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SCR-140 Elder and Vulnerable Adult Abuse Awareness Month. (2017-2018)

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Senate Concurrent Resolution No. 140

CHAPTER 110

Relative to Elder and Vulnerable Adult Abuse Awareness Month.

[Approved by Governor June 27, 2018. Filed with Secretary of State June 27, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

SCR 140, Dodd. Elder and Vulnerable Adult Abuse Awareness Month.

This measure would proclaim the month of June 2018 and June of every year thereafter as Elder and Vulnerable Adult Abuse Awareness Month.

Fiscal Committee: no

WHEREAS, Elder and vulnerable adult abuse is a serious and growing crisis in California; and

WHEREAS, Not a day goes by without reports of horrific cases of abuse or exploitation of elder or vulnerable adults; and

WHEREAS, Throughout the United States, 10,000 people a day are turning 65 years of age; and

WHEREAS, One in 10 Americans 60 years of age and older experience abuse each year, and the National Council on Aging reports an estimated five million elders who are abused each year, with only 1 in 14 cases of abuse actually being reported to authorities; and

WHEREAS, In 60 percent of elder abuse and neglect incidents, the perpetrator is a family member; and

WHEREAS, One in every ten individuals over 65 years of age is living with Alzheimer's disease and nearly one in two people with dementia experiences some form of abuse by others; and

WHEREAS, Elder and vulnerable adults may be affected by a constellation of physical, mental, pharmaceutical, or medical influences, any one of which could render them unable to protect themselves or self-advocate, to report to authorities when abuse occurs, or to testify against perpetrators; and

WHEREAS, A 2009 National Institute of Justice study found that 11 percent of elders reported experiencing at least one form of mistreatment, including emotional, physical, sexual, or neglect, in the past year; and

WHEREAS, Elder and vulnerable adult abuse may be physical, emotional, sexual, or fiduciary and consists of crimes that recognize no boundaries of economic, educational, or social status, gender, race, culture, religion, or geographic location; and

WHEREAS, Subtle indicators that abuse may be occurring include bruises or pressure marks, unexplained withdrawal from normal activities, a change in alertness, unusual depression, sudden changes in financial situations, strained or tense

relationships, or frequent arguments; and

WHEREAS, Recognizing these signs is the first step toward the prevention of elder and vulnerable adult abuse; and

WHEREAS, Elders who experience abuse or mistreatment face a greater risk of impacting the health system or impacting social service systems; and

WHEREAS, The growing rate of elder abuse and vulnerable adult abuse exacts a heavy toll on public resources as elder financial abuse victims often become nursing home residents that are dependent upon Medi-Cal; and

WHEREAS, Elder and dependent adult victims have a mortality rate three times that of the general public and are 300 percent more likely to die a premature death as compared to individuals who have not been mistreated; and

WHEREAS, The incidence of abuse and exploitation of the developmentally disabled population is shocking. Over 80 percent of women with developmental disabilities and over 30 percent of men with developmental disabilities are sexually abused at least once during their lifetimes; and

WHEREAS, Given that one in 68 babies born today has a disorder on the autism spectrum, the rapid growth of special populations in need of enhanced protection will further challenge an overwhelmed patchwork of programs and services intended to protect vulnerable adult populations; and

WHEREAS, Current estimates suggest that as few as one in 14 cases of elder and vulnerable adult abuse is reported, and fewer than one in 25 incidents of financial abuse, because the victims are ashamed, hopeless, intimidated, or afraid of the perpetrator; and

WHEREAS, A comprehensive central data repository of all child abuse investigations has been in existence since 1965, but no similar repository exists for investigations of crimes against vulnerable, elderly, and other dependent adults; and

WHEREAS, Even in 2015, with a rapidly expanding population of elderly adults and other adults with disabilities that render them vulnerable to predators, the State of California did not collect or maintain comprehensive data on abuse cases, reports, or investigations, thus inhibiting the government's capacity to be informed about existing trends, and to make informed decisions about the strategic use of existing resources, let alone improve the existing reporting system, enhancing protections, or lending law enforcement partners the tools necessary to secure justice; and

WHEREAS, The lack of statewide elder and vulnerable adult abuse data prevents policymakers from measuring the extent of these crimes and tragedies; and

WHEREAS, The lack of a statewide strategy that includes a single point of contact to report an incident of abuse contributes to the current state of underreporting, incomplete investigations, lack of resources, ambiguous jurisdiction, and incomplete data; and

WHEREAS, The California Commission on Aging and the California Elder Justice Coalition convened an elder justice summit in 2013 during which 140 experts and advocates identified shortcomings in California's response to elder abuse and proposed promising solutions, including an Elder Justice Blue Ribbon Panel to focus on the problem; and

WHEREAS, Elder and vulnerable adults have the right to live safely in the least restrictive environment, whether in their homes or health care facilities, and to enjoy an optimum quality of life while being protected from all forms of injustice; and

WHEREAS, Private citizens and public agencies must work to combat crime and violence against elders and vulnerable adults, particularly in the face of continued funding reductions in vital services; and

WHEREAS, Due to the ubiquitous nature of elder abuse, June 15 is recognized internationally as World Elder Abuse Awareness Day. First established in 2006, the day is intended to raise awareness of elder and vulnerable adult abuse and to promote better understanding of the cultural, social, economic, and demographic issues behind the growing incidence of elder and vulnerable adult abuse around the globe; and

WHEREAS, All Californians are strongly encouraged to report suspected abuse of an elder or vulnerable adult by calling their local adult protective services agency, Long-Term Care Ombudsman, law enforcement, or emergency services agencies; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature proclaims and acknowledges the month of June 2018 and June of every year thereafter as Elder and Vulnerable Adult Abuse Awareness Month; and be it further

Resolved, That California's recognition of elder and vulnerable adult abuse in June is consistent with the World Elder Abuse Awareness Day of June 15; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.