

The Elderly and Domestic Violence in Delaware

Submitted by the Elderly and Domestic Violence Committee
Domestic Violence Coordinating Council

The World Health Organization (WHO) defines elder abuse as “A single or repeated act or lack of appropriate action that occurs within any relationship where there is an expectation of trust and which causes harm or distress to an older person. Elder abuse includes: (i) physical, sexual, psychological, emotional, financial and material abuse; (ii) abandonment; (iii) neglect; and (iv) serious loss of dignity and respect.” In Delaware, an “elderly person” means any person who is 62 years of age or older (11 Del. C. §221). The scope of this report is the abuse of the elderly by those who share a familial relationship with elder victims including “spouses; couples cohabitating in a home in which there is a child of either or both; custodian and child; or any group of persons related by blood or marriage who are residing in 1 home under 1 head or where 1 is related to the other...” (10 Del. C. §901).

It is estimated that approximately one in ten elder adults living in their homes experience abuse each year. Elder victims often experience shame pain, economic loss, spiritual and physical anguish, institutionalization, and poor quality of life. Cases of elder abuse are significantly underreported with as few as 5% coming to light (National Clearing House on Abuse in Later Life. *An Overview of Elder Abuse: A Growing Problem*, 2013).

Since early 2015, the Elderly and Domestic Violence Committee of the DVCC collected data and information to learn more from key informants about existing services and programs available to elderly victims of domestic violence; the unmet needs of elders experiencing abuse by family members as well as to better understand elderly victims’ experiences in Delaware. The Committee is comprised of representatives from the Department of Justice, law enforcement, healthcare, advocates, and community partners including the Delaware Center for Justice, University of Delaware’s Center for Drug and Alcohol Studies, the Department of Health and Social Services Adult Protective Services (APS), and staff from the DVCC. One of the challenges the Committee encountered during this process was the lack of standardization concerning the age of “elderly persons”. Although Delaware Code defines elderly person as someone 62 years and older, agencies and programs serving the elderly use a range of ages as criteria for service eligibility. In order to maintain consistency, the Committee used the age of 65 for its benchmark when requesting information and data.

The Committee met with key informants who described the private sector's holistic approaches to senior housing; free or low cost legal services provided to older Delawareans as well as the legal needs of seniors that are unmet; as well as current approaches to providing emergency, safe housing for elderly victims of domestic violence in New Castle County.

In addition, the Committee conducted a series of "listening sessions" throughout the state to learn from constituents about the unmet needs of elderly victims of domestic violence. The Committee also obtained data about elderly domestic violence cases reported to law enforcement as well as to APS.

During 2015, staff from two specialized victim services programs based in New Castle County reported on some of the barriers faced by elder victims of domestic violence who were engaged with the justice system. These include physically navigating the courthouse, understanding the legal processes, and unwillingness to participate in prosecution fearing that the abuser, a family member who often provides a substantial amount of assistance and care to the elder victim will "go to jail". Victim services staff noted that most elderly victims of domestic violence hoped that their abusive family member would receive help instead of punishment. It was also reported that a majority (68%) of older victims served by the community-based victim services program needed safe, permanent housing away from the abusive family member.

Elderly domestic violence also occurs in housing programs specifically designed for elderly with limited resources. Staff from Sacred Heart Village, a faith-based housing program located in Wilmington noted that residents (age 62+) must meet low income requirements to reside in one of the program's 77 apartments. Caregivers can be approved to live with the elder resident if they are included in the rental agreement. Most elderly domestic violence cases include financial exploitation by adult child(ren). One of the challenges the program encounters is providing for elder victims' safety by removing financially exploitive adult children from their parent's residence. This is because the adult child is included in the lease. Staff also noted there is a shortage of safe stable housing for low income elders and that the waiting time for an apartment at the Village is 2-1/2 years.

Civil legal services are available to older Delawareans (60+) through the Community Legal Aid Services Inc. (CLASI) Elder Law Program. Services include Advance Health Care Directives; assistance with housing matters such as removing someone from a deed and eviction prevention in both the private and public sectors; assistance with public benefits and fraud. CLASI also assists elderly victims of domestic violence obtain civil Protection from Abuse orders and staff reported that in these cases the legal needs of elderly victims are similar to those of younger victims.

