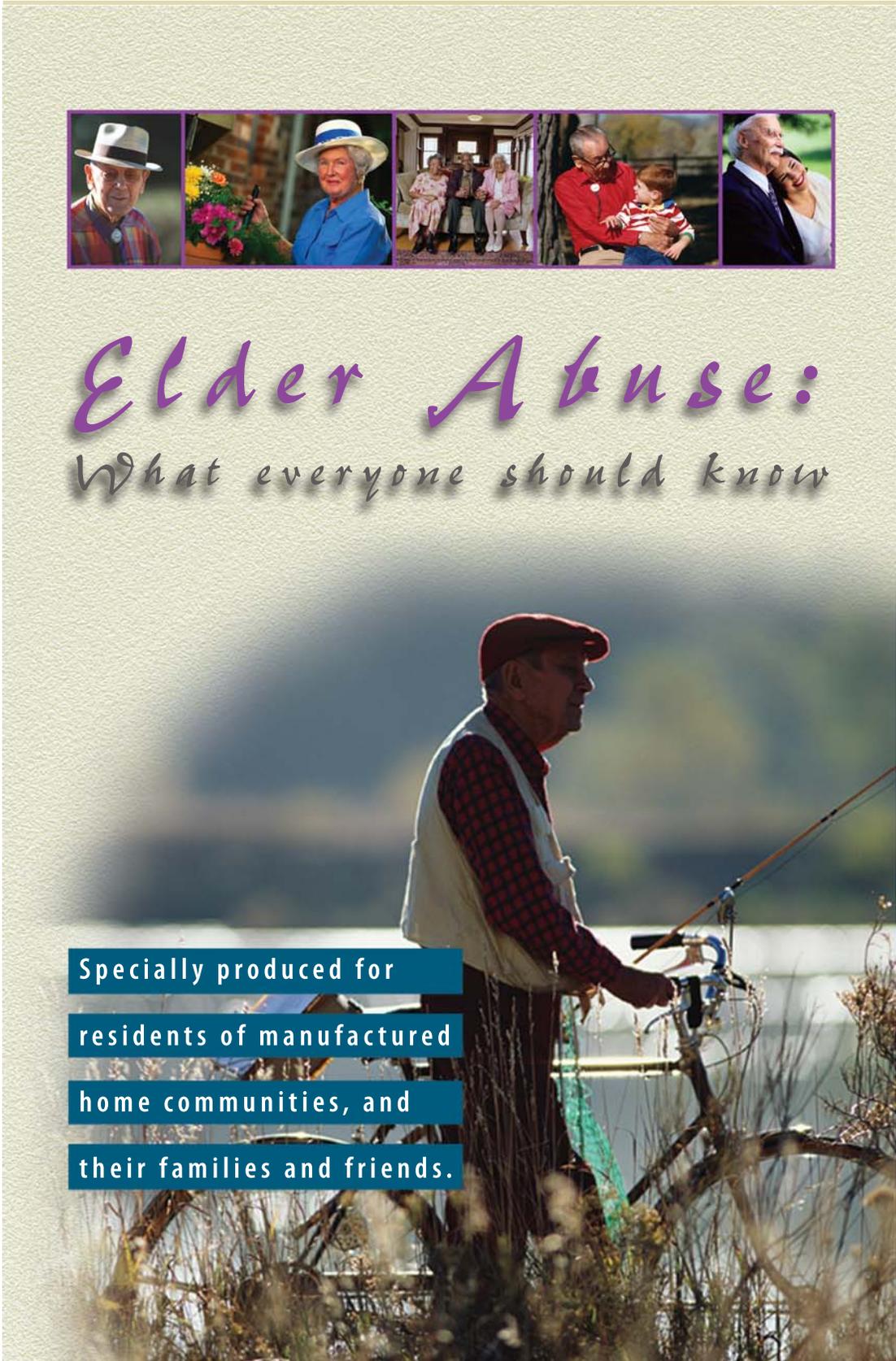




Elder Abuse: *What everyone should know*

Specially produced for
residents of manufactured
home communities, and
their families and friends.



Did you know...

