



Chapter
3

PREVENTING AND PROTECTING YOURSELF FROM ABUSE

In This Chapter, Learn:

- Who the Victims and Abusers Are
- Why Victims Don't Report Abuse
- About the Signs of Abuse
- How to Protect Yourself from Financial Exploitation
- How to Report Abuse
- About Much More

VICTIMS AND THEIR ABUSERS

Who are the victims and their abusers?

Abusers can be from all walks of life — friends, acquaintances, family members, or strangers. Abusers try to isolate and manipulate their victims so the victim will not tell someone about the abuse. They do this by preventing the victim from seeing friends, family members, and others. They also manipulate the victim into not trusting friends, while the abuser continues to gain the victim's trust.

Why don't victims report abuse?

Perhaps you know someone who has been abused, or perhaps you have been a victim yourself and you have never told anyone about that abuse. There are many reasons victims fear reporting abuse, including the fear that:

- No one will help.
- The abuser will retaliate.
- The relationship with the abuser will be lost, and the victim is dependent on the abuser.
- The abuser will get into trouble.
- Others will discover they have been abused.

SIGNS OF ABUSE

What are the signs of physical abuse?

Physical abuse occurs when a person is hurt in a way that causes injury or will likely cause injury. Signs of physical abuse include the following:

- Unexplained bruises, fractures, or welts.
- Sprains, injuries, or open wounds.
- Abrasions and lacerations.

What are the signs of emotional abuse?

Emotional abuse is the infliction of mental anguish or emotional distress. This occurs when a person is subjected to behavior such as yelling, swearing, ridiculing, harassing, or coercing. Signs of emotional abuse include the following:

- Low self-esteem.
- Emotional outbursts.
- Withdrawn attitude.

What are the signs of neglect?

Neglect occurs when a person does not have basic necessities like food, water, clothing, shelter, medical care, and personal care. This can occur through a senior's own neglect or a caretaker's neglect. Signs of neglect include the following:

- Lack of food, necessary medication, or medical care.

- Weight loss, dehydration, or malnutrition.
- Filthy living conditions.
- Poor hygiene.

What are the signs of financial exploitation?

Financial exploitation occurs when a person is deprived of their assets (things that a person owns that have value). Signs of financial exploitation include:

- Disappearance of possessions or money.
- Sudden withdrawals or transfers of funds to another person.
- Inability to afford food, clothes, or social activities.
- Money spent on items that the senior does not need.
- Changing a name on a deed may be cause for a concern (see below).
- Because financial abuse is so prevalent, the following section provides warning signs and helpful tips on how to protect yourself.

FINANCIAL EXPLOITATION

Who is doing the financial exploitation?



The most important thing is to be careful about everyone, including family members. Most people don't believe financial exploitation can happen within their own family, but three out of four perpetrators are family members.

How can I protect myself from financial exploitation?



Ask for Help from Someone You Trust

Financial matters can be confusing and difficult. If you have questions or need assistance, ask for help from a trusted family member, friend, clergy, or other professional.

Stay Socially Active

Social isolation increases your risk of becoming a victim of abuse. Learn about the many programs in your community that encourage seniors to socialize, including senior center programs. Contact your local Area Agency of Aging (AAA) for more information (see listing in Appendix A).



Choose an Agent Carefully

Choose an agent (someone you choose who has the authority to act on your behalf) for a Financial Power of Attorney (a power of attorney that gives an agent authority to make financial decisions for you) that you trust, who is reliable, and who has your best interest in mind. You should hire an attorney to draft a financial power of attorney (see chapter 9).



Limit the Power Given to Your Agent

To avoid a potentially abusive situation, be very careful not to grant broad authority to your agent. Clearly state what rights you are granting and limit your agent's authority to what is needed. For example, if you only want someone to pay your bills from your checking account, only give your agent the right to access that account.



Appoint a Monitor

Occasionally, agents misuse a Financial Power of Attorney by transferring property without paying a fair amount for the property or by trying to pressure or mislead you into a financial decision that is not in your best interest. Appoint a monitor to oversee your agent to ensure the agent is properly using his or her authority.



Be Careful of Joint Accounts and Other Accounts

Although joint bank accounts (a bank account that has two or more people who have the same rights to the account) are convenient, they are also risky. Both people have access to the money in the account. For example, if you have a joint account with your nephew and he fails to pay back a loan, the creditor can take the money from the joint account to satisfy your nephew's debt. There are better ways to allow people to manage your money. Talk to an attorney about an appropriate option for you. In addition, you should never let someone borrow your ATM card, credit card, or give them blank checks. Frequently monitor all your account statements and check your credit report annually. According to a recent study, Utah seniors lose around \$52 million dollars a year due to exploitation.



Be Extremely Cautious in Deeding Real Property

Although there may be legitimate legal reasons for deeding your house to your children, it is not wise to do this while living and without legal consult. Once you have deeded your home, you no longer have the rights to live in it or sell it. While you may

think that your children would never kick you out of your home, it does happen.

REPORTING ABUSE

How do I report abuse?

It can be difficult to report abuse, especially since abusers are often family members. However, no one should have to tolerate abuse, and you may have to report it to make it stop. If you are being abused, the most important thing you can do is tell someone you trust — a friend, a religious leader, a doctor, a family member, or Adult Protective Services (APS).



If you believe that another senior is the subject of abuse, neglect, or financial exploitation, Utah law requires you to report the abuse to APS or the nearest law enforcement office. If you fail to report abuse you could be charged with a misdemeanor (a lesser crime than a felony). Even if you are uncertain about the situation, it is best to err on the side of reporting the suspected abuse to APS.

APS is a government organization that assists vulnerable and elder adults in need of protection to prevent or discontinue abuse. All calls and reports are confidential.

MORE INFORMATION

ABUSE

Report any suspected abuse of a senior

Utah Adult Protective Services

800-371-7897

www.hsdaas.utah.gov

Information on abuse

National Committee for the Prevention of Elder Abuse

www.preventelderabuse.org