



U.S. Senate Special Committee on Aging

Hearing on

***Justice for All: Ending Elder Abuse, Neglect
and Financial Exploitation***

March 2, 2011

Written Testimony Submitted by:

Casa de Esperanza: National Latin@ Network for Healthy Families and Communities, Patti Tototzintle, CEO

National Hispanic Council on Aging (NHC OA), Dr. Yanira Cruz, President and CEO

Chairman Kohl, Senator Corker, and distinguished members of the Special Committee on Aging, we would like to thank you for your commitment and leadership in holding a hearing to address the critical need to end elder abuse, neglect and financial exploitation, and for providing us the opportunity to submit written testimony.

Casa de Esperanza and the National Hispanic Council on Aging would like to jointly address how elder abuse impacts Latino¹ communities and the importance of addressing these complex issues in a comprehensive way in order to reduce barriers and build upon community strengths.

Casa de Esperanza, founded in 1982, is a national Latina organization whose mission is “to mobilize Latinas and Latino communities to end domestic violence.” We work at national and local levels to influence social change. Our national work in public policy, research and training is fueled by our local work grounded in the realities of Latinas. In Minnesota, we provide shelter and advocacy to Latinas living in the community, offer support through our 24/7 bilingual crisis line, train Latina women and teens to offer workshops to their peers, and provide access to resources and information through community resource centers. Nationally, we advocate for public policy that is responsive to the realities of Latinos/Latinas, conduct culturally relevant research to inform the development of new strategies, and offer training and support to Latino domestic violence organizations and mainstream agencies that work with Latinas and their families throughout the United States and Puerto Rico. Casa de Esperanza also coordinates the National Latin@ Network for Healthy Families and Communities, a network of individuals and organizations interested in ending domestic violence and promoting the health and well-being of Latino/Latina communities.

The National Hispanic Council on Aging (NHCOA) is the premier national organization dedicated exclusively to improving the lives of Hispanic older adults, their families, and caregivers. Hispanic older adults are the fastest growing segment of the U.S.’s rapidly aging population. However, they also suffer from a higher burden of chronic disease and are more likely to live in poverty and substandard housing than the larger U.S. population. For over 30 years, NHCOA has been a strong voice dedicated to securing happy and healthy golden years for the nation’s Hispanic seniors. NHCOA serves Hispanic older adults at the local level through its Hispanic Aging Network, comprised of 39 community-based organizations across the country. NHCOA cooperates with these community-based organizations to develop effective and culturally sensitive

¹ The terms “Latino/Latina” and “Hispanic” are used interchangeably throughout this document. Casa de Esperanza has chosen to use the term “Latin@” in many publications, using “@” in place of the masculine “o” when referring to people or things that are either gender neutral or both masculine and feminine in make-up. This decision reflects our commitment to gender inclusion and recognizes the important contributions that both men and women make to our communities. However, since “Latin@” is not commonly recognized, for maintaining clarity in this document, we will use the terms Hispanic or Latino/Latina when referring to both males and females.

practices to effect positive change at the community level. NHCOA also conducts research at the community level to craft even more effective practices and public policy initiatives. NHCOA then uses its knowledge of best practices and its strong research background to advocate for public policy at the national level. These three aspects of NHCOA's work, practice, research, and policy, all reinforce one another and create positive change in the lives of Hispanic older adults. The work of NHCOA and its affiliates reaches 10 million Hispanics each year. Additionally, NHCOA is widely recognized for its ability to reach and serve the largely isolated and hard-to-reach Hispanic older adult community. On the national level, NHCOA engages in national advocacy initiatives to ensure that lawmakers have all older Americans in mind, including all ethnically diverse communities.

As stated in the GAO Report on elder abuse, elder abuse can occur in any community and can involve older adults in any socioeconomic, racial, or ethnic group. Many older adults experience physical, sexual, emotional or financial abuse, as well as neglect or exploitation. Though elder abuse is prevalent, a recent study estimated that only one in twenty-four cases are ever reported.² Perpetrators most often include spouses, partners, family members, caregivers and others in positions of trust. While elder abuse exists in all communities, it is important to recognize that, in order to develop effective prevention and intervention initiatives, we cannot take a "one-size fits all" approach.

The Latino population aged 65 and older is 2.7 million people according to the 2010 Census, comprising approximately 7% of the older population.³ As noted on the website of the Administration on Aging, by 2050, the percentage of the older population that is Hispanic is projected to increase to 19.8%. Additionally, by 2019, the Hispanic population aged 65 and over is projected to become the largest racial/ethnic minority in this age group.⁴

Despite these demographic changes, research on elder abuse in the Hispanic community is scarce. While it is important to acknowledge that the Hispanic population is a heterogeneous group, it is nonetheless important to recognize and proactively address a number of additional barriers that many older Latinos/Latinas encounter.

