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February 26 2015 16:06

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## Domestic Violence in Later Life

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**Abstract:** Examples of abusive behavior include: \* Using name-calling and put-downs E.g., "You're stupid," "You're out of your mind/crazy," "You're a lousy parent" \* Threatening harm to the partner, extended family, or other household members, including children and pets E.g., "Try to leave me and you'll never see them again." \* Isolating the partner from family, friends, and other sources of support \* Embarrassing and demeaning the partner in front of others \* Manipulating the truth to keep the partner confused and off balance \* Controlling the finances, forcing the rest of the family to live on a small allowance, and/or forcing or prohibiting the partner from working outside the home Domestic violence in later life occurs when a person over the age of 501 is a victim of domestic violence. [...]end-of-life concerns add a further dimension to the complexity of serving victims of domestic violence in later life.

**Links:** [Check Document Availability](#)

**Full text:** Scope of the Problem

In 2012 in Pennsylvania, 141 deaths were attributed to the crime of domestic violence. Of this number, 15 were of persons over the age of 65. These deaths included a 71-year-old woman who was beaten to death with a pipe wrench by her 75-year-old husband, a 69-year-old woman who was fatally shot by her 85-year-old boyfriend, and a 79-year-old man who was fatally assaulted by his 54-year-old son.

The National Institute of Justice reported that in 2009, approximately one in 10 people age 60 and older experienced some form of abuse. In nearly 90 percent of these cases, the perpetrator was a family member. Husbands, as opposed to wives or other family members, were twice as likely to be the abuser.

Incidents such as these are referred to as domestic violence in later life.

What Is Domestic Violence in Later Life?

Before describing what domestic violence in later life entails, we must first examine the nature of domestic violence. Domestic violence is a pattern of abusive behaviors used against a current or former intimate partner to establish or maintain power and control in the relationship. In addition to abuse in intimate partnerships, the Pennsylvania Protection from Abuse Act also includes abuse by siblings, parents, children, and others related by blood or marriage, such as in-laws. Abusers often use a range of physical, psychological, sexual, and/or economic tactics to establish and maintain control. Examples of abusive behavior include:

- \* Using name-calling and put-downs E.g., "You're stupid," "You're out of your mind/crazy," "You're a lousy parent"
- \* Threatening harm to the partner, extended family, or other household members, including children and pets E.g., "Try to leave me and you'll never see them again."
- \* Isolating the partner from family, friends, and other sources of support
- \* Embarrassing and demeaning the partner in front of others
- \* Manipulating the truth to keep the partner confused and off balance
- \* Controlling the finances, forcing the rest of the family to live on a small allowance, and/or forcing or prohibiting the partner from working outside the home

Domestic violence in later life occurs when a person over the age of 501 is a victim of domestic violence. The perpetrator may be a husband, wife, partner, child, or other relative with whom the victim has ongoing contact. Older persons are subjected to the same forms of abuse as persons under the age of 50, but their ability to act or respond may be affected or compromised by the onset of infirmities, declining health, or the inability to

reach out for assistive services. For example, abusers may:

- \* Limit access to medical care
- \* Mismanage medication (over- or undermedicating)
- \* Ignore medical needs
- \* Ignore dietary needs or restrictions
- \* Withhold or damage assistive devices
- \* Exploit finances
- \* Withhold, monitor, or limit the use of the phone or other forms of communication
- \* Present as the primary contact for medical personnel and others with the explanation that "she gets easily confused" or "her memory can't be relied upon"
- \* Refuse to provide transportation to doctors or therapies

Isolation of the older person is an especially effective tactic for an abuser to limit the victim's access to information and/or services and assures that the victim has little or no contact with supportive networks, such as friends, loved ones, neighbors, and a spiritual community. The prevalence of ageism in our culture and the general invisibility of older persons in our society greatly contribute to the ease with which an abuser can successfully isolate victims of domestic violence in later life from supportive networks.

Finally, end-of-life concerns add a further dimension to the complexity of serving victims of domestic violence in later life. An increased focus on spirituality, the loss of friends and family as one ages, and physical or cognitive limitations present unique circumstances that a perpetrator can capitalize on to further control the victim.

