

IMPACT BRIEF

Guardianship and Elder Abuse

PG'S APPROACH

Project Guardianship's multidisciplinary guardianship services team plays a crucial role in uncovering and analyzing data points related to client experiences, including those involving abuse and neglect.

By integrating the expertise of legal, case management, finance, housing, and benefits professionals, the team is able to create a comprehensive picture of each client's situation. This collaboration not only improves service delivery but also enhances the organization's ability to identify patterns, risk factors, and areas of concern across its caseload. The data collected through this process offers valuable insights that can inform systemic change, support prevention efforts, and ultimately improve outcomes for older adults.

CONTEXT

According to the Centers for Disease Control and Prevention (CDC), an estimated 10 percent of people over the age of 60 experience abuse, including emotional, psychological, physical, and financial abuse. And in New York, where almost 1 in 5 adults are ages 65 and older, that percentage is even higher. It's estimated that for every elder abuse incident documented by government agencies, nearly 23 others go unidentified.

Over the last ten years, the population of New Yorkers ages 65 and older increased by more than 31 percent. In fact, older New Yorkers will soon surpass the number of school-aged children in the state. Unfortunately, as the older population increases, so does the number of societal risks. Inadequate health care, lack of affordable housing, poverty, mental health difficulties, and diminished cognitive capacity render many older adults the target of exploitative parties and practices.

The hidden nature of elder abuse and exploitation demands that guardians and other advocates remain alert and diligent in their investigation and observation of potentially abusive client relationships and finances.



DATA COLLECTION

By combining quantitative data with qualitative observations, Project Guardianship was able to uncover patterns and trends that may not be immediately apparent through court records alone. We conducted a detailed review and analysis of client records, including court documents and internal case notes. The guardianship services and data and evaluation teams coded and categorized information related to age, gender, petitioner, and type of abuse or mistreatment identified. This data collection was further enhanced by the team's collaborative approach—drawing on insights from case managers, legal staff, finance associates, and housing and benefits specialists—to ensure that all aspects of a client's experience were considered. The result is a robust dataset that not only supports internal assessments and program improvements but also contributes valuable insights to the broader field of elder justice and guardianship reform.

IMPACT BRIEF

Guardianship and Elder Abuse

CASE EXAMPLE

When Mr. Johnson*, a 72-year-old man, was placed under the care of Project Guardianship, his case appeared straightforward. However, during the intake process, the guardianship services team noticed inconsistencies in his financial records and signs of emotional distress. Through interviews with Mr. Johnson's neighbor, who had petitioned for Mr. Johnson to be appointed a guardian, the team uncovered a pattern of financial exploitation by a distant relative who had access to his bank accounts. Mr. Johnson's case reflects broader trends seen across Project Guardianship's data: clients over the age of 60 are more frequently victims of abuse, and while men and women enter guardianship arrangements in equal numbers, women are disproportionately represented among abuse victims. Financial exploitation, like in Mr. Johnson's situation, is the most common form of abuse encountered, far surpassing cases of neglect or emotional abuse.

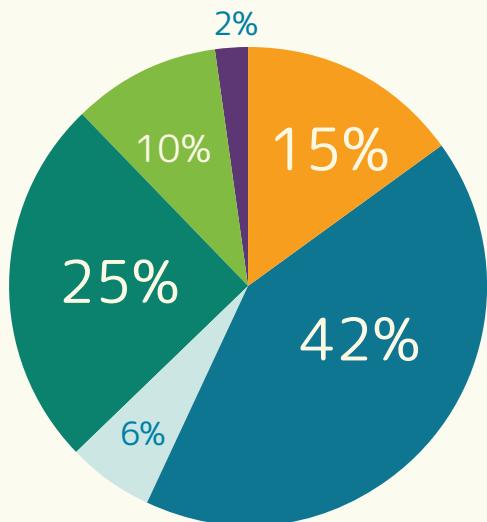
*"Mr. Johnson" is a pseudonym for a Project Guardianship client. Project Guardianship maintains the privacy and protects the identity of, and all information related to, its clients.