Elder abuse victims from Latino communities often face intersecting issues that compound the problem, such as economic barriers, language access and acculturation issues, isolation, challenges dealing with the criminal justice

² Testimony of Dr. Mark Lachs to Senate Special Committee on Aging March 2, 2011, available at <http://aging.senate.gov/events/hr230ml.pdf>

³ U.S. Census; Social and Economic Characteristics of the Hispanic Population: 2009, available at: <http://www.census.gov/compendia/statab/2011/tables/11s0037.pdf>, retrieved March 12, 2011.

⁴ Administration on Aging website; Population Projections and Characteristics of Older Hispanic Americans 65+, available at: http://www.aoa.gov/AoAroot/Press_Room/Social_Media/Widget/Statistical_Profile/2010/9.aspx, retrieved March 12, 2011.

system, ageism, racism, and anti-immigrant sentiment, among others. These issues have a disproportionate impact on marginalized communities and result in additional layers of complexity to reach and provide assistance to these victims. Additionally, views on the role of family may sometimes make it difficult for Hispanic older adults to recognize abuse or to report abuse to someone who can help them. Too often, historically marginalized ethnically diverse communities have also lacked adequate access to effective services and systems. Thus, we must take a culturally sensitive approach to solving the problem of elder abuse in the Hispanic community.

It is equally important to acknowledge the many cultural and community strengths that can serve as protective factors and help advance efforts to end elder abuse. A diversity of approaches that fully engage Latino communities to maximize cultural and community strengths is required to end elder abuse in the Hispanic community. Providing individual assistance also requires presenting options and supporting survivors who are capable of making such decisions to help them determine the solutions that work best for them as experts in their own lives.

In “Elder Abuse and Neglect in Latino Families: An Ecological and Culturally Relevant Theoretical Framework for Clinical Practice”, Dr. Jose Ruben Parra-Cardona and his colleagues identify both individual and systemic risk factors for the incidence of elder abuse. Individual factors include gender, marital status, mental health, and dependency. He also cites broader, systemic risk factors such as linguistic barriers, limited access to resources, and difficulties in accessing health care.⁵

Intimate partner violence is a significant form of elder abuse. In particular, married elder Latinas are at higher risk for being victims of abuse or neglect compared with Latina elders who are not in marital relationships.⁶ Linguistic and cultural barriers often make it more difficult for survivors to seek help, as well as shame of reporting the abuse and fear of social isolation. Research shows cultural factors may compel female, Hispanic elder abuse victims to feel reluctant to report abuse or separate from their abuser, though more research is needed in this area.⁷

⁵ Parra-Cardona, J., Meyer, E., Schiamberg, L., Post, L.. (2007). Elder abuse and neglect in Latino families: An ecological and culturally relevant theoretical framework for clinical practice. *Family Process*, 4, 451-470.

⁶ Parra-Cardona, et. al. (2007), citing Grossman, S.F., & Lundy, M.(2003). Use of domestic violence services across race and ethnicity by women aged 55 and older: the Illinois experience. *Violence Against Women*, 9, 1442-1452.

⁷ Parra-Cardona, et. al. (2007), citing Vazquez, C.I., & Rosa, D. (1999). An understanding of abuse in the Hispanic older person: Assessment, treatment, and prevention. *Journal of Social Distress and the Homeless*, 8, 193-206.

Risk for Latino elder abuse is generally associated with higher levels of physical, economic and emotional dependence.⁸ Data from the U.S. Census Bureau reveal a much higher level of dependency among Hispanic older adults. For example, the percentage of Hispanic older adults living with other relatives is about twice that of the total older population.⁹ In particular, foreign-born Latino/Latina elders can be highly dependent on relatives because of economic and cultural factors, including lack of access to social security or other pensions, as well as language barriers and limited knowledge of U.S. laws and systems.¹⁰ Caregiver stress can also contribute to elder abuse when caregivers find themselves overextended trying to generate sufficient financial resources for their immediate families while also attempting to care for their aging relatives.¹¹

Limited English proficiency is a significant risk factor for elder abuse since this leads to more social isolation and dependence, limits the type of social support networks these individuals are able to establish, and significantly reduces access to services and systems intended to assist older adults.

Additionally, having limited economic resources increases economic dependence, which is a risk factor for elder abuse.¹² Hispanic older adults face greater economic challenges than many other groups, thus increasing their vulnerability. Households containing families headed by Hispanic persons aged 65 and over reported a median income in 2008 of \$33,418 (as compared to \$46,720 for non-Hispanic Whites). Among such Hispanic households, 19% had an income of less than \$15,000 (compared to 5% for non-Hispanic White family households) and 48% had incomes of \$35,000 or more (compared to 65% for non-Hispanic Whites).¹³ The poverty rate in 2008 for Hispanic older persons (65 and older) was 19.3 percent. This was more than twice the percent for non-Hispanic Whites (7.6 percent).