#### A Gendered Issue

While domestic violence is not limited to one gender or sexual orientation, women are victimized at a much higher rate than men. Estimates reveal that 1.3 million women are victims of assault by an intimate partner every year. Annually, about one million women and 370,000 men are stalking victims, and 87 percent of the stalkers are men. More telling, 22 percent of women, compared to 7.4 percent of men, report physical assaults by a current or former spouse, partner, boyfriend, or girlfriend. Women are also more likely to be killed by a spouse, intimate partner, or family member than by a stranger by a factor of 12 times.<sup>2</sup>

The gender disparity described above diminishes with age. Women remain the primary target of domestic violence occurring in later life, but there is also an increased incidence of older male victims abused by their female/male partners, adult children, or other family members, which decreases the ratio of women to men who reach out or are referred to domestic violence programs. The infirmities of age and increasing levels of disability, including the loss of hearing and/or sight, contribute to the shrinking gender differential. Some domestic violence programs report that male victims seek services for abuse by a partner or children they once abused. Domestic violence programs note that in these cases, the male victim/former perpetrator often continues to be abusive through name-calling and insults, persistent threats, and the use of assistive devices or other objects as weapons. It can be challenging for domestic violence programs and other service providers to determine the dominant aggressor in these situations and provide an equitable level of services for older victims of either gender.

#### Barriers to Safety

Survivors of domestic violence in later life have described the following barriers that made leaving an abusive partner difficult or impossible:

- \* Fear-Many survivors of abuse in later life fear being alone, especially if they have never lived alone or are reliant on the abuser for health or economic reasons.
- \* Denial-Acknowledging abuse can be difficult, especially if abuse has been a part of the relationship for many years.
- \* Isolation-In later life, a survivor's isolation is often exacerbated as children, family members, friends, and

neighbors move away, grow older, or pass on.

- \* Health-Increased health concerns as survivors age often complicate leaving, especially when the survivor relies on the abuser for health insurance and/or support.
- \* Financial support-Often the survivor's retirement and/or savings are in the abuser's name or are otherwise controlled by the abuser. The survivor may not have been allowed to earn her or his own money and often has no independent source of income.
- \* Children/family-Adult children and other family members sometimes object to the parents separating or refuse to acknowledge the abuse or the risk of harm.
- \* Access-Survivors in later life often have limited or no access to services, because either they are not aware of services or they have no ability to reach out for support.
- \* Generational issues-Seeking help from service providers who are much younger than the survivor may raise fears that she or he will not be believed or her or his reasons for staying will not be understood.
- \* Spiritual and religious beliefs-A survivor's belief system may prevent him or her from considering alternatives that appear to suggest leaving the partner as the best option. Victims describe being instructed by their spiritual leaders to "accept one's lot in life" and "pray about it" to assure salvation in the afterlife.
- \* Cultural issues-In some cultures, reaching outside the community for support and/or seeking to end a relationship or marriage could result in "shunning" or shaming, which can be especially significant for a survivor who has been isolated for much of her or his life.

Other factors affecting the decision making of older victims of abuse may include:

- \* Shared history with the abusive partner
- \* Fear of abandonment
- \* Shame that someone they still love- their child or partner-is hurting them
- \* Costs related to caregiving
- \* Threats of being sent to a nursing home

#### Elder Abuse and Domestic Violence in Later Life

Every state and territory in the United States has enacted laws to address elder abuse.<sup>3</sup> The American Bar Association Commission on Law and Aging explains that the protective services laws for older adults vary greatly from state to state.<sup>4</sup> However, the prevailing understanding of elder abuse is that it differs from domestic violence in later life-in both the method and motive for the abuse.

For the purposes of this article, we look to Pennsylvania's law to illustrate the distinct differences and intersections between elder abuse and domestic violence in later life. Pennsylvania's Older Adult Protective Services Act,<sup>5</sup> which provides for protection against elder abuse, applies to individuals 60 years of age or older.<sup>6</sup> The Act extends protection in cases of physical, sexual, emotional, and financial abuse or exploitation; abandonment; stalking; and neglect committed by family or household members, caretakers, and others charged with the care, safety, or welfare of an older adult.<sup>7</sup>

Domestic violence in later life differs in terms of the nature of the relationship, the age of the victim (50 years old), onset of the abuse, and who may be the abuser. Domestic violence in later life is commonly described as occurring in one of the following scenarios:

- \* New relationships in which the victim is a target of abuse that she or he did not experience in previous relationships.
- \* Long-term relationships or marriages in which

The abuse and control occur throughout the relationship, but the victim does not reach out for help or the risk was not apparent until later in life.

The abuse did not begin until the perpetrator was older, perhaps due to changes in the brain or other stressors. Note, however, that conversations with the victim about the nature of the relationship before the abuse began often reveal a pattern of abusive and/or controlling behaviors long before the physical abuse emerged.

\* Relationships with adult children, grandchildren, or other relatives in which the victim is reliant in some way—either emotionally or physically—on the relative.

