploitation of elderly persons

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EXPOSING FINANCIAL EXPLOITATION  
OF ELDERLY PERSONS

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A Project  
Presented to the  
Faculty of  
California State University,  
San Bernardino

---

In Partial Fulfillment  
of the Requirements for the Degree  
Master of Social Work

---

by  
Milton Anthony Scott

June 2006

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OF ELDERLY PERSONS

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Milton Anthony Scott

June 2006

Approved by:

  
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## ABSTRACT

Although victims of elderly abuse have spoken publicly about the problem for decades, elder financial abuse has failed to gain the sympathy, attention, and remedial action that other forms of domestic abuse have received. Adult Protective Services (APS) and law enforcement are first responders in most cases and are doing an exceptional job; however, more needs to be done. Financial abuse is difficult to prosecute due to the complex nature of the cases. This is why APS workers and law enforcement need additional training in learning how to investigate financial exploitation. Becoming able investigators will help District Attorneys in case building so perpetrators can be prosecuted. This is also why this research examined whether the San Bernardino Department of Aging and Adult Services elder abuse and neglect cases with confirmed financial abuse have significant perpetrators' prosecution rate findings.

## ACKNOWLEDGMENTS

First, I would like to give "Praise" to my "Heavenly Father" for giving me the courage to pursue my dream. I owe the greatest debt and gratitude to my wife Jacinta, my daughter Denise and my two sons, Milton II and Jerrell for their encouragement and support. I could not have achieved this educational goal "Masters Degree" without your sacrifices. To my best of friends, Marshall and Bernice Simmons, and Michael and Sandra Dorley for their encouraging words and for providing respite on occasions. Also, a very special thanks to Dr. Rosemary McCaslin whom I am eternally grateful to; your wisdom, assistance, and patience were instrumental in helping me complete this research project. I would like to thank the Department of Aging and Adult Services for providing the data that was used to conduct the research. Finally, I like to thank Glenda Jackson for all her support and words of encouragement.

## DEDICATION

I would like to dedicate this project to my mother Juanita Scott and my deceased father Landon Scott. Their problems with elder abuse at the hands of my older brother inspired me to pursue answers to this horrific and devastating problem.

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## CHAPTER ONE

### INTRODUCTION

This chapter discusses the problem of elder financial abuse. It also examines pertinent research and elder abuse policy regarding financial abuse. In addition, this chapter explores elder abuse in the context of social work practice, the purpose of this study, and the significance of the project for the social work profession.

#### Problem Statement

Given the aging of the American population, financial crimes involving elder citizens in healthcare facilities or home settings in San Bernardino County are presenting the greatest challenges for prosecutors, law enforcement and Adult Protective Services (APS). This study explored the extent to which perpetrators of financial abuse among elders residing in San Bernardino County were prosecuted. The findings of this research study reveal a description of the factors that have contributed to the growing concern about financial abuse and provide solutions to addressing this social problem.

Although, financial exploitation is on the rise and can strike anyone, anywhere, it has not received the notoriety it deserves. Victims can be of any age, gender, race, economical status, or profession. According to the National Elder Abuse Incidence Study, 25 million seniors and dependent adults are victimized annually, and one of every 20 elders is a victim of physical abuse, financial abuse, psychological abuse or neglect (NEAIS, 1998).

As opposed to other categories of victims, older individuals are unusually susceptible to catastrophic consequences if their life savings are stolen or substantially depleted because, unlike other victims, most elders are on fixed incomes and are unable to make up any losses they sustain (Nerenberg, 1999). The methods of financial abuse are as numerous as the abuser is creative. The most widespread abuses include telemarketing fraud, identity theft, predatory lending and home improvement and estate planning scams (Cyphers, 1999). However, two factors remain constant; this type of abuse is both financially and emotionally shattering to an elderly individual.

Elder financial abuse occurs when an older person's financial resources such as cash, investments, and

property are taken away by an individual they trust for personal gain and to the detriment of the elderly person (Roberts, 1999). Most likely the trusted individuals are family members, friends, personal caretakers, as well as other unscrupulous individuals. As often pointed out in other research, the abuse may be slow, quick, and/or a systematic process.

Findings from the National Elder Abuse Incidence Study (1998) reported that perpetrators of financial/material exploitation were younger compared to other types of abuse, with 45.1 percent being 40 or younger and another 39.5 percent being 41-59 years old. Eighty-five percent of the perpetrators of financial/material exploitation were under age 60 (p. 18). Unfortunately, as the elderly population continues to grow so will the number of cases of elder abuse. It is suspected that many unreported cases are due to the victims being embarrassed or intimidated, stressing family loyalty, having physical, emotional, financial interdependence with the perpetrator, fearing removal from the home, or lacking the capacity to recognize or report the behavior (Roberts, 1999).

## Policy Context

The lack of reliable data on the prevalence of elder finance abuse could affect how federal policy makers fund states. Very few elder abuse laws provide for public information or education, although most professionals in the field feel that such efforts are essential to promote awareness of what constitutes abuse, how and where to report it, and what programs and services are available to combat it (Daniels et al., 1989).