Nearly 200,000 Californians are victims of elder abuse and the victims of scam artists every year. The problem threatens to grow worse as the “graying” of the Baby Boom generation results in unprecedented demographic shifts. Specifically, the United States Census Bureau projects that California’s elderly population, already the largest in the nation, will nearly double in size within the next two decades. What must we be prepared to do?

Protecting Our Elderly

Education is the cornerstone to protecting our seniors and preventing abuse. The first and most important step toward preventing elder abuse is to recognize that *no one* should be subjected to violent, abusive, humiliating, or neglectful behavior. Violence, abuse, and neglect toward elders are signs that the people involved need help – immediately. Seniors, with their families and caretakers, should learn to recognize the telltale indicators of abuse and how to take precautions against becoming victims. They need to know how to respond and to whom they can turn for aid.



What is Financial Elder Abuse?

Financial abuse is the theft or embezzlement of money or any other property from an elder. It is a situation in which a caretaker, or any other person who has the care or custody of, or who stands in a position of trust to, an elderly person, takes, steals, or appropriates their money or property to any use or purpose not in the due and lawful execution of his or her trust.



Financial abuse occurs when the person who is acting as caretaker unlawfully takes money or property of an elderly person.

In the simplest terms, the person who is acting as a caretaker unlawfully takes money or property of an elderly person. This also includes a request for transfer of property by an elderly person that was not carried out. It can be as straightforward as taking money from a wallet and as complex as manipulating a victim into turning over property to an abuser. This form of abuse can be devastating because an elder victim's life savings can disappear in the blink of an eye, leaving them unable to provide for their needs and afraid of what an uncertain tomorrow can bring.

Financial abuse warning signs

- The appearance of a stranger who begins a new close relationship and offers to manage the elder's finances and assets.
- Unusual bank account activity, such as withdrawals from automatic teller machines when the individual cannot get to the bank.
- Signatures on checks and other documents that do not resemble the elder's signature.
- Checks or other documents signed when the elder cannot write or understand what he or she is signing.
- Lack of personal amenities – appropriate clothing and grooming items.
- Numerous unpaid bills when someone else has been designated to pay the bills.
- Change in spending patterns, such as buying items he or she doesn't need and can't use.

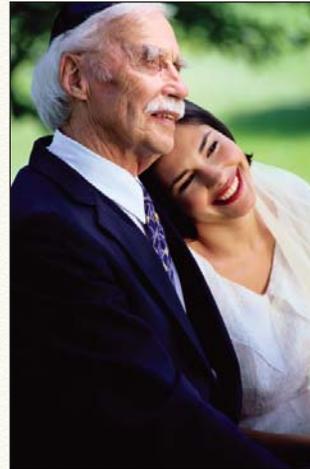


Fraud & Scams Against the Elderly

Telemarketing fraud

Consumers lose more than \$40 billion a year to telemarketing fraud. People over 50 years of age are especially vulnerable and account for about 56% of all victims, according to the AARP. Scam artists often target older people, knowing they tend to be trusting and polite toward strangers and are likely to be home and have time to talk with callers.

Californians now have a choice about whether to receive telemarketing calls at home, if recent decisions hold. California has adopted the National Do Not Call Registry as the state do not call list, and has been pre-registering California telephone numbers on the state website. California consumers who already have signed up on the state website do not need to re-register to have the protections of both federal and state law. Registration is free. Consumers will notice a drop in telemarketing calls within three months of the date they register. After you register, your phone number will be available for telemarketers to remove it from their call lists by the next day. Telemarketers will have up to three months to get your phone number and remove it from their call lists.



Register online at www.donotcall.gov or call (888) 382-1222.

Be wary of telemarketing sales pitches and buzz words such as:

- You must “act now” or the offer will expire;
- You’ve won a “free gift, vacation or prize – but you must pay for postage and handling or some other charge;”
- You must send money, give a credit card or bank account number or have your check picked up by courier – before you’ve had a chance to consider the offer carefully;
- It’s not necessary to check out the company with anyone, including your family, lawyer, accountant, local Better Business Bureau, or consumer protection agency;
- You don’t need written information about the company or its references; or,
- You can’t afford to miss this “high-profit, no-risk” offer.