\* Caregivers may be the abusers in either of two very different patterns:

The person providing care may have been abusive for many years and is now responsible for caring for the person who was the target of his or her abuse.

The caregiver may have been abused by the very person he or she must now tend to and decides to get even by becoming controlling and possibly abusive.

\* The care receiver may be the abuser. This may be a new pattern or it could be the longtime abuser simply continuing the abuse and finding new ways to control and intimidate the person caring for him or her.

Perpetrators of domestic violence, including perpetrators of domestic violence in later life, have distinct and identifiable traits that are not always characteristics of perpetrators of elder abuse. Lundy Bancroft, an expert in the field of batterers' intervention, published a study of more than 200 men with whom he worked.<sup>8</sup> In his findings, Bancroft proposed several traits that appeared to be common in the ways in which domestic violence perpetrators perceived their right to control their partners:<sup>9</sup>

\* Control and entitlement

\* Externalization of responsibility

\* Manipulation

\* Superiority and disrespect

\* Possessiveness

Unlike perpetrators of domestic violence, elder abuse perpetrators are not universally driven by the need to control the older adult. Financial gain, lack of care, and poor institutional standards, policies, or practices often precipitate elder abuse.

What Can You Do?

While judges must be mindful of their role and avoid ex parte contacts, others in the court system are not so constrained. In situations where you become aware of or suspect domestic violence is taking place, the best initial response is to refer the individual to a local domestic violence program. You can find the contact information for local domestic violence programs across the nation at [www.thehotline.org](http://www.thehotline.org) or by calling 800-799-7233. In approaching and/or talking to a person who you suspect is a victim of domestic violence, be sure to follow these best practices:

\* Talk to the victim privately about your concerns and ask specifically if she or he feels unsafe or if someone is hurting her or him.

\* If the victim acknowledges that she or he is fearful or is being abused, provide the victim with information about the local domestic violence program. If possible, offer to sit with the victim while she or he makes a call.

\* If the victim responds that nothing is wrong, but you still suspect that she or he is at risk, provide the victim with the information and suggest she or he call at any time, just to talk.

\* Avoid talking about your concerns when the suspected abuser is present.

\* Do not try to intervene or step between the abuser and the victim. If a risk appears imminent, call the police, making sure to indicate you suspect domestic violence.

If you are not sure whether a situation is domestic violence, you can call the local domestic violence program to ask questions and get information for yourself. Understand that the program will not be able to talk specifically about a victim because of federal and state confidentiality laws, but it can provide general information about domestic violence.

Strategies for Courts Responding to Elder Abuse and Domestic Violence in Later Life<sup>10</sup>

There will come a time when situations involving elders will rise to the level of requiring court involvement.

Whether elder abuse or domestic violence, the recommendations of the ABA can be adopted in most court systems to assure older victims are offered accommodations and options that address the nature of their

needs and maximize safety. Some steps the court can take include:

- \* Providing accommodations for persons with physical and mental challenges- the Americans with Disabilities Act is clear on these requirements.
- \* Scheduling hearings in the setting that best accommodates the needs of the older person.
- \* Explaining the court process for older persons who may be intimidated or confused.

Any steps taken should be planned with the reminder that the capacity of the abused older person may fluctuate with the time of day or medications. Courts may want to:

- \* Be flexible in scheduling hearings.
- \* Expedite cases involving elder abuse.
- \* Take steps to reduce the level of fear of an older person testifying against an abuser.
- \* Assist older persons throughout the judicial process.
- \* Learn and educate court personnel about the dynamics of elder abuse, Older Adult Protective Services, domestic violence services, and other aging network services available to assist older abused persons in order to provide appropriate referrals and support.

In addition to the recommendations offered by the ABA, courts can become familiar with a Multi-Site Assessment of Five Court-Focused Elder Abuse Initiatives that was reported on in 2011.<sup>11</sup> The primary goal of the assessment was to provide judges, court administrators, policy makers, and funders with evidence-based knowledge about the structure, process and outcomes of certain initiatives in place in five settings so they can make decisions about whether to support similar initiatives.

In Summary

Like other victims, older people have the right to make their own decisions about what they will do in response to abuse, but these decisions can be complicated by age. Factors related to caretaking-either their own need for care or their responsibilities for caring for the abusive partner who may have a disability-can complicate their decisions. Elders may also find it difficult to reach out to domestic violence programs whose staff profiles may include only a few or no older women. Courts may be especially intimidating and confusing to the older adult. Each of these factors can present challenges to court personnel, advocates, other supportive services, and anyone concerned about a person's safety. Collaboration and coordination in our services can be the first step in closing these gaps.