As noted by Wolf and Li (1999), all states have either statutes or legislation that provide for protection of adults unable to advocate for themselves. Such protective service programs typically cover all adults over the age of 18, with aid for elderly adults either incorporated into existing laws or addressed in separate statutes regarding elder abuse. Nationwide, there is a good deal of variation in the scope and focus of these programs, with many differences in purpose, coverage, implementation, confidentiality provisions, reporting procedures and mandated service components.

To date there is no national standardized definition of elder abuse and state definitions vary considerably from jurisdiction to jurisdiction. Currently there is a

piece of legislation in Washington called The Elder Justice Act which is getting bi-partisan support because it redefines and refocuses the federal government's role in combating the national scandal of elder abuse, neglect and financial exploitation. The bill would establish a federal Office of Elder Abuse Prevention and Services which would carry out elder justice programs and activities, collect data relating to the abuse, exploitation, and neglect of elderly people and conduct research, develop best practices, and provide technical assistance to states and other entities.

To help in the fight against financial abuse of elders in California, the governor signed into law, The Financial Elder Abuse Reporting Act, Senate Bill 1018. The law will require employees of banks and credit unions to report suspected financial elder abuse to Adult Protected Services or law enforcement. The law will take effect on January 1, 2007, this delay will allow bank and credit union officials and employees time to be train to recognize potential abuse (NCEA, 2005). The new law also provides protection from civil or criminal liability for individuals filing a report, unless it can be proven that

a false report was made and the person knew that the report was false.

### Practice Content

Adult Protective Services (APS) workers are the front line workers in elder abuse prevention (National Committee to Prevent Elder Abuse [NCPEA], 2001). These workers are trained in identifying, stopping, and preventing elder abuse. Although, training is provided, some professionals have concerns that most of the training provided is by APS staff that may not have expertise in financial exploitation.

The Adult Protective Services (APS) Program provides assistance to elders and dependent adults who are functionally impaired, unable to meet their own needs, or who are victims of abuse, neglect or exploitation (NAAPSA, 2001). The agency is also required to provide case management services which include investigation, assessment of individual limitations, strategies for stabilization, linkage to community services, monitoring, and reassessment. APS agencies also operate a 24-hour emergency response system which provides in-person responses, 24 hours per day, seven days per week. The 24-hour system allows counties to provide immediate

intake or intervention for new reports involving immediate life-threats and to respond to crisis situations.

Besides APS there is the California State Long-Term Care Ombudsman Program. The primary responsibility of the program is to investigate and endeavor to resolve complaints made by, or on behalf of, individual residents in long-term care facilities (CDA, 2006). For many seniors living in long-term care facilities such as; nursing homes, residential care facilities and assisted living facilities the Ombudsman is there to assist them with such problems as; quality of care, food, finances, meaningful activities, residential rights and other concerns.

According to the California Department of Aging the goal of the State Long-Term Care Ombudsman Program is to advocate for the rights of all residents of long-term care facilities. The role of the Ombudsman is to investigate and resolve complaints in an objective manner and also be an advocate for improving laws, policies, and regulations (CDA, 2006).

## Purpose of the Study

The purpose of the study was to explore San Bernardino County Adult Protective Services' (APS) success or lack of success in prosecuting suspected perpetrators of financial abuse. APS is mandated by law to submit a written report of suspected abuse within two days to law enforcement using the State of California 341, "Report of Suspected Elder/Dependent Adult Abuse." Law enforce has the responsibility of investigating the allegations to see if the law has been broken. If the law has been broken, law enforcement forwards their finding to the District Attorney who makes a decision on whether to prosecute.

This study included 201 confirmed financial abuse cases from the San Bernardino Department of Aging and Adult Services. Cases were from the period of January 13, 2005 thru December 19, 2005. The content included demographic characteristics of victims and perpertrators. Then this information was compared to the District Attorneys' records for prosecution results.

It was the investigators' hope that this study would serve to encourage representatives from law enforcement, APS, the Public Guardian's Office, and the Ombudsman

Program to look for solutions and develop effective training programs that will help in identifying the early signs of financial abuse.

#### Significance of the Project for Social Work

Elder financial abuse should be a concern of the federal government, state government, local counties, cities, senior citizens, those who will be senior citizens, and social work students. Any form of elder abuse is horrific. However, many seniors after being financially abused become depressed and wonder if life is worth living. Lachs et al. (1998) reported and corroborated that elder mistreatment and self-neglect are associated with shorter survival after adjusting for other factors that are linked with increased mortality in older adults.

As mentioned earlier with millions of baby boomers about to swell the numbers of the aged, the problems associated with elder financial abuse could well be rampant by the time society reaches 50 to 70 million elderly. With an estimated 15-40 trillion dollars precariously poised to be passed on, exploitation could be of gigantic proportions. APS and law enforcement need

to start preparing a totally new and different approach to getting perpetrators prosecuted before the situation manifests itself even more.