Representatives noted that the nature of cases involving elderly victims of domestic violence are often complex and time consuming. Elderly victims of domestic violence are often physically isolated, have chronic health issues as well as mental health challenges, and lack

convenient transportation in Sussex and Kent Counties. They also indicated there is need for free legal services in divorce cases for elderly victims who exceed income guidelines.

Staff from Delaware's Health and Social Services Adult Protective Services informed the Committee about Delaware's continued need for emergency shelter and corresponding services for abused elderly adults including those being harmed by partners and other family members. They described a program which provides safe housing to elderly victims who need an emergency placement due to physical abuse, neglect or financial exploitation. The *Safe Haven* program includes residential, case management and supportive services in a high-rise apartment building in New Castle County. Elder victims stay from three days to one month and eight to nine abused elders per year have utilized the *Safe Haven* program.

APS staff reported that there are about a half dozen standalone shelters for abused seniors in the United States. About 15 years ago a committee in Delaware unsuccessfully tried to locate a building for emergency shelter for elderly victims. One state, Connecticut, has implemented a model that could be replicated in Delaware. Connecticut established a consortium which includes 12 community partners from high rise apartments, nursing homes, extended stay hotels and adult foster care providers. Staff noted this type of collaborative and cooperative approach would ensure that safe haven services could be easily accessed by elderly who are abused throughout Delaware, including those residing in Kent and Sussex Counties.

The Committee also sought to learn more about constituents and consumers' impressions of the unmet needs of elder victims experiencing abuse by family members. During April 2016, the Committee conducted "Listening Sessions" in five venues throughout the state. Sites were: the Newark Senior Center, Saint Patrick's Center in Wilmington, the Kent County Public Library, the Georgetown Library and the Lewes Library. More than 55 elderly citizens, professionals and community members concerned about the well-being and safety of seniors attended one of the five sessions.

The format of the sessions included an overview of the DVCC and the work of the DVCC's Elderly and Domestic Violence Committee, the purpose of the session and information about domestic violence and the elderly including types of harm, barriers to disclosing mistreatment and exploitation, barriers to seniors seeking help and the importance of safety. During the sessions representatives from the Delaware Department of Justice, DHSS Adult Protective Services and police-based Victim Services staff from the Delaware Victim Center and the Georgetown, Newark, and Wilmington Police Departments to provide information about their roles, responses and services offered to elder victims through their agencies.

In addition, a facilitator from the Committee utilized standardized questions to elicit information from participants about ways elderly adults are harmed, mistreated and/or exploited and by whom; what types of assistance were offered and whether the assistance was effective;

what other type of assistance would have been useful and would have helped the older adult with safety.

Although the landscape and demographics of participants varied from one Listening Session to the other, several common themes emerged. Participants consistently reported that:

- Seniors who are harmed are more likely to experience more than one type of mistreatment including physical abuse, financial exploitation, neglect, and isolation.
- Spouses, adult children and grandchildren are most likely to mistreat elder Delawareans.
- Adult children and grandchildren who abuse their elder family member are more likely to have substance use disorders.
- Barriers to seniors seeking assistance include shame, isolation, not recognizing that mistreatment is occurring, and a lack of awareness about resources and services available to assist them.
- Outreach and education activities would promote public awareness of resources to elderly who are being mistreated. This includes collaboration with faith communities, service clubs and public safety organizations (e.g., volunteer fire companies) to ensure that elderly residing in rural communities are informed about elderly domestic violence, as well as assistance and resources available to them
- Staff development and education that encompasses information on the recognition of the signs of mistreatment and referral to services and resources is recommended for those who interact with the elderly on a regular basis. This includes providing education to housing managers, adult day care program staff, as well as home meal delivery staff and volunteers.

During 2014, more than 118,280 or 84% of Delawareans age 65 and older lived in households. (US Census Bureau 2014 American Community Survey). During that same year, Delaware's Health and Social Services Adult Protective Services received 1,355 complaints of elder abuse. Of those, 82% of the complaints involved abuse by a family member including 49% by an adult child and 15% by a spouse. The remainder involved other relatives including siblings, grandchildren and co-habitants.

