

Family Violence and Abuse in Later Life

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Key Lessons

1. Family violence and abuse in later life is a prevalent and pervasive issue affecting millions of older adults throughout our communities.
2. There are several types of abuse experienced by older adults, including physical violence, sexual violence, stalking, psychological violence, financial exploitation, and trafficking. Forms of abuse often co-occur.
3. Those who commit harm may use many types of tactics to assert power and control over older adults.
4. Legal services professionals should adopt a person-centered approach when working with older survivors of family violence, which includes addressing acute or complex trauma and identifying and discussing the best strategies to prevent further harm from occurring.

Section 1: Understanding Family Violence and Abuse in Later Life

Family violence and abuse in later life is a pervasive issue affecting millions of older adults ages 50 and older throughout the country each year. It is estimated that at least one in ten community-dwelling older adults have experienced some form of abuse in the past year.¹ However, for every case of abuse involving an older adult that goes reported to law enforcement, it is estimated that nearly 24 additional cases go unreported.² Understanding and recognizing the types of abuse and tactics used by perpetrators can help legal service and elder rights professionals assist older adults in accessing services and obtaining other resources.

Types of Abuse

Family violence and abuse in later life may involve intimate partners, including current and former spouses or dating partners, and includes the following types of behaviors³:

- **Physical Violence**—including physical contact that results in injury or harm to the older adult.
- **Sexual Violence**—including rape, sexual assault, or other unwanted sexual contact to an older adult.
- **Stalking**—including repeated and unwanted contact that causes an older victim to be fearful of their safety.
- **Psychological Aggression**—including verbal and non-verbal communications that attempt to hurt the older adult either mentally or emotionally.

1 Acierno, R., Hernandez, M. A., Amstadter, A. B., Resnick, H. S., Steve, K., Muzzy, W., & Kilpatrick, D. G. (2010). Prevalence and correlates of emotional, physical, sexual, and financial abuse and potential neglect in the United States: The National Elder Mistreatment Study. *American journal of public health, 100*(20), 292-297.

2 Storey, J. E. (2020). Risk factors for elder abuse and neglect: A review of the literature. *Aggression and violent behavior, 50* 101339.

3 The Centers for Disease Control and Prevention (2022) "Fast Facts: Preventing Intimate Partner Violence," [cdc.gov/violenceprevention/intimatepartnerviolence/fastfact.html](https://www.cdc.gov/violenceprevention/intimatepartnerviolence/fastfact.html) (last visited May 22, 2023).

- **Trafficking**—including attempts to profit from an older adult using force, fraud, or coercion.⁴
- **Financial Exploitation**—including misusing the assets of an older adult.

Older adults may also be affected by elder abuse involving family, friends, or caregivers. While the elder abuse statutes vary from state to state, they typically include the following categories:

- **Abuse**—including the physical, sexual, or emotional/psychological abuse of an older adult.
- **Neglect**—including the failure to provide care or abandonment by a caregiver.
- **Exploitation**—including financial, physical, or sexual exploitation of an older adult.

Tactics of Those Who Cause Harm

There are many tactics that individuals who cause harm use to assert power and control over older adults. In 2006, the National Clearinghouse on Abuse in Later Life (NCALL) developed the “Abuse in Later Life Power and Control Wheel,” which identifies several of the most common tactics and behaviors used by perpetrators toward older adults.⁵ Based on the NCALL Wheel, here are some common tactics:

Common Tactics of Those Who Cause Harm	Examples:
Committing acts of physical violence towards an older adult	<ul style="list-style-type: none"> • Hitting, kicking, or strangling an older adult • Throwing objects at an older adult
Committing acts of sexual violence towards an older adult	<ul style="list-style-type: none"> • Forcing an older adult to watch pornography • Sexually harming an older adult
Committing acts of psychological abuse towards an older adult	<ul style="list-style-type: none"> • Gaslighting or causing an older adult to believe they are “crazy” • Publicly humiliating an older adult
Committing acts of emotional abuse towards an older adult	<ul style="list-style-type: none"> • Verbally insulting an older adult • Calling an older adult a derogatory name
Targeting vulnerabilities or neglecting an older adult	<ul style="list-style-type: none"> • Refusing food or medicine to an older adult • Denying items needed for daily living (i.e., reading glasses, hearing aids, dentures, etc.)
Denying an older adult access to spiritual or other traditional events	<ul style="list-style-type: none"> • Refusing transportation to a place of worship • Mishandling, destroying, or selling religious items or artifacts
Ridiculing an older adult’s personal or cultural values	<ul style="list-style-type: none"> • Refusing to take an older adult’s cultural practices into consideration when making a decision • Not respecting an older adult’s values