Findings of this study could lead to meaningful outcomes that could enhance social policy and planning, and program development. The research can lead to developing a more uniform criterion for APS social workers to be able to track the progress of submitted reports of financial abuse allegations to law enforcement. By being able to track the progress of the reported abuse after it has been submitted to law enforcement, APS will know if the case was forwarded for prosecution or dropped for certain reasons. This will help APS social workers to ensure the client is not being further abused while the case is being investigated by law enforcement. Therefore, the research question is Do San Bernardino Department of Aging and Adult Services elder abuse and neglect cases with confirmed financial abuse have a significant perpetrator prosecution rate?

This study used the Generalist Model foundation because of the macro and micro characteristics. This study focused on individuals and families; assessing of needs and resources, both personal and environmental,

finding needed resources. To understand financial abuse, activities geared toward education are necessary; these could be workshops, mutual aid efforts, or conferences. The study is focused on making a change in the environment locally. In order to make change people have to participate in a broader political aspect which will have an impact on environmental forces that contribute to financial abuse of elderly individual in the community.

## CHAPTER TWO

### LITERATURE REVIEW

#### Introduction

This chapter examines elder abuse in general, elder financial abuse, consequences of elder financial abuse as opposed to elder abuse in general and theories guiding conceptualization.

#### Elder Abuse in General

Elder abuse has reached epidemic proportions in the United States. Elderly people may be more vulnerable to abuse than others because of social isolation and mental impairment. Abuse of the elderly can occur in the elder's home, in a nursing home, or in public. The perpetrators of elderly abuse may be professional caregivers, relatives, spouses, partners, doctors, lawyers, bankers, accountants, or strangers (NCEA, 1998). A caregiver may be unable to cope with the demands of caring for an elder, and some of the stress is relieved when they take advantage of someone else who is more vulnerable (Coyne et al, 1993).

Abusing an elderly person is like the bullying of a smaller, younger child on the playground. The older

person who cannot stand up for themselves verbally or physically is an easy target. The elder, just like the young child, may not know how to stop the abuse and will therefore have to suffer relentlessly.

The National Committee on Prevention of Elder Abuse divides elder abuse into six categories: Neglect, physical abuse, psychological abuse, sexual abuse, financial abuse, and abandonment (What is elder abuse, 2005). Neglect is something that may not be immediately associated with elder abuse. Neglect is the most common form of reported abuse. More than 50% of all of the reported cases of elder abuse were due to neglect. Neglect can take many different forms but it involves withholding of basic needs, such as food, medicines, toiletries, and other items required for daily function. Many times, caregivers may withhold these items intentionally. At the same time, caregivers may be neglectful unintentionally due to insufficient education or financial resources or the complexity of care that is required for many patients. Self-neglect accounts for 50% of the reported caseload to adult protective services and is being pushed as a term that should be defined under elder abuse (Moran, 1998).

Physical abuse probably is the most immediately recognized form of abuse. Physical abuse constitutes any type of injury sustained from hitting, biting, slapping, and striking with objects or any action resulting in bodily injury (Pillemer & Wolfe, 1999). Injuries due to falls are common in the elderly population. If an elderly patient with a recent injury offers an explanation that is inconsistent with the injury, an investigation is warranted. Evidence of previous trauma to the face or missing teeth may warrant investigation about the etiology.

Sexual abuse is any nonconsensual sexual contact. Any sexual contact between a facility staff person such as a nursing home, adult family home, boarding home, or supportive living and a vulnerable adult is considered nonconsensual. Sexual abuse includes: Unwanted touching, rape, sodomy, coerced nudity, sexually explicit photographing. Some of the signs of sexual abuse include, vaginal bleeding, bruising on breasts, and venereal diseases (Teaster & Roberto).

Financial abuse can cover many different activities of exploitation. This type of abuse usually is perpetrated by someone close to the victim. Due to

innovations in modern medicine, the life expectancy of humans has expanded. Many people also live for years with debilitating conditions and disorders due to modern medicine. These patients often rely on loved ones not only for physical assistance but also for help in managing finances. The elderly are particularly vulnerable to a caregiver who is in charge of their finances (NCEA).

Mental (or emotional) abuse is the intentional action or inaction of mental or verbal abuse. Mental abuse includes: Intimidation, coercion, ridicule, harassment, treating an adult like a child, isolating an adult from family, friends, or regular activity, use of silence to control behavior, yelling or swearing resulting in mental distress (NCPEA).

#### Elder Financial Abuse

In recent years, elder abuse by family members has been identified as a growing problem in our society (Olinger, 1991). Since the beginning of the first congressional investigation of elder abuse in 1978 every state has implemented some form of elder abuse reporting law with an agency designated to accept reports of

suspected elder abuse, investigate such allegations, and provide intervention for the elderly victim (Bergeron, 2001).

Experts in the field say that elder abuse is grossly underreported for several reasons: the isolation of elderly people, lack of uniform reporting laws, and the general resistance of people, including professionals, to report suspected cases of elder abuse and neglect (Tatara, 1993).

Unfortunately there is very little literature regarding financial abuse of seniors and what happens to the perpetrator. Identifying the reason is linked to defining financial abuse aside from the other types of abuses. Johnson (1986) while evaluating twenty-one research studies between 1979 and 1985 found that terminology regarding types of abuse and definitions varied across the studies. This generates an under representation of the actual prevalence of this significant social problem. Exploitation of elderly persons can be referred to as financial abuse, material abuse, fiduciary abuse, financial exploitation, financial mistreatment or maltreatment, and economic victimization (Wilber & Reynolds, 1996).