Dos and don’ts

Do:

- Ask telemarketers for their company’s name & address;
- Ask the caller to send you written material to study before you make a purchase;
- Talk to family and friends; get advice from someone you trust before you make any large purchase or investment;
- Request that your phone number be removed from the telemarketer’s list; and ,
- Register your home, mobile and/or business phone numbers for free on the national Do Not Call registry to reduce the number of unwanted solicitations.



Don't:

- Pay for any prize or send money to improve your chances to win or receive a prize; or,
- Give any caller your credit card number, bank account number, or any other form of personal identification.



Remember

It is very difficult to tell if a telemarketing call is legitimate. Be cautious and do not let any caller intimidate you. Don't be afraid to hang up!

Identity theft

Identity theft is a frightening and fast-growing crime. There are more than 500,000 new victims each year. It is an easy crime to commit because every identifying number an individual possesses – Social Security, credit card, driver's license, telephone – is a key that can unlock some storage of money or goods.

- Dispose of papers with personal information by tearing up charge receipts, bank statements, expired credit cards or offers for new credit cards.
- Never give out your Social Security number unless you have initiated the contact and you are familiar with the institution. Do not have your Social Security number printed on your checks.
- Do not give any of your personal account numbers over the phone unless you have placed the call and know the individual with whom you are speaking.

Home improvement scams

The elderly are often the victims of contractor scams for a number of reasons including: many own older homes in need of repair; when a solicitor offers to make repairs or improvements, the homeowner is willing to listen; generally, senior homeowners have access to cash acquired from a lifetime of saving or equity in their homes; some seniors who live alone may feel intimidated by solicitors and believe they must agree to the pitch; many seniors are trusting by nature. They grew up in a time when a handshake was as good as a written contract; some elderly homeowners hesitate to report scams.



Important phone and website information

- Office of the Attorney General, Bureau of Medi-Cal Fraud and Elder Abuse, <http://caag.state.ca.us/bmfea> (800) 952-5225.
- California Department of Aging, www.aging.state.ca.us (916) 322-3887
- California State Licensing Board, www.cslb.ca.gov (800) 321-CSLB or (800) 321-3752
- California Department of Health Services at www.dhs.ca.gov (916) 445-4171
- National Do Not Call Registry, www.donotcall.gov (888) 382-1222

Common contractor cons seniors may face

On-your-street cheat

A door-to-door solicitor offers to do roofing, painting, or paving work at a reduced price by using leftover materials from a job just completed in the neighborhood. It sounds like a good deal to the elderly homeowner. The problems are that there is no recently completed job, no neighbor, and no leftover materials. However, there is an unscrupulous contractor who demands cash, does little or no work, and then abandons the project.

Scare tactic racket

A home repair contractor claims that faulty wiring, bad plumbing or a leaky roof put the homeowner in danger and that repairs must be made immediately. Alarmed and unable to physically climb on a roof or crawl under a sink to verify the contractor's claim, the elderly homeowner agrees to unnecessary and over-priced work.

Cash 'n' dash

A contractor demands cash for a home repair or remodeling job, sometimes going so far as to drive the elderly victim to the bank to withdraw funds. The unscrupulous contractor states the money is needed to buy materials or pay workers, but with cash in hand, the contractor drives off and never returns.



Down payment lowdown

A contractor takes an illegally large down payment or demands payment before work is completed. By law a down payment on a home improvement project cannot be for more than 10 percent of the total project or \$1,000, whichever is less. The dishonest operator takes the money but never finishes the job.

Handshake mistake

A contractor states that a written contract is unnecessary-promising to deliver on any verbal agreement. Some elderly homeowners have a trusting nature and consider a handshake to be as good as a written contract. The con artist takes advantage of this situation to perform shoddy work-or none at all.