Barriers to accessing adequate health care also negatively impact the physical and mental health of older adults and increase the risk for elder abuse among

⁸ Parra-Cardona, et. al. (2007), citing Montoya, V. (1997). Understanding and combating elder abuse in Hispanic communities. *Journal of Elder Abuse and Neglect*, 9, 5-17.

⁹ Administration on Aging website; Population Projections and Characteristics of Older Hispanic Americans 65+, available at: http://www.aoa.gov/AoAroot/Press_Room/Social_Media/Widget/Statistical_Profile/2010/9.aspx, retrieved March 12, 2011.

¹⁰ Parra-Cardona, et. al. (2007), citing Angle, R.J., & Angel, J.L. (1996). The extent of private and public health insurance coverage among adult Hispanics. *The Gerontologist*, 36, 332-340.

¹¹ Parra-Cardona, et. al. (2007), citing Angel J.L., Angel, R.J., Aranda, M.P., & Miles, T.P. (2004). Can the family still cope? Social support and health as determinants of nursing home use in the older Mexican-origin population. *Journal of Aging and Health*, 16, 338-354.

¹² Parra-Cardona, et. al. (2007), citing Montoya (1997).

¹³ Administration on Aging website available at: http://www.aoa.gov/AoAroot/Press_Room/Social_Media/Widget/Statistical_Profile/2010/9.aspx.

Latinos/Latinas.¹⁴ In 2008, only 36% of Hispanic persons aged 65 and over had received pneumococcal vaccination as compared to 64% of non-Hispanic Whites and 43.4% of non-Hispanic Blacks (2008 National Health Interview Survey). The National Health Interview Survey in 2008 also revealed that 9.2% of Hispanic persons aged 65 and over needed help from other persons for personal care as compared to 5.7% for non-Hispanic Whites and 10.3% of non-Hispanic Blacks.

Furthermore, Latinos/Latinas who live in states with marked anti-immigration legislation are less likely to seek and obtain medical care than those who live in states without such legislation.¹⁵ In general, anti-immigrant sentiment has a negative impact since elders who experience medical needs or want to report abuse or neglect may choose to remain silent to avoid exposure to legal or immigration systems.¹⁶ This is true even for those with legal immigration status since elders wanting to reach out for help may not do so if there is a possibility that any family member or relative may experience punitive immigration or legal consequences as a result of their immigration status.¹⁷ For example, they may fear that a relative with Legal Permanent Residency (LPR) status could be deported if convicted of a crime. Additionally, regardless of their immigration status they may fear discrimination and secondary victimization if they get involved with the legal system.

Information gathered from community-based organizations shows the prevalence of elder abuse among Hispanic older adults. For example, the director of NHCOPA network member, Senior Community Outreach Services, in Rio Grande, Texas reported that Hispanics in their program are especially reluctant to report abuse. She indicated that Hispanic older adults are often “scared to death” of reporting an abuser in the family for fear of what the abuser might do, for fear that the rest of the family will not believe them, and for fear of being cast out of the family. Additionally, older Latinos/Latinas who may have challenges communicating in English often find that the Adult Protective Service workers talk directly to the caregivers to try to find out what the situation is and thus leave the older victim in a much more vulnerable situation. Additionally, she reported that older Hispanics are often intimidated by the police. This is particularly true for those who may have experienced abusive law enforcement and legal systems in their countries of origin.

¹⁴ Parra-Cardona, et. al. (2007), citing Unutzer, J. & Bruce, M.L.(2002). The elderly. *Mental Health Services Research*, 4, 245-247.

¹⁵ Parra-Cardona, et. al. (2007), citing Berk, M.L., & Schur, C.L. (2001). The effect of fear on access to care among undocumented Latino immigrants. *Journal of Immigrant Health*, 2, 155-156.

¹⁶ Parra-Cardona, et. al. (2007), citing Crist, J.D. (2002). Mexican American elders' use of skilled home care nursing services. *Public Health Nursing*, 19, 366-376.

¹⁷ Parra-Cardona, et. al. (2007), citing Young Women's Christian Association. (2006). *Violence and its impact on women's lives*. Retrieved July 29, 2006, from <http://www.ywca.org>

Additionally, the NHCOA network member noted that many Hispanic older adults do not even perceive their treatment as abuse. For example, when a family member steals Social Security checks, it is perceived by the Hispanic older adult as helping the family, rather than theft. A member of NHCOA's network in Washington, D.C. also noted that many people outside the Hispanic community are rude and sometimes reluctant to speak with older Hispanic adults with limited English ability. These experiences demonstrate that cultural sensitivity training for those in the community with the ability to identify and reduce elder abuse, such as police, adult protective services workers, and doctors, is absolutely essential.