The crime itself, elder financial abuse has not yet hit the radar of the mass media, but a national incidence study by the Administration on Aging in 1996 indicated that financial abuse was the cause of 40% of 551,000 cases of elder abuse reported, indicating this is a enormous crime ((Malks, Schmidt, & Austin). A 1988 California study estimated that approximately 186,000 cases of elder abuse occurred in the state, of which 41% involved financial abuse.

#### Risk Factors for Financial Abuse

The major risk factors for victims of elder exploitation include being over age 75 years, being female, social isolation, frailty, and cognitive impairment (Shiferaw et al., 1994). Associated factors include living with the abuser, being unmarried, and being financially independent (Heisler & Tewksbury, 1991). Certain characteristics of perpetrators of exploitation of elderly persons emerge from research. The most common of these include being the caregiver, being male, living with the victim, being economically dependent on the victim, and having a history of mental illness including substance abuse and antisocial behavior (Paris, et al.

1995). Associated features of financial abusers include being a relative of the victim and having health problems (Podkieks, 1992).

Victims of exploitation are often hesitant to report the abuse. Research suggests different reasons for this reluctance, including guilt, embarrassment, shame, and feeling that they would not be believed (Capezuti, Brush & Lawson, 1997). Sometimes the relationship to the abuser influences the elder victim's decision whether to report the incident. For example, elder victims often fear retaliation, have a physical dependency on the perpetrator, or a history of protecting the abuser, especially when mental illness or substance abuse is involved. When the caregiver is misappropriating funds from a physically and emotionally disabled elder, the victim often fears abandonment or being forced to live in a nursing facility if a report is made (Kapp, 1995).

#### Consequences of Elder Financial Abuse Opposed to General Elder Abuse

In our society we have become so focused on crimes such as murder, rape or assault that other non-violent crimes such as elder financial abuse do not get attention. The fastest rising financial exploitation

against the elderly is fraud. Johnson (2004) explained that fraud is most likely to be committed by a stranger and financial exploitation by relatives and caregivers.

Fraud generally involves deliberately deceiving the victim with the promise of goods, services, or other benefits that are nonexistent, unnecessary, never intended to be provided, or grossly misrepresented (Titus (1999)). There are hundreds of frauds that offenders use against the elderly, such as, prizes and sweepstakes, investments, charity contributions, home and automobile repairs, loans and mortgages, health, funeral and life insurances, health remedies, travel and confidence games. We often see or hear that these schemes have robbed the elderly victims' of their money, property, and valuables (Johnson, 2004).

The tactics offenders use to defraud elder victims includes deceit, coercion, intimidation, emotional abuse, or empty promises of lifelong care. Further, they usually try to isolate the victim from friends, family, and other concerned parties. By doing so, they prevent others from asking about the elder's well-being or relationship with the offender, prevent the elder from consulting with others on important financial decisions, and, perhaps

most tragically, give the elder the impression that no one else cares about him or her (Johnson, 2004). In addition, relatives and caregivers sometimes exploit the following financial and legal arrangements: joint bank accounts, deed or title transfer, power of attorney and dual power of attorney, and living trust and wills.

As discussed above, there are many types of fraud and financial exploitation. These factors as recognized by other researchers make it very difficult to estimate national prevalence. Often you can find crime rates listed in sources such as the FBI's Uniform Crime Reports and the Justice Department's National Crime Victimization Survey. However, Johnson (2004) pointed out that neither of these sources provides information on victimization by fraud. Furthermore, studies relying on reports of victimization are particularly limited given the widespread agreement that financial crimes against the elderly are dramatically underreported.

When financial crimes are underreported or not reported at all it means that the victim has no support such as, police, APS, family members, or other who can be mobilized to stop the abuse. Also, as mentioned in other research, underreporting makes it extremely difficult for

any type of problem oriented efforts to proceed due to the lack of information. Finally, the most disturbing aspect of underreporting is, offenders may be encouraged to victimize others.

### Theories Guiding Conceptualization

As perpetrators of financial exploitation get smarter, it is not enough just to know or recognize the risk factors for elder abuse. However, understanding and identifying characteristics of offenders of elder abuse may assist with addressing the problem of elder abuse and mistreatment. As a theoretical tool to assist with understanding who abuses and why, Ramsey-Klawnsnick (2000) proposed a typology of offenders postulated as five types: 1) the overwhelmed, 2) the impaired, 3) the narcissistic, 4) the domineering or bullying, and 5) the sadistic.

Overwhelmed offenders are well intentioned and expect to provide adequate care. Generally, they are qualified or fit caregivers in personality, intelligence, caregiving skills and motivation. However, when pressure mounts for them to provide more than they are capable of, they lash out verbally or physically. This may cause the

quality of their care to degrade to the point of neglect (Ramsey-Klawnsnick, 2000, p. 44).

Impaired offenders are well-intentioned caregivers who have problems that mean they are unable to adequately care for dependent older people. These impairments include advanced age and frailty, physical and mental illness, and developmental disabilities. Because of these impairments the caregiver may not realize that mistreatments are occurring (Ramsey-Klawnsnick, 2000, p. 44).