⁴ Pennsylvania Coalition Against Domestic Violence (n.d.) “Human Trafficking, Exploitation, and Abuse of Older Adults,” pcadv.org/wp-content/uploads/Human-Trafficking-of-Elder-Adults-3.pdf (last visited May 22, 2023).

⁵ National Clearinghouse on Abuse in Later Life (2011) “Abuse in Later Life Power & Control Wheel,” [NCALL ALL Power Control Wheel 2016.pdf](https://www.ncall.org/wp-content/uploads/2016/06/NCALL-ALL-Power-Control-Wheel-2016.pdf) (last visited on May 23, 2023).

Using family members	<ul style="list-style-type: none"> • Misleading family members about the condition of an older adult • Excluding family from important conversations about care
Limiting others from visiting	<ul style="list-style-type: none"> • Denying access to an older adult • Restricting visitation by family, friends, or others
Using privilege towards an older adult	<ul style="list-style-type: none"> • Preventing an older adult from speaking at medical or financial appointments • Treating an older adult as an unpaid worker
Financially exploiting an older adult	<ul style="list-style-type: none"> • Taking money or property from an older adult • Using a Power of Attorney (POA) or guardianship against an older adult
Threatening an older adult	<ul style="list-style-type: none"> • Threatening to place an older adult in a nursing home or other residential facility • Threatening to kill the beloved pet or loved one of an older adult • Destroying prized possessions of an older adult

Section 2: Working with Older Survivors of Abuse in Later Life

Use a Person-Centered Approach

It is important to incorporate a strengths-based, person-centered approach when working with older survivors of abuse. This includes maintaining their confidentiality and engaging in active listening. Listen for “coded disclosures,” such as “he sure has a temper” or “she doesn’t like it when I spend money.” These types of statements may be a safe way for the client to let you know that there is an issue, and may provide an opportunity to probe gently for further information. Avoid making assumptions about what the older survivor wants to do. Instead, let them direct the conversation about their goals and objectives. Then, work with the older survivor to address any barriers or challenges they may be facing. Common barriers or challenges faced by some older survivors of abuse may include:

- Lack of financial resources
- Lack of information about available resources
- Physical or cognitive limitations
- Fear of being taken seriously or believed
- Perceptions, beliefs, or experiences that resources are not tailored to the needs of older adults
- Lack of trust in government entities, including justice systems
- Social isolation and other types of isolation

Address Acute or Complex Trauma

Older survivors of abuse often experience either acute or complex trauma.⁶ Acute trauma occurs when there is a one-time incident involving a situation where an individual feels in danger or threatened with harm.

⁶ Medical News Today (n.d.) “What is Trauma? What to Know” [medicalnewstoday.com/articles/trauma](https://www.medicalnewstoday.com/articles/trauma) (last visited on May 24, 2023).

Complex trauma happens when there are repeated traumatic events experienced by an individual. Understanding and recognizing trauma can help legal service professionals identify the best options and services for, and conduct better interviews with, older survivors of abuse.

The following are some tips for interviewing older survivors who may have experienced trauma:

- Do not expect that the older person will be able to describe incidents in chronological order or recall all details at once.
- If they are struggling to recall events, ask them to recall a sensory memory (i.e., a smell, item of clothing, what they were thinking at the time, etc.) and build out from there.
- Pace your questions and allow the older adult the opportunity to start their narrative.
- Conduct the interview with them alone and without the pressure of outside influences.