At the request of staff from the Domestic Violence Coordinating Council, the Delaware Information and Analysis Center (DIAC) provided an overview of elderly victims of domestic violence and associated crimes reported to Delaware's law enforcement agencies.

The information was obtained from the Law Enforcement Investigative Support System (LEISS) crime reports. The criteria used by DIAC was: victims were at least 62 years of age; incidents which occurred between 2012 and 2016; the number and types of crimes; the victim/suspect relationship; and the presence of drugs or alcohol in relation to the incident. A copy of the DIAC is included.

According to the *Elderly Victim Report* produced by DIAC, between January 2012 and December 2016 the yearly average of domestic-related reports involving elderly victims of domestic violence throughout Delaware was 1,475. The most prevalent relationship between the suspect and the elderly victim was a parent to the suspect. This occurred in 45% of New Castle County cases, in 37% of Kent County cases and in 40% of Sussex County cases. Grandchildren as suspects were the second most common relationships in all three counties.

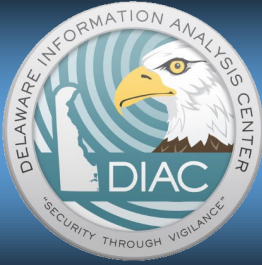
The most frequent crime against elderly victims during the five-year period was assault followed by theft and fraud/forgery. Statewide, the number of elderly victims of domestic violence involved in a drug or alcohol related incidents ranged from 54 in 2013 to 105 in 2016. The number of crimes for incidents involving elderly victims of domestic violence that were drug or alcohol related ranged from 69 in 2013 to 128 in 2016. Overall, Sussex County had the highest number (49%) of elderly victims of domestic violence involved in a drug or alcohol related incident as well as the highest number of crimes against elderly victims of domestic violence (45%). Also in Sussex County, there was a notable spike in crimes against the elderly in which drugs or alcohol were a factor between 2015 and 2016.

The DVCC Elderly and Domestic Violence Committee has identified several areas that they can address based on the information gathered and members' wide range of experience and expertise. These recommendations include:

1. promote public awareness about domestic violence and the elderly on a statewide basis;
2. collaborate with faith-based communities to provide outreach to ensure the elderly are aware of the risk of elderly domestic violence as well as resources available to assist victims;
3. develop strategies and implementing education on identifying elderly victimization to professionals and paraprofessionals who have contact with elderly citizens;
4. work with community partners to explore the feasibility of establishing emergency housing for low income victims of elderly domestic violence in Kent and Sussex Counties; and,
5. inform legislators and policy makers about the impact of elderly domestic violence on victims in order to ensure that the needs of this vulnerable but often hidden population are addressed.

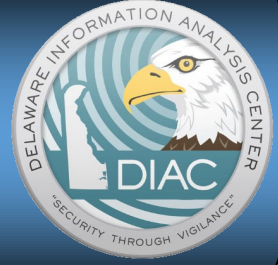


For more information about the Domestic Violence Coordinating Council, please go to our website at www.dvcc.delaware.com.



Delaware Information & Analysis Center

Elderly Victim Report



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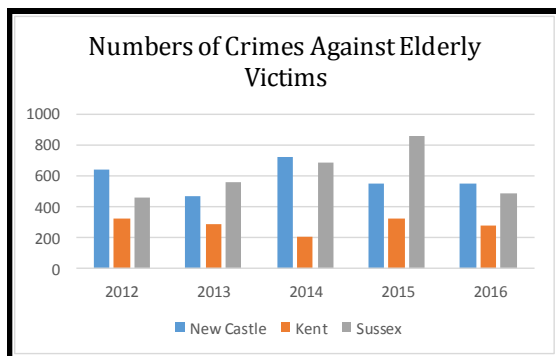
(U//FOUO) – Elderly Victim Report

This Elderly Victim Report is intended to provide an overview of elderly victims and associated crimes reported by Delaware law enforcement agencies. The information provided was obtained from Law Enforcement Investigative Support System (LEISS) crime reports. The criteria used to determine incidents is as follows: LEISS reports where the victim of a crime was at least 62 years of age, and the incident occurred between the years of 2012 and 2016. Crime reports that met this criteria were then examined further to determine numbers of crimes against elderly victims, victim/offender relationship, type of crime, and presence of drugs or alcohol in relation to the incident.