Narcissistic offenders do not become involved with elders out of good intentions. They are motivated by anticipated personal gain, and not a desire to help others. They become excessively concerned with meeting their own needs, and they generally go about doing this by using other people and their assets. They are known to treat older people like objects or as a means to an end. This possibly could include inheriting an elderly person's home, gaining access to welfare benefits or appropriating other valuables (Ramsey-Klawnsnick, 2000, p. 44).

Domineering or bullying offenders also display a core of narcissism; however, they feel justified in

abusing others. These individuals usually know where they can get away with abusive behavior and where they cannot. These are the type of people who do not go to work and attack their bosses but may go home and abuse children, spouses or elderly parents (Ramsey-Klawnsnick, 2000, p. 44).

The sadistic offenders derive feelings of power and importance by humiliating, terrifying and harming others. These individuals take pleasure in their victims' fears and typically exhibit lack of guilt, shame or remorse for their behavior. Also, sadistic individuals can be very dangerous (Ramsey-Klawnsnick, 2000, p. 44).

#### Summary

Financial exploitation of the elderly will continue to happen, and most elderly people will follow the trend of not reporting abuses. This is why social policy makers, prosecutors, law enforcement, APS, and others have an ethical responsibility to take immediate action to protect, advocate, and provide services to the entire elderly population.

## CHAPTER THREE

### METHODS

#### Introduction

This chapter discussed methods utilized for this research project, including study design, sampling, protection of human subjects, and data collection and instruments. It will also discuss the data analysis methods to be used.

#### Study Design

The purpose of this research project was to explore and examine Adult Protective Services (APS) success or lack thereof in prosecuting suspected perpetrators of elder abuse and neglect cases with confirmed financial abuse. The question asked by this research project was "Do San Bernardino Department of Aging and Adult Services abuse and neglect cases with confirmed financial abuse have a significant perpetrators' prosecution rate?"

APS is the primary agency charged with investigating reports of elder abuse and neglect and forwarding the findings to law enforcement for further investigation to ascertain whether criminal charges should be filed. If the system fails in getting suspected perpetrators

prosecuted, the elderly may still continue in an abusive and neglectful situation.

The study utilized the Department of Aging and Adult Services closed confirmed financial abuse case records. The information from these cases was then compared to the San Bernardino County District Attorneys' database for prosecution outcomes. The population consisted of both males and females ages 65 and older. Various regions were targeted to increase the representativeness of the sample. The design also involved selecting independent variables and comparing them to dependent variables for similarities and differences between variables. In this study, the independent variables identified demographic characteristics. The dependent variable identified whether cases were prosecuted.

#### Sampling

The population for this study was selected from financial abuse cases reported to San Bernardino Department of Aging and Adult Services (DAAS) from January 13, 2005 thru December 19, 2005. DAAS statistical database system was the primary source for selecting subjects 65 and over to be studied. A sample of 201

confirmed cases of financial abuse from various counties in San Bernardino County was provided.

#### Data Collection and Instruments

Agency approval was required to conduct the research. The researcher did not have access to the names of the cases selected by the Department of Aging and Adult Service (DAAS) due to confidentiality. However, the researcher did have access to demographic data. The selected cases were forwarded to the San Bernardino District Attorney' Office by DAAS where further research was conducted to determine how many cases on the list were prosecuted. Again, without identifying subjects for confidentiality reasons, the researcher was only given the results. The data received from both agencies were collected using a data extraction instrument. Because there were no instruments relevant to this research study, a data extraction instrument was created by the researcher (See Appendix A).

This research project focused on the independent variables of region, age, gender, ethnicity, medical\psychological health, living situation, type of abuse, and income level. Independent variables about the

perpetrator of the abuse are, reason for prosecution, the perpetrator's relationship to the client, whether the perpetrators was known to the client, age, gender, ethnicity, whether dependent on the victim. The dependent variable was whether the perpetrator was prosecuted.

The level of measurement is interval for the variables age, last grade completed, perpetrator's last grade completed, number of children, and income level. All other variables are at a nominal level of measurement.

#### Procedures

A contact letter outlining this research project was provided to both the Department of Aging and Adult Services (DAAS) and the San Bernardino Deputy District Attorney in charge of the Elder Abuse Prosecution Unit. A written letter was provided authorizing this investigator permission to conduct research (Appendix B). The investigator visited DAAS and the San Bernardino County Court House on several occasions to obtain the necessary data to complete the research.

## Protection of Human Subjects

To ensure client confidentiality the investigator did not have access to the subjects who were studied. Information gathered and provided to the investigator only identified demographic characteristics. No informed consent was required for this research study, because existing data about subjects was available and could be provided to this researcher and the district attorneys' office by DAAS.

## Data Analysis

This research utilized a quantitative research design. Descriptive analyses included univariate statistics such as frequency distribution and measures of central tendency and dispersion to describe the closed case files and how they relate to the mean. The Bivariate statistic chi-square was used to examine the relation between two variables such as perpetrators prosecuted and type of abuses prosecuted.