Specific cultural values are often associated with Latino/Latina cultures, such as *familismo*, which emphasizes the importance of family life and strong family cohesion, and *colectivismo*, which places great value on community interdependence and the broader web of extended family and friends more than on individualism. While these characteristics may be perceived as a risk factor in some instances, making it less likely that an older Latino/Latina would want to report abuse or financial exploitation, they can also be used in culturally-specific community awareness and prevention initiatives as protective factors to heighten protection of older adults. Additionally, because of the place elders hold in family and history, respect for elders is a key cultural value.¹⁸ These cultural strengths, *familismo*, *colectivismo*, and respect for elders must be harnessed as protective factors in prevention and intervention programs aimed at eliminating elder abuse in Latino communities.

To end elder abuse, a diversity of approaches that fully engage Latino communities and strengthen the capacity of community-based organizations is required. Enhancing individual assistance to Latino/Latina victims of elder abuse requires presenting options that are culturally and linguistically sensitive, that eliminate barriers to accessing assistance, and that support survivors in determining solutions that work best for them. In order to advance those efforts we make the following policy recommendations:

- Ensure that all organizations that receive federal funding (including federal, state, local and non-profit organizations) provide “meaningful access” to individuals with Limited English Proficiency (LEP), pursuant to Title VI of the Civil Rights Act of 1964 banning national origin discrimination and Executive Order 13166.

¹⁸ *Latino Families and Domestic Violence: A Guide for Systems and Organizations Committed to Serving Latino Communities*, by Casa de Esperanza (2003).

- Recruit and train qualified bilingual and bicultural Adult Protective System and law enforcement staff to provide needed services¹⁹
- Support culturally and linguistically specific community outreach efforts to help reach those older Latinos/Latinas who face social and linguistic isolation and to raise community awareness of the problems of elder abuse as well as the services and protections available.
- Encourage the development of coordinated community responses at the local level that include the voices and participation of ethnically diverse communities and other underserved populations.
- Engage all community stakeholders, including faith-based organizations and culturally and linguistically specific community based organizations, since Latino/Latina elder victims of abuse are more likely to trust and seek help from these institutions first and find them more accessible. Offer training and technical assistance to assist these diverse stakeholder groups.
- Ensure that federal financial resources intended to support community outreach and prevention initiatives, as well as services and training are also targeted to reach ethnically diverse communities and the community-based or culturally and linguistically specific organizations experienced in effectively working with these populations.
- Ensure that programs such as Adult Protective Services, Meals on Wheels, domestic violence shelters and transitional housing programs, and other such federally-funded programs that have been deemed critical for life or safety, continue to be accessible to all in need of such services regardless of immigration status, as set forth in the Attorney General Order No. 2353-2001²⁰ and ensure that recipients of such funds are in compliance.
- Support the reauthorization of the Violence Against Women Act (VAWA) and the Abuse in Later Life program as well as the Older Americans Act.

¹⁹ The National Center on Elder Abuse (NCEA), *Promising Practices Issue Brief: Respecting Diversity* (2007). The NCEA through its partner, the National Committee for the Prevention of Elder Abuse (NCPEA), organized a National Teleconference on “Reaching Special Populations through Local Elder Abuse Prevention Networks” in September 2004. The report is available at: www.ncea.aoa.gov/ncearoot/main_site/pdf/PromisingPracticesRespectingDiversity.pdf

²⁰ Attorney General Order No. 2353-2001 (66 Fed. Reg. 3613 (January 16, 2001)) was issued pursuant to sections 401 and 411 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. The Order specifies the types of community programs, services, or assistance for which all immigrants remain eligible in order to protect life or safety.

- The National Institutes of Health's National Institute on Aging should research elder abuse in the Hispanic community in order to gain a better understanding of the prevalence, impact, and best practices regarding elder abuse.
- Ensure that culturally and linguistically competent research and outreach efforts are also undertaken and focused on the Latino/Latina population and other racial and ethnically diverse communities.
- Raise awareness of elder abuse in the Hispanic community in order to bring to light its prevalence and offer solutions.

Conclusion:

We greatly appreciate the commitment of the Senate Special Committee on Aging to strengthen efforts to end elder abuse and to raise greater public awareness of these issues. While victims of elder abuse are found in all sectors of society, efforts to end elder abuse must support a diversity of approaches, research and policies aimed at reaching vulnerable older Latinas/Latinos and other underserved populations, reducing barriers to accessing assistance, and building upon cultural and community strengths. Only in this manner can we work together to create an environment where all people can age with dignity, safety and justice.

For additional information or questions regarding this testimony you may contact Casa de Esperanza at 651-646-5553 or the National Hispanic Council on Aging at 202-347-9733