Information contained within the report is “For Official Use Only”. This report was prepared for the Domestic Violence Coordinating Council.

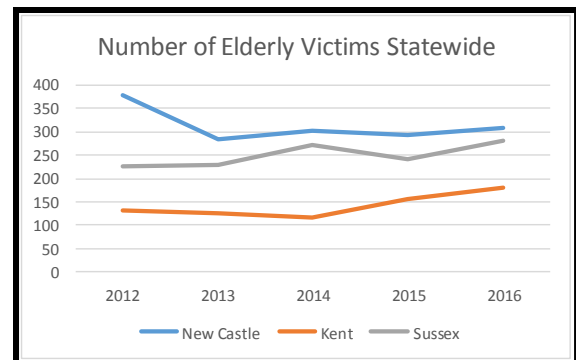
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Crimes Against Elderly Victims & Number of Victims



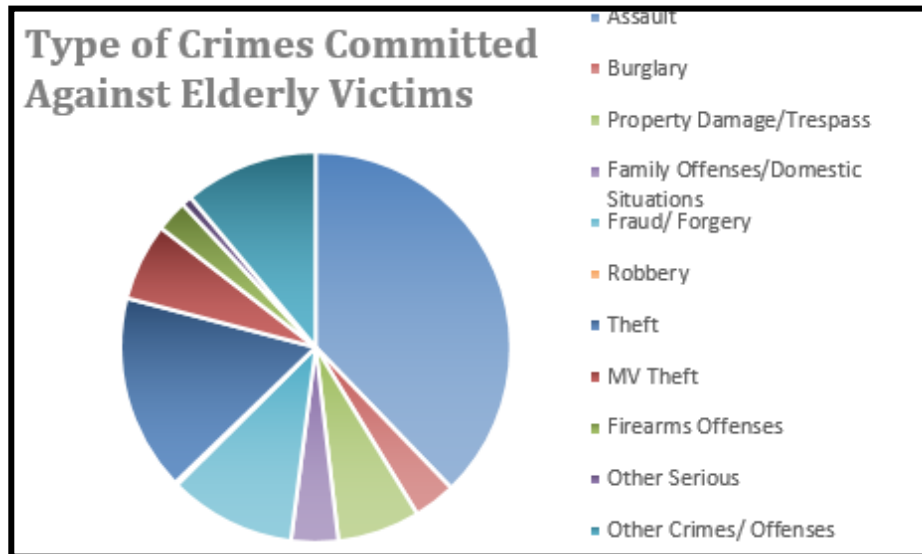
Between January 2012 and December 2016, there were 3519 elderly victims statewide; 1563 in New Castle County, 710 in Kent County, and 1246 in Sussex County. The county with the most prevalent number of crimes against the elderly was Sussex County, New Castle County had the most victims.

Between January 2012 and December 2016, there were 7375 domestic reports submitted in LEISS in which a crime against an individual aged 62 or older occurred; 2926 in New Castle County, 1411 in Kent County, and 3038 in Sussex County. The yearly average of crimes against an elderly victim is 1475.



Type of Crime

LEISS reports submitted for the timeframe of January 2012 through December 2016 where a victim aged 62 or older, were researched in an attempt to determine the types of crimes committed against elderly victims. The following is an average of the five (5) year time frame, for all counties in Delaware. For the given time period, 3,519 domestic incidents occurred where an elderly person was the victim. Assault was the leading type of crime against the elderly at 38% (1330 incidents), followed by theft at 16% (572 incidents), and then Fraud/Forgery at 11% (371 incidents).



Other Serious Crimes include: Homicide, Rape/Sexual Assault, and Kidnapping.