## Summary

This study used a research design of quantitative analysis to explore DAAS success or lack thereof in prosecuting perpetrators of elder abuse and neglect. The

research utilized several statistical tools to determine outcomes.

## CHAPTER FOUR

### RESULTS

#### Introduction

This chapter discusses the findings of the data collected. Frequency, mean, median, mode and standard deviation (SD) were computed for variables. Chi-squares were run to determine if any relationships existed.

#### Presentation of the Findings

The sample of this study was composed of 201 closed cases of confirmed financial abuse which were reported to San Bernardino County Department of Aging and Adult Services from January 13, 2005 thru December 19, 2005.

The regional distributions were San Bernardino 63 (31.3%), Ontario 47 (23.4%), Barstow 30 (14.9%), Victorville 35 (17.4%), Joshua Tree 17 (8.5%), and Needles 9 (4.5%).

The victims were 65 years of age and over with the mean age being 79 and (SD = 7.8). Also, the mean for the victims' incomes was \$1,469 and (SD = 924.6). Of the victims, 41.8% were male and 58.2% were female. The victims were 69.2% White, 10.4% African American, and 20.4% Latino. No other ethnic groups were found in this

sample. In regards to the victims living status, 41.8% lived alone, 14.9% lived with spouse, 2.5% lived with sibling, 15.9% lived with children, 9.5% lived with relatives, and 15.4% lived with non-relatives.

Among the sample cases, 76.1% had physical/medical problems whereas 23.9 did not. Also, 47.3% of the victims were mentally coherent, 23.9% were brain impaired, and 28.9% had mental confusion.

Perpetrators of financial abuse crimes were 63.2% male and 36.8% female. These perpetrators were typically 11.4% White, 2.0% African American, 9.5% Hispanic, and 77.1% of the perpetrators were of unknown ethnicity. Of the 201 confirmed financial abuse cases, 20.9% were prosecuted, 16.9% were pending review, 9% had no charges filed and 53.2% were not referred to District Attorneys for review.

Cross tabulations, tested with chi-squared, were calculated to assess the relation between independent variables and outcome measures. Two of these were statistically significantly at the .05 level.

The relationship between perpetrators prosecuted and type of abuses prosecuted, represented in (Table 15) was significant. Perpetrators of elder financial abuse are

more likely to be prosecuted for theft of a vehicle and grand theft than for forgery ( $\chi^2 = 31.738$ ,  $df = 3$ ,  $p = 0.000$ ).

The association between mental health of victims and type of abuses prosecuted was also significant, see (Table 16). Victims of financial abuse who experience mental confusion were more likely to be victims of vehicle theft and forgery while those who were brain impaired were more likely to be victims of grand theft. The cases of mentally coherent victims are least likely to be prosecuted ( $\chi^2 = 16.222$ ,  $df = 6$ ,  $p = 0.013$ ).

#### Summary

Chapter Four looked at relationships among and between variables using chi-squared statistical analysis. The dependent variable, perpetrators prosecuted, was examined to see if relationships existed among the variables. Also, frequency distribution was used to examine all variables.

## CHAPTER FIVE

### DISCUSSION

#### Introduction

This chapter discusses conclusions drawn from statistical analysis as well as the limitations of this study and recommendations for further research. Finally, this chapter concludes with a summary of the implications for social work practice.

#### Discussion

The research question was, Do San Bernardino County Department of Aging and Adult Services elder abuse and neglect cases with confirmed financial abuse have a significant successful perpetrators prosecution rate? The study revealed that, of the 201 cases of confirmed financial abuse only 20.9% were prosecuted. The other 79.1% of the cases were not referred to District Attorneys for action. According to the San Bernardino Deputy District Attorney (DA) who provided prosecution data for this study, many cases are not forwarded to DAs due to an elder not wanting to press charges against a child or a sibling, or APS and law enforcement not doing a thorough investigation, or simply because the

investigation is still going on. The DA stated the reasons could be many.

The results also showed that the mean age of victims was 79 years old. This appears to be consistent with other research that points out that society is aging. As this study and other research has pointed out, elders who have physical and medical problems are prime candidates for abuse and this study showed an overwhelmingly number of victims with both.

The findings showed that the majority of the victims were female, white and lived alone. According to other research these three factors are significant risk factors for abuse. Also, most of the victims lived in the Ontario or San Bernardino areas which are heavily populated which could also increase the risk of abuse being noticed.

The perpetrators found in the study were mostly white men followed closely by Latinos. Theft of a vehicle and grand theft were prosecuted significantly more often than forgery. These types of abuses are more than likely perpetrated on victims with mental or physical/medical problems.

## Limitations

A significant limitation was not being able to obtain information on the status of those cases that did not get referred to the DAs for review. Also, missing information on the perpetrators limited the number of relationships that could be tested statistically.

## Recommendations for Social Work Practice, Policy and Research

Social workers are a caring group of people and work hard to combat all types of abuses. However, they need to stay current with the ever increasing ways perpetrators victimize elders. Also, social workers need to be trained to be better investigators of financial abuse. Social workers who are trained to recognize financial abuse are most likely to be aware of resources available to elders that would decrease the elder's fear of reporting the abuse.