## Sidebar

Additional Resources

- \* Pennsylvania Coalition Against Domestic Violence, Curriculum-Domestic Violence in Later Life: From a Web of Fear and Isolation to a Community Safety Net; contact PCADV at 800-932-4632 to obtain a copy
- \* Jane Raymond & Bonnie Brandl, Office of Victims of Crime, National Clearinghouse on Abuse in Later Life, In Their Own Words: Domestic Violence in Later Life: A Multi-Media Curriculum (2008), available at [www.ncall.us](http://www.ncall.us)
- \* National Clearinghouse on Abuse in Later Life, [www.ncall.us](http://www.ncall.us)
- \* Am. Bar Ass'n Comm'n on Law and Aging, [www.americanbar.org](http://www.americanbar.org)
- \* National Ctr. on Elder Abuse, [www.ncea.aoa.gov](http://www.ncea.aoa.gov)
- \* Older Women's League, [www.owl-national.org](http://www.owl-national.org)

## Footnote

Endnotes

1. Domestic violence programs describe later life as over the age of 50 because most domestic violence programs serve women in their 20s to 40s, seeing fewer women over the age of 50. Several things may account for this difference. The experiences of those 50 and up can differ significantly from those of younger survivors. Children are grown and often out of the house, physical limitations and other medical ailments may start to appear, etc. Thinking in terms of the sunset of one's life, rather than the possibility of beginning anew, presents a very different worldview for an older person. In addition, locating employment if one has no employment

history or considering a move away from familiar surroundings can be daunting if one is suddenly alone in later life. Cultural expectations about separation and divorce may also be of more concern to the older adult.

2. Violence Policy Ctr., *When Men Murder Women: An Analysis of 2005 Homicide Data* (2007), available at <http://www.vpc.org/studies/wmmw2007.pdf>.

3. Lori Stiegel & Ellen Klem, Am. Bar Ass'n Comm'n on Law & Aging, *Information About Laws Related to Elder Abuse* (2007), [http://www.americanbar.org/content/dam/aba/migrated/aging/about/pdfs/explanation\\_for\\_APS\\_IA\\_LTCOP\\_citations\\_chart.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/migrated/aging/about/pdfs/explanation_for_APS_IA_LTCOP_citations_chart.authcheckdam.pdf).

4. *Id.* at 2 (explaining that protective services laws differ "in the circumstances under which a victim is eligible to receive protective services; the definition of abuse; types of abuse, neglect and exploitation that are covered; classification of the abuse as criminal or civil; reporting (mandatory or voluntary); investigation responsibility and procedures; and remedies for abuse") For state-by-state comparison charts, visit the resources page for the American Bar Association Commission on Law and Aging: Elder Abuse, Comm'n on Law & Aging, Am. Bar Ass'n, [http://www.americanbar.org/groups/law\\_aging/resources/elder\\_abuse.html](http://www.americanbar.org/groups/law_aging/resources/elder_abuse.html).

5. 35 Pa. Stat. Ann. §§10225.101-.5102 (West 2010).

6. *Id.* §10225.103 (definitions).

7. *Id.*

8. Lundy Bancroft, *Why Does He Do That? Inside the Minds of Angry and Controlling Men* (2002).

9. *Id.*

10. Lori Stiegel, Am. Bar Ass'n, *Recommended Guidelines for State Courts Handling Cases Involving Elder Abuse* (1996).

11. Lori A. Stiegel & Pamela B. Teaster, Am. Bar Ass'n & Nat'l Inst. of Justice, *A Multi-Site Assessment of Five Court-Focused Elder Abuse Initiatives* (2011).

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**Subject:** Domestic violence; Women; Fatalities; Americans with Disabilities Act 1990-US; Behavior; Older people; Families & family life; Age; Gender; Assaults;

**Publication title:** The Judges' Journal

**Volume:** 53

**Issue:** 2

**Pages:** 20-23

**Number of pages:** 4

**Publication year:** 2014

**Publication date:** Spring 2014

**Year:** 2014

**Publisher:** American Bar Association

**Place of publication:** Chicago

**Country of publication:** United States

**Publication subject:** Law

**ISSN:** 00472972

**Source type:** Scholarly Journals



**Language of publication:** English

**Document type:** Feature

**Document feature:** Photographs References

**ProQuest document ID:** 1543954204

**Document URL:** <http://search.proquest.com/docview/1543954204?accountid=458>

**Copyright:** Copyright American Bar Association Spring 2014

**Last updated:** 2014-07-10

**Database:** ProQuest Central

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