Avoid the pitfalls

- Unless you call them to come to your home, don't let salespeople into your house.
- Never let others see where you keep your wallet, purse or check-book.
- Check the ID of any service or repairperson or contractor.
- If anyone, including those claiming to be contractors, comes to your door and is suspicious, call local law enforcement.
- Don't pay cash.
- Always refuse to pay up front for materials.
- Don't let payments get ahead of the work.
- Don't be intimidated into immediately withdrawing funds from the bank.
- Always get a written and signed contract for home improvements and repairs.

- Get at least three bids and check references of other work the contractor has done in your area.
- The contractor must be licensed for any job which costs \$500 or more including materials and labor.

Before you allow a contractor into your home, check the license with the California State Licensing Board at (800) 321-CSLB or verify the contractor's license number online at www.cslb.ca.gov.

What is Physical Elder Abuse?

Elder abuse is a crime which is indiscriminate in choosing who it strikes. Victims often live in silent desperation, unwilling to seek assistance because they unfortunately believe their cries for help will go unanswered and they fear retaliation from their abusers. Many remain silent to protect abusive family members from the legal consequences of their crimes, or are too embarrassed to admit that they have fallen victim to predators. Others fear that no one will believe them. It may take the courage of a caring family member, friend or caretaker to take action when the victim may be reluctant.

Isolation of an elder is an insidious tool used by many abusers. Accomplished with the sys-



tematic exclusion of all real outside contact, the elder victim is eventually driven to distrust friends, doctors and even close family members. Ultimately, the elder victim becomes a pawn – manipulated into trusting only the abuser.

What are the warning signs?

The existence of any one or more of these facts does not necessarily mean that abuse has occurred. Instead, treat them as signs that diligent attention or investigation is needed.

1. **Uncombed or matted hair**
2. **Poor skin condition or hygiene**
3. **Unkempt or dirty**
4. **Patches of hair missing or bleeding scalp**
5. **Any untreated medical condition**
6. **Malnourished or dehydrated**
7. **Foul smelling**
8. **Torn or bloody clothing or undergarments**
9. **Scratches, blisters, lacerations or pinch marks**
10. **Unexplained bruises or welts**
11. **Burns caused by scalding water, cigarettes or ropes**
12. **Injuries that are incompatible with explanations**
13. **Any injuries that reflect an outline of an object, e.g., a belt, cord, or hand**
14. **Withdrawn**
15. **Confused or extremely forgetful**
16. **Depressed**
17. **Helpless or angry**
18. **Hesitant to talk freely**
19. **Frightened**
20. **Secretive**

Reporting Elder Abuse

- Any person who suspects that abuse of an alder has occurred should report it. When in doubt, always err on the side of caution and report.
- Abuse can continue and often escalates if there is no intervention. Known or suspected cases of abuse should be reported to the appropriate agencies or to local law enforcement.
- Intervention can often save the assets, health, dignity or even the life of an elder.
- A report should be made to the local county Adult Protective Services agency or to the local law enforcement agency.
- Remember in an emergency always call 911!



Mandated reporters

Under California law, certain individuals are legally mandated to report known or suspected instances of elder abuse. The following is a partial list of mandated reporters:

- Physicians and medical professionals
- Clergy
- All employees of health care facilities, such as hospitals, skilled nursing facilities, adult day care centers and residential care facilities
- Any individual who assumes responsibility for the care or custody of an elderly person.

Any mandated reporter who fails to report elder abuse may be guilty of a crime.

Adult Protective Services (APS)

Each county Adult Protective Services agency (APS) provides assistance to the elderly and adults who are functionally impaired and who are possible victims of abuse, exploitation or neglect, including self-neglect. In 1998, California passed a law mandating all APS agencies to provide a 24-hour, 7-day a week hotline to respond to all report of suspected abuse. APS may also provide various services to address the abuse or neglect, such as case management, emergency shelter or in-home protection, transportation, counseling, etc., to guarantee the safety of an endangered elder.

County law enforcement & prosecution agencies

Your local Police and Sheriff's Departments should be contacted in you or someone you know may be the victim of elder abuse. Many local law enforcement agencies have dedicated Elder Abuse Units. Call the general information number for your local Police or Sheriff's Department, and ask if they have an Elder Abuse Unit. If there is an emergency, you should call 911 immediately.



Community

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