There is a real need for social policy change at the local level. The District Attorney's Office along with APS and law enforcement need to have a central database which would allow them to track the status of cases of abuse and neglect. By knowing the status of cases, social workers would know if the victim was still at risk. Also,

there is a need to change the mind set of law enforcement by educating them to recognize that elder financial abuse is not a civil problem. Like social workers, if officers are trained to recognized financial abuse they too will be aware of resources which would be able to assist the elderly.

Future research is needed to bring attention to this growing problem of elder financial abuse. While this study on a local level looked at prosecution rates, a much larger study would probably produce more significant findings which could be used to develop policies and procedures.

### Conclusions

Elder financial abuse is on the rise, and with society aging at a rapid rate the problem will only get worse unless action is taken now to find solutions. Society has to hold policy makers accountable in order to get more resources for elder victims of abuse. This study revealed that a significant number of cases were not referred to the District Attorney for review; this might infer that many elders did not want to press charges.

It is hoped that this research will help those who serve the elderly population recognize that they have an ethical responsibility to protect and serve and most of all ensure that any person who victimizes an elder is held accountable.

APPENDIX A  
DATA EXTRACTION TOOL

## Data Extraction Tool: "Exposing Financial Elder Abuse"

Instrumentation:

### I. Demographic Characteristics of the victim:

#### 1. Region:

- San Bernardino
- Ontario
- Victorville
- Barstow
- Needles
- Joshua Tree

#### 2. Age:

\_\_\_\_\_

#### 3. Sex:

Male \_\_\_\_\_ Female \_\_\_\_\_

#### 4. Marital status

- Married
- Single
- Separated
- Divorced
- Widow(er)
- Significant other
- Unknown

#### 5. Race

- White
- African American
- Latino
- Other

#### 6. Monthly income:

\_\_\_\_\_

**7. Living arrangements:**

- Lives alone
- With spouse
- With children
- With siblings
- With other relatives
- With non-relatives

**8. Medical/psychological/health**

- Physical/medical diagnosis
- Paralysis
- Hearing impaired
- Partially blind
- Legally blind
- Speech/communication impaired
- Respiratory problems
- Other physical limitations

**9. Mental Health**

- Developmental disabled
- Mentally coherent
- Brain impaired
- Functionally impaired

**II. Demographic characteristics of the perpetrator:**

**10. Reason for prosecution**

- Financial Abuse
- Financial Neglect
- Other \_\_\_\_\_

**11. Age:**

\_\_\_\_\_

**12. Sex:**

Male \_\_\_\_\_ Female \_\_\_\_\_

**13. Race:**

- White
- African American
- Latino
- Other

**14. Relationship of perpetrator to victim:**

- Son
- Daughter
- Husband
- Wife
- Sibling
- Other

APPENDIX B  
AGENCY LETTER

**DEPARTMENT OF AGING & ADULT SERVICES**



**COUNTY OF SAN BERNARDINO  
HUMAN SERVICES SYSTEM**

*The Designated Area Agency on Aging*  
686 East Mill Street • San Bernardino CA 92415-0640  
(909) 891-3900 • Fax (909) 891-3919

**Colleen Krygier  
Director**

TDD – Telephone Services for the Hearing Impaired  
(909) 388-4502 Adult Services  
(909) 388-4555 Aging Services

April 12, 2006

Attn: Dr. Rosemary McCaslin  
Social Work Department  
California State University – San Bernardino  
5500 University Parkway  
San Bernardino, Ca. 92407

Dear Dr. McCaslin:

Subject: Research Project Approval:

This letter serves as notification to California State University of San Bernardino's Social Work Department that the Department of Aging and Adult Services of San Bernardino County has agreed to provide Milton Scott pertinent information from SOC 341's for the year 2005 which will be used for his research thesis project titled "Exposing Financial Exploitation of the Elderly" in San Bernardino County. I understand that the results of Mr. Scott's findings along with a copy of the research paper will be provided to the San Bernardino County Department of Aging and Adult Services.

If you have any questions regarding the letter of approval, you may contact me at (909) 891-3900.

Sincerely,

*Colleen Krygier*  
Colleen Krygier  
Director

MARK UFFER  
County Administrative Officer

BILL POSTMUS ..... First District  
PAUL BIANE ..... Second District

Board of Supervisors

DENNIS HANSBERGER ..... Third District  
GARY OVITT ..... Fourth District

JOSIE GONZALES ..... Fifth District

APPENDIX C  
DATA TABLES

Table 1. Region Area

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid san bernardino	63	31.3	31.3	31.3
ontario	47	23.4	23.4	54.7
barstow	30	14.9	14.9	69.7
victorville	35	17.4	17.4	87.1
joshua tree	17	8.5	8.5	95.5
needles	9	4.5	4.5	100.0
Total	201	100.0	100.0	

Table 2. Gender of Victim

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid male	84	41.8	41.8	41.8
female	117	58.2	58.2	100.0
Total	201	100.0	100.0	

Table 3. Ethnicity of Victim

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid white	139	69.2	69.2	69.2
african american	18	9.0	9.0	78.1
latino	39	19.4	19.4	97.5
native american	3	1.5	1.5	99.0
asian	2	1.0	1.0	100.0
Total	201	100.0	100.0	

