

**The Bill Blackwood  
Law Enforcement Management Institute of Texas**

---

---

**The Victimization of the Elderly in America**

---

---

**A Leadership White Paper  
Submitted in Partial Fulfillment  
Required for Graduation from the  
Leadership Command College**

---

---

**By  
David Ferguson**

**Wichita Falls Police Department  
Wichita Falls, Texas  
June 2017**

## **ABSTRACT**

Americans are living longer lives than ever before. Criminals are often taking advantage of this and are targeting the elderly in their criminal enterprises. These offenses run the gamut from assault, theft, and identity theft to name but a few. As the number of senior citizens grows (Brandon 2012), police departments should make the investigation and prosecution of crimes against the elderly a high priority. The elderly often fear being victims of violent crime, which, in turn, can make them more susceptible to other offenses such as fraud or identity theft. This is often compounded by the fact that many older Americans are more trusting and are often homebound and eager for conversation regardless of whom it is from. These factors as well as less awareness of the need to protect personal information often makes the elderly prime targets of con men and scam artists (Jordan 2002). There are many approaches police departments could take in helping to protect the elderly. They could train older consumers on what to watch out for when speaking with strangers in person or on the phone. Civilian employees could initiate home visits to check on the welfare and safety of homebound citizens. When offenses are committed against the elderly, police agencies and district attorneys' offices could make the investigation and prosecution of these offenses a higher priority. These are just a few steps departments could use to show the citizens of their community that the welfare of their elderly is the highest priority.

## TABLE OF CONTENTS

	Page
Abstract	
Introduction . . . . .	1
Position . . . . .	2
Counter Position . . . . .	5
Recommendation . . . . .	7
References . . . . .	12

## INTRODUCTION

The purpose of this paper is to explore the topic of elderly citizens being victims of crime. Due to many factors, the population of senior citizens in this country is growing at a steady rate. Law enforcement is faced with the challenge of finding new and better ways to serve senior citizens who find themselves the victim of crime. This includes not only the arrest and prosecution of offenders who prey on the elderly but also ways to inform and educate potential victims to prevent the crimes from reoccurring. For many generations, this is an issue that was largely nonexistent due to the shorter life spans of the average individual. Throughout history, a small percentage of people lived to be senior citizens (Burkett-Dreggors, 2001). Citizens are now living longer lives, often times living alone with little support or assistance. Although percentage wise the elderly are not more likely to be victims of crime than are people in other age groups, when they are victimized, it often impacts them to a greater degree than it would someone from another age group. The elderly, unlike other groups, are often unable to return to work to recoup lost wages or to pay for unexpected repairs due to vandalism or other property crimes.

Many older Americans grew up in a time in when their word was their bond and a handshake was the only assurance needed to be sure someone was to be trusted. Because of this, many elderly citizens are more trusting than other age groups and less apt to turn away someone who shows up at their door offering labor or services. Most police departments regularly conduct training on how to interact with subjects from various socioeconomic groups or classes. However, there is normally little to no training on how to communicate and serve the elder age groups. Elderly citizens often

have less technical knowledge than younger generations and may be unaware of steps normally taken to protect oneself from fraud, identity theft, and other financial crimes. Many elderly citizens suffer from medical conditions that may make them easy targets for criminals. Conditions such as dementia and other cognitive conditions often make it difficult for an elderly crime victim to be able to reliably identify an offender or be able to testify in court. However, many criminal offenses, when committed against the elderly, bring higher penalties to the offender. Due to the increasing number of elderly citizens in this country, police departments should make the investigation and prosecution of crimes against the elderly a high priority.

## **POSITION**

The reason for this research is to show the benefits to elderly citizens, the Public, and the police when enforcement of crimes that are directed against the elderly is given a high priority. There are now more senior citizens than any other time in American history (Brandon 2012). Projections indicate this is a trend that will continue as people live longer, often more independent lives.

The state of Texas has recognized that criminal offenses committed against the elderly warrant more severe penalties. The Texas Penal Code (22.04) makes it a felony offense to injure or assault a disabled subject or someone over 65 years of age. For most other groups, assault is a misdemeanor offense. Credit card abuse (32.21), securing execution of a document by deception (32.46), and forgery (32.21) are all enhanced when the victim is elderly (LexisNexis, 2015).

One factor to consider is that because the elderly often fear being victims of violent crime, it can make them more susceptible to being exploited by

professional scam artists (Jordan 2002). Many older Americans are unaware of the need to protect personal information and the ways they can do this.

For years, police departments have had to contend with “dumpster divers.” These are individuals who pilfer from public dumpsters. In the past, the “diving” was often for cans, metal, and items to sell. The trend now is that “divers” are searching for personal information. Many older citizens may be unaware of the need to shred their personal information before throwing it away. Departments could address the issue through neighborhood watch meetings, public service announcements, and the use of grant money to purchase low cost shredders to loan to older citizens. Police departments could also increase patrols in neighborhoods that have a greater concentration of senior citizens and look for subjects going through dumpsters possibly looking for residents’ personal information that they may have failed to shred. Many elderly who live alone are lonely and crave conversation.