Other Crimes/Offenses include: Animal Bite/Scratch, Arson, Bail/Release, Drug Offenses, Fatal MV Collision, Food Drug Offenses, Local Fugitive, Lost or Mislplaced Property, Miscellaneous Investigations, Missing Persons, Obstructing Police, Resisting Arrest, Loitering, Runaways/Juveniles, Serving Protection From Abuse Orders, Suicide, Traffic Offenses, and Transports to Hospitals.

Note: These crimes are based on the primary crime for each incident involving the elderly person. The primary crime of the incident is not necessarily the crime committed against the elderly victim.

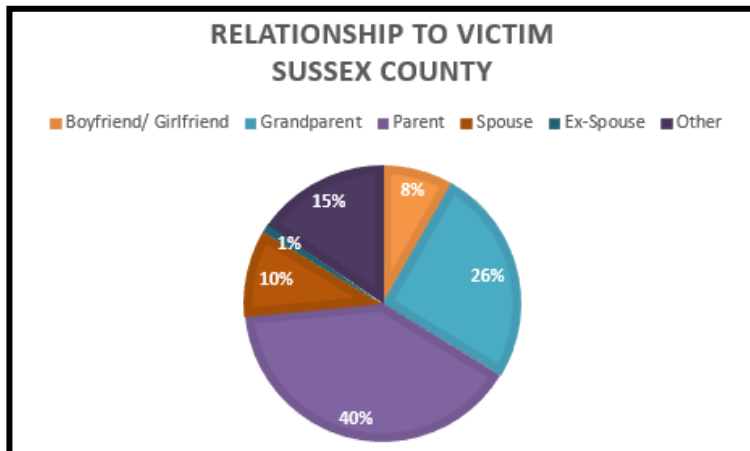
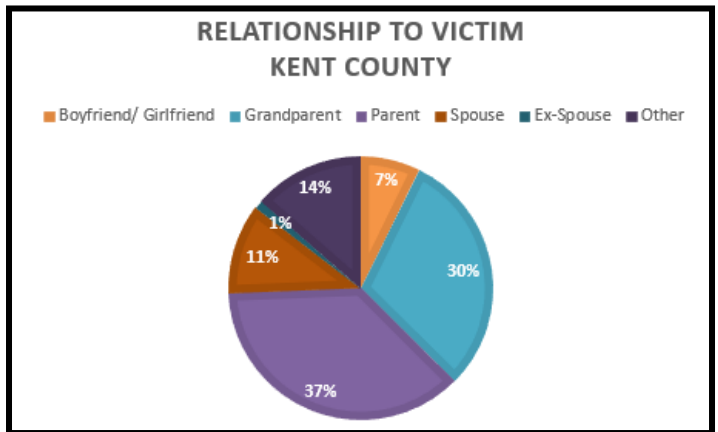
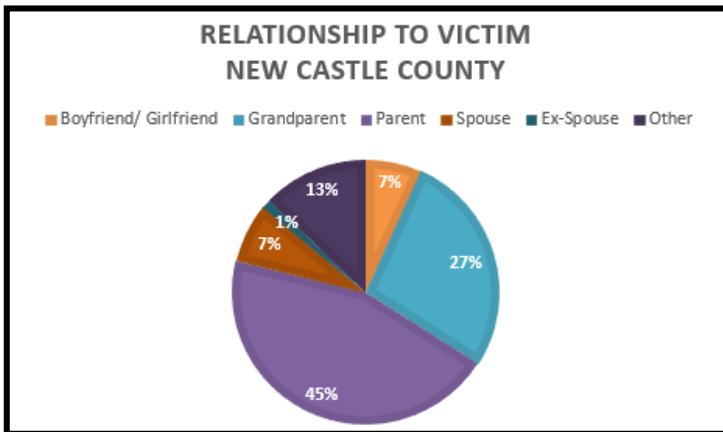
Relationship to Victim

LEISS reports submitted for the timeframe of January 2012 through December 2016 with a victim aged 62 or older were researched in an attempt to determine the familial relationship between the victim and suspect. The below information includes LEISS domestic related reports submitted by Delaware police agencies statewide. The following familial relationships, listed in order by prevalence, were noted:

- Parent
- Grandparent
- Other
- Spouse
- Boyfriend/Girlfriend
- Ex-Spouse

The category of *other* includes child, child of boyfriend/girlfriend, stepchild, sibling, stepsibling, in-law, grandchild, and any other family members.