Table 4. Ages of Victim's

	N	Minimum	Maximum	Mean	Std. Deviation
Ages of Victim's	201	65.00	99.00	79.1940	7.78378
Valid N (listwise)	201				

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid 65.00	3	1.5	1.5	1.5
66.00	3	1.5	1.5	3.0
67.00	5	2.5	2.5	5.5
68.00	5	2.5	2.5	8.0
69.00	8	4.0	4.0	11.9
70.00	6	3.0	3.0	14.9
71.00	7	3.5	3.5	18.4
72.00	11	5.5	5.5	23.9
73.00	6	3.0	3.0	26.9
74.00	9	4.5	4.5	31.3
75.00	8	4.0	4.0	35.3
76.00	8	4.0	4.0	39.3
77.00	5	2.5	2.5	41.8
78.00	10	5.0	5.0	46.8
79.00	7	3.5	3.5	50.2
80.00	13	6.5	6.5	56.7
81.00	12	6.0	6.0	62.7
82.00	8	4.0	4.0	66.7
83.00	8	4.0	4.0	70.6
84.00	12	6.0	6.0	76.6
85.00	7	3.5	3.5	80.1
86.00	6	3.0	3.0	83.1
87.00	5	2.5	2.5	85.6
88.00	3	1.5	1.5	87.1
89.00	4	2.0	2.0	89.1
90.00	5	2.5	2.5	91.5
91.00	2	1.0	1.0	92.5
92.00	3	1.5	1.5	94.0
93.00	4	2.0	2.0	96.0
94.00	1	.5	.5	96.5
95.00	1	.5	.5	97.0
96.00	2	1.0	1.0	98.0
97.00	2	1.0	1.0	99.0
99.00	2	1.0	1.0	100.0
Total	201	100.0	100.0	

Table 5. Income of Victim

	N	Minimum	Maximum	Mean	Std. Deviation
Income of Victim	69	136.00	4200.00	1469.5645	924.56938
Valid N (listwise)	69				

Table 6. Living Arrangements of Victim

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid lives alone	84	41.8	41.8	41.8
spouse	30	14.9	14.9	56.7
sibling	5	2.5	2.5	59.2
children	32	15.9	15.9	75.1
relatives	19	9.5	9.5	84.6
with non relatives	31	15.4	15.4	100.0
Total	201	100.0	100.0	

Table 7. Medical/Physical Problems

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid yes	153	76.1	76.1	76.1
no	48	23.9	23.9	100.0
Total	201	100.0	100.0	

Table 8. Mental Health Status of Victim

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid mentally coherent	75	37.3	37.3	37.3
brain impaired	55	27.4	27.4	64.7
mental confusion	71	35.3	35.3	100.0
Total	201	100.0	100.0	

Table 9. Type of Abuses Perpetrator Prosecuted For

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid theft of a vehicle	47	23.4	23.4	23.4
grand theft	50	24.9	24.9	48.3
forgery	38	18.9	18.9	67.2
not prosecuted	66	32.8	32.8	100.0
Total	201	100.0	100.0	

Table 10. Gender of Perpetrator

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid male	127	63.2	63.2	63.2
female	74	36.8	36.8	100.0
Total	201	100.0	100.0	

Table 11. Ethnicity of Perpetrator

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid white	23	11.4	11.4	11.4
african american	4	2.0	2.0	13.4
hispanic	19	9.5	9.5	22.9
unknown	155	77.1	77.1	100.0
Total	201	100.0	100.0	

Table 12. Relationship of Perpetrator to victim.

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid husband	2	1.0	1.0	1.0
wife	3	1.5	1.5	2.5
son	27	13.4	13.4	15.9
daughter	22	10.9	10.9	26.9
other	147	73.1	73.1	100.0
Total	201	100.0	100.0	

Table 13. Was Perpetrator Prosecuted

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid yes	42	20.9	20.9	20.9
not referred to DA	159	79.1	79.1	100.0
Total	201	100.0	100.0	

Table 14. Perpetrator's Status

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid pending review	34	16.9	16.9	16.9
no charges filed	18	9.0	9.0	25.9
not referred to DA	149	74.1	74.1	100.0
Total	201	100.0	100.0	

Table 15. Cross Tabulation of Type of Abuses

Prosecuted and Perpetrators Prosecuted:

		Perpetrators Prosecuted		Total
		yes	not referred to DA	
Type of Abuses Prosecuted	theft of a vehicle	20	27	47
	grand theft	13	37	50
	forgery	9	29	38
	not prosecuted	0	66	66
Total		42	159	201

Chi-Square Value = 31.738, df = 3, p = .000

Table 16: Cross Tabulation of mental health of victims and types of abuses prosecuted.

		Types of Abuse Prosecuted				Total
		theft of a vehicle	grand theft	forgery	not prosecuted	
Mental Health of Victim	mentally coherent	13	20	11	31	75
	brain impaired	11	18	7	19	55
	mental confusion	23	12	20	16	71
Total		47	50	38	66	201

Chi-Square Value = 16.222, df = 6, p = .013

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