Con artists will often engage the elderly in long phone conversations where they will actually be promoting a scam (Sharpe, 2004). This could be addressed by departments working with consumer agencies such as the Better Business Bureau and making all residents aware of which scams may be occurring in the area and what to watch out for. Another consideration is that older citizens are normally less able to defend themselves from violent assault or attack and “are twice as likely to suffer serious physical injury and to require hospitalization than any other age group” (“Elderly victims,” n.d., para. 1). This issue could be addressed by departments conducting free classes at nursing homes, retirement homes, and senior activity centers on actions the elderly could take to recognize potential hazardous situations and ways to avoid them.

What also has to be considered is that as many Americans get older, they may suffer from a variety of illnesses, some of which can make it difficult for them to understand they have been victimized at all. According to the National Center on Elder Abuse, approximately 14 million U.S. adults aged 65 and over suffer from some type of Disability, and approximately 5.1 million American elders over 65 have some kind of Dementia (as cited in Summers & Hoffman, 2006). Dementia and Alzheimer sufferers are also often the victim of “elder abuse” from family members and caregivers (Summers & Hoffman, 2006). Many of these instances go unreported because the victim loves the abusive family member and will not turn them in to the authorities (Summers & Hoffman, 2006). Departments could join with other agencies, such as Adult Protective Services, and provide training to officers on how to recognize signs of elder abuse and mistreatment. For several years, the (Wichita Falls Police Department 2016) has utilized the “sentinel” program. This is a program where retirement age employees respond to homes and businesses and take minor incident reports that do not necessitate response from an officer (Wichita Falls Police Department 2016). A similar program could be incorporated for incidents where the victim is elderly. The belief being that the older employee may be able to empathize with what the victim is going through and what service agencies need to be involved. This may help to show elderly victims they have representation and are not forgotten.

The Texas Commission on Law Enforcement (TCOLE) has mandatory requirements that all Texas peace officers must meet to maintain their peace officer license. Some of TCOLE’s mandated training includes racial profiling, human trafficking, and even canine encounters. TCOLE has no training requirements for

interacting with elderly victims (Texas Commission on Law Enforcement, 2016). This puts the impetus on individual departments to implement programs designed to better serve this growing segment of society. If various law enforcement agencies throughout the state advocated for increased education and training requirements through TCOLE, the issue may receive the attention it deserves.

## **COUNTER POSITION**

Some citizens may be opposed to police departments making the enforcement of crimes directed toward the elderly a higher priority due to the feeling that the elderly are just one facet of society; they may believe that all crime victims deserve equal justice, and the elderly do not warrant any more attention than other groups. While it is true that police agencies are required to enforce laws fairly across the board, and all crimes are despicable, crimes directed toward the elderly often effect more than just the intended victim. If an elderly victim loses their life savings, they may have to live with family members, perhaps for the rest of their lives. This can rob them of their independence, diminish their quality of life, and can place great stress on the family, which may already be financially strained. This can also cause the victim to fear they will be perceived by their family members as incompetent and unable to handle their own affairs (Sharpe, 2004). The elderly may also fear retaliation by the offender for reporting the crime to police. By stressing enforcement and education of victims and their families, police departments could help reduce the number of families impacted by crime in their community.

Another possible concern with this proposal is the perception that police departments will be tying up officers, detectives, and other personnel investigating



crimes when the rate of crime against the elderly is actually lower than with other age groups. While seniors fear being victimized, the facts are that younger women are much more likely to be assaulted than older females are (Bachman, 2002). Also, the probability of being robbed decreases significantly as individuals move through the life course (Bachman & Meloy, 2008). What needs to be considered is the inability, often times, for elderly victims to recuperate, physically and financially, from the crimes as well as younger victims are able to. Offenses that may be thought of as minor incidents to younger age groups might have severe psychological effects for older citizens. Police agencies often form joint task forces with other agencies to combat crimes such as narcotic or vice related offenses. The same type of task force could be created among several police agencies with a representative from each agency's crimes against persons and financial crimes units. These units could concentrate their efforts on apprehending offenders who have a history of targeting older victims. This way, fewer officers from one agency would be occupied and larger areas could be policed, which would create a win-win for the police and their citizens.

A final concern may be the fact that criminal cases in this country can often take years before going to court. When dealing with victims who are elderly and often in declining health, police find themselves having to contend with the reality that they are arresting suspects who may never see the inside of a courtroom. The elderly traditionally have had a good relationship with and trust the police (Jordan 2002). In an age where scrutiny of the police is at an all-time high, the image of any agency could be greatly enhanced when they show that they are serious about prosecuting offenders who target the elderly. The fact that the victim may die before his or her case goes to

court cannot be something that professional, proactive police agencies allow to effect the way they do their job.