The below graphs show a five (5) year average of relationship between victim and suspect. In all three counties in Delaware, the most prevalent relationship between the victim and the suspect occurred when the victim was the parent of the suspect.



Drug & Alcohol Related

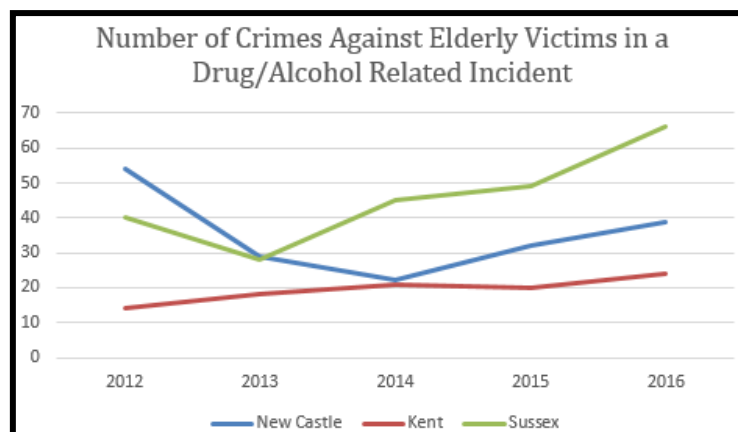
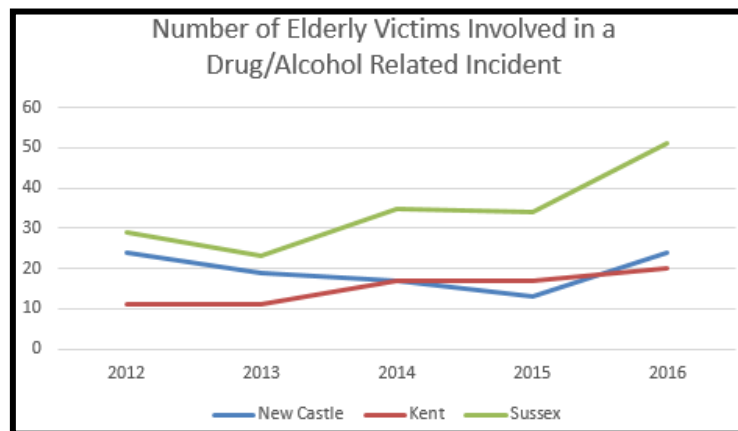
LEISS reports submitted for the timeframe of January 2012 through December 2016 with a victim aged 62 or older were researched in an attempt to determine the prevalence of drug/alcohol use as it relates to the victim. The below information includes LEISS reports submitted by Delaware police agencies statewide.

The below graphs illustrate the following:

- *Number of Elderly Victims Involved in Drug/Alcohol Related Incidents*
- *Number of Crimes Against Elderly Victims for Incidents which were Drug/Alcohol Related*
- *Total Crimes for Incidents Involving Elderly Victims which were Drug/Alcohol Related*

In Delaware, the most prevalent relationship between an incident with drugs/alcohol and the victim was reported in Sussex County. Sussex County had the highest number of involved elderly victims (49%), number of crimes against the elderly (45%), and total crimes for incidents involving elderly victims (47%). No pattern, either ascending or descending, can be seen from year to year, however a spike in crimes against the elderly in which drugs/alcohol were we a factor can be seen in 2016.

Note: The data represent victims / crimes where there was any indication that the incident was alcohol &/or drug related. This includes incidents with any drug offenses, drunkenness offenses, or liquor offenses as well as incidents with any crimes marked as drug or alcohol involved.



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Delaware Information & Analysis Center

DIAC: 302-739-5996 or DIAC@state.de.us

Delaware Joint Terrorism Task Force: 302-594-4300

LT. James Hulings - Deputy Director: (302) 739-5996



In addition to the above numbers, requests for service are now being accepted at www.dediac.org.