KEY HIGHLIGHTS:

- 60% of abuse cases concern those 60+ years old at the time of guardianship petition/appointment
- Women are more likely to be victims of abuse (68% of abuse cases involved women clients)
- Financial exploitation is the most prevalent form of abuse (48%), surpassing neglect (22%) and emotional abuse (13%)

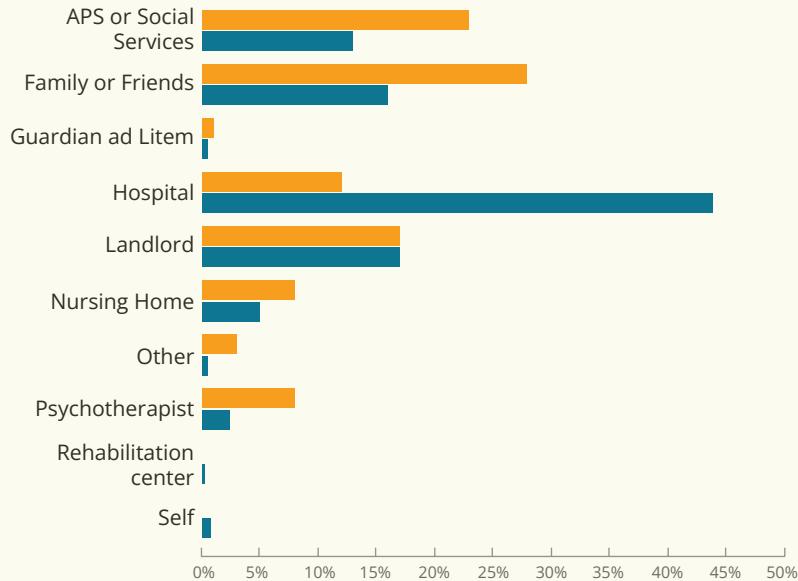
EVIDENCE OF ABUSE: ABUSE TYPE PRESENT

● Emotional Abuse (verbal mental etc)
● Financial exploitation ● Harassment ● Neglect
● Physical Abuse ● Sexual Abuse



PETITIONERS FOR CASES WITH AND WITHOUT ABUSE

● Petitioners for Abuse Cases ● Petitioners For All Cases



IMPACT BRIEF

Guardianship and Elder Abuse

ANALYSIS

Project Guardianship found that about 25 percent of its clients have some form of abuse that is clearly noted in initial court documents. And while hospitals represent 44 percent of all petitioners in cases assigned to the organization, they only represent 12 percent of petitioners for cases with clear abuse. Family or friends and Adult Protective Services (APS) are more likely to be petitioners in cases with clear abuse at 28 and 23 percent respectively.

Abuse is more likely to be reported by family or friends and APS than by hospitals because these groups typically have more consistent and personal contact with the individual, allowing them to notice signs of abuse over time. APS workers are specifically trained to identify and investigate abuse, while family or friends may feel a strong personal responsibility to report concerns. Hospitals, on the other hand, focus on immediate medical care and may only see patients briefly, making it harder to detect abuse unless there are obvious signs. Additionally, victims are often more willing to disclose abuse to trusted individuals than to unfamiliar hospital staff.

As a specialized organization serving older adults who may lack decision-making capacity or self-advocacy, Project Guardianship is well-equipped to recognize and respond to abuse. Its trained staff routinely monitor clients' living conditions, finances, and care arrangements, identifying signs of neglect, exploitation, and mistreatment. Through a multidisciplinary approach, Project Guardianship can detect patterns that might otherwise go unnoticed.

OPPORTUNITIES FOR ACTION

1. Provide trauma-informed training for guardians and caregivers to recognize the signs of elder abuse and understand the related ethical and legal responsibilities and resources.
2. Launch public awareness campaigns to educate older adults and their families about the risks of abuse and how to report suspected incidents.
3. Provide training for and oversight of court personnel to ensure that thorough and uniform investigations occur at the time of guardianship petition as it relates to abuse.
4. Take steps to ensure that older adults are not losing their rights to guardianship solely because they have been the victim of abuse.
5. Advocate for increased funding for elder abuse prevention programs, including those aimed at raising awareness, providing services to victims, and offering resources.
6. Increase access to legal services for older adults, particularly those with limited financial and/or social resources.
7. Strengthen elder abuse hotlines and reporting systems in New York to ensure that reports are taken seriously, investigated promptly, and that the system allows for anonymity and protection of those who report abuse.
8. Provide more resources for Adult Protective Services so that they may respond quickly and effectively to reports of elder abuse and exploitation.