Identify and Discuss Person-Centered Strategies

It is also important to identify and discuss person-centered strategies for preventing further harm when working with an older survivor of abuse. Safety planning with your client is key, which includes providing an older survivor with information on how to stay safe should they choose to remain or leave an abusive relationship. Civil legal remedies should also be explored and discussed in detail with older survivors of abuse, which could include the following options⁷:

- Obtaining a civil or criminal protective order
- Creating or revoking a power of attorney (POA) document
- Establishing or terminating a guardianship
- Evicting an abusive household member
- Freezing bank accounts and/or obtaining financial restitution

Legal service professionals should also consider collaborating with and connecting older survivors of abuse with local service providers and other community organizations that provide advocacy, counseling, and other types of support. These organizations include, but are not limited to, the following:

- Adult Protective Services
- Domestic Violence and/or Sexual Assault Programs
- Family Justice Centers
- Aging Network
- Faith Community/Cultural Centers
- Criminal Justice System (i.e., law enforcement probation)/Victim Advocates)
- Protection and Advocacy Systems (P&As)

Section 3: Case Examples

Example: Rita

Rita is a 75-year-old female who is seeking legal advice to set up a trust account for her nephew, Dave. During your initial client consultation, Rita discloses that her nephew often calls her names and has taken her money to support his drug habit. You also notice bruising on Rita's arms.

⁷ Laatsch, A., Davis, J., & Brandl, B. (2017). Domestic Violence in Later Life for Civil Attorneys. *Michigan Family Law Journal*, 47(3), 1-10.

Ways to help Rita:

- Listen to Rita's fears and concerns.
- Ask her questions about what she would like to do.
- Discuss safety planning options with Rita.
- Discuss possible strategies involving local service providers and other community organizations with Rita (i.e., local domestic violence program, APS, aging network, etc.)
- Assist Rita with obtaining a protective order and other legal remedies.

Example: Harold

Harold is 65-year-old male who lives in an apartment. He is seeking legal advice about a recent eviction notice that he received from his apartment complex. During your initial consultation, he discloses that he was sexually assaulted by his next-door neighbor, John, a few weeks ago. Since that time, he is fearful about going outside of the apartment building but does not know where he can go.

Ways to help Harold:

- Listen to Harold's fears and concerns.
- Ask him questions about what he would like to do.
- Provide Harold with alternate housing options to consider.
- Discuss safety planning options with Harold.
- Discuss possible strategies involving local service providers and other community organizations with Harold (i.e., local sexual assault program, APS, law enforcement, senior housing, etc.).
- Work with Harold on obtaining a protective order and other legal remedies, which may include protections against the eviction.

Conclusion

Family violence and abuse in later life is a pervasive and challenging issue that affects countless older adults throughout the country each year. Because such abuse often goes unreported, it is important for legal service professionals to identify and recognize the types of abuse and tactics used by those who cause harm to assist in providing the best options to older survivors of abuse. When working with older survivors, legal service professionals should adopt a strengths-based, person-centered approach that focuses on what the survivor wants to do. Trauma-informed practices should also be implemented, along with safety planning and a discussion on what the client believes are the best strategies for preventing further harm from occurring.

Additional Resources

- NCLER [Elder Justice Toolkit](#)
- NCLER: [Trauma-Informed Lawyering](#)
- [National Clearinghouse on Abuse in Later Life \(NCALL\)](#)
- [National Center for Law and Elder Rights \(NCLER\)](#)
- [ABA Commission on Law and Aging \(COLA\)](#)
- [ABA Commission on Domestic and Sexual Violence \(CDSV\)](#)

- [National Adult Protective Services Association \(NAPSA\)](#)
- [United States Department of Justice](#)
- [National Center on Elder Abuse \(NCEA\)](#)
- [National Domestic Violence Hotline](#)
- [AARP](#)
- [National Disability Rights Network](#)
- [Alzheimer's Association](#)
- Aging Safely: [Safety Planning Online Form](#)
- Spring Alliance: [Elder Shelter Network](#)

Case consultation assistance is available for attorneys and professionals seeking more information to help older adults. Contact NCLER at ConsultNCLER@acl.hhs.gov.

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