## **RECOMMENDATION**

Crimes perpetrated against the elderly and the ways to combat it in the coming years should be a major concern for all police agencies in this country. It is clear that the number of elderly citizens in this country is only going to increase (Brandon 2012), and they will continue to be targeted by people who see them as easy marks. Many older Americans are on fixed incomes and are deeply impacted when they are crime victims. They also have a strong fear of violent crime. This fear of violence, whether founded or unfounded, often makes the elderly more susceptible to being a victim of financial crimes. Older Americans, such as the silent generation (1920s -1940s) and baby boomers (1946 – 1964), were raised in a time when people were often given the benefit of the doubt and were only as good as their word. These traits, unfortunately, can play into the plans of people intent on swindling older citizens. Texas is one state where the need to help protect the elderly victim has been acknowledged, which has resulted in offenses against the elderly having stronger penalties. Due to the fact that the elderly are often limited physically and may live alone, they are less able to defend themselves from violent crimes such as assault. In addition, approximately 20% of Americans over the age of 65 suffer from dementia (Karel, 2011). Unfortunately, this can result in victims being unable to identify their attacker.

Some arguments to the position that crimes against the elderly requires more attention from law enforcement may include the feelings that the elderly are but one part of society and everyone deserves the same level of police protection. The idea that the

investigation of crimes against elderly victims should be a high priority does not infer that other crimes should be neglected. It is only that due to the increased stress on the elderly and, at times, their families, other age groups often do not warrant the increased vigilance by the police.

Another argument mentioned is the increased workload to agencies more actively pursuing cases in instances when the victims are no more at risk than other groups. Although the argument initially seems valid, it fails to take into account the greatly increased chances of injury that occurs when the elderly are victimized. This means the quality of life of elderly victims is more greatly impacted than it would be for many other groups.

The final assertion that the elderly may not live long enough to see their cases go to court is not a valid reason to fail to prosecute or attempt to prosecute offenders. The elderly need a voice and need to know that their police have their best interest at heart. Pursing cases against the criminal element that actively targets them is just one way to show older citizens that the police are on their side

Agencies should help this segment of society so the elderly can live the remainder of their lives free of the concerns of being victimized. In addition to the suggestions already mentioned, such as educating the elderly on identity theft protection and ways to detect possible offenders, agencies are limited only by their imagination on the potential ways to serve the elderly. Police could use the fact that the elderly are often retired and spend the majority of their time at home just as easily as the predators who target the elderly use it. Police training officers could train the elderly, in their homes, on what to watch for in their neighborhoods that would be

considered suspicious behavior. This is a segment of society that is known for their strong work ethic. By putting that to use, the elderly would feel empowered in helping themselves in addition to helping the police protect their neighborhoods. As an additional benefit, the elderly could be helping curb other crimes, not just the crimes specifically directed towards them. This could be an additional part of the “crime stoppers” program. If the police get alerted to a subject who is committing an offense or has a warrant for their arrest, the older citizen who called could receive a small monetary reward.

In instances where the elderly victim is intimidated by the legal process, police departments could join with their district attorney's office and start an advocacy program to assist victims with the process. This could be very similar to the Court Appointed Special Advocate program (CASA) that has existed for years. In that program, during the legal process, court appointed guardians represent children who have been victimized. This could also help to expedite the legal process for these victims. Departments could enact the program to represent the elderly so they are more comfortable in a stressful situation. Civilian volunteers of all ages, who pass a background check, could also be trained to be the advocates. This would benefit the elderly victim and show the community the regard the police have for their older citizens.

Many cities have neighborhood watch groups where citizens will have a designated part of their neighborhoods to “police” on a given day and time. The same concept could be adopted to “watching” the homes of older citizens. The watch participants could, in addition to watching the houses, make regular contact with the

residents checking on their status. This again could be a joint venture with citizens, police, and groups, such as Adult Protective Service and the Better Business Bureau, among other agencies. If watch members are told something from an elderly citizen that gives them concern, they could contact an assigned representative from the police who could follow up with the other agencies as appropriate.

Many police and sheriff departments regularly conduct citizen police academies. These academies often last for a few weeks to several months and inform citizens on the many functions of their police that the citizens may not be aware of. Departments could begin a senior citizens police academy. The location could be changed from the police department to an area such as a day room in a nursing home or senior center. This way, the citizens could be “trained” by the police in a location where they are comfortable. The lessons taught to the academy participants could be geared to subjects important to protecting the elderly from victimization. In addition to the elderly attendees, their family members could be invited to attend. This would ensure the older citizen and their family members are trained at the same time, increasing the likelihood that the information will be shared and retained.

Although the suggestions listed advocate involvement by the community, it does not change the fact that the police have the ultimate responsibility for policing all members of society, not just the elderly. If the community is involved, however, it may build a feeling of comradery and ownership for all involved. As community members become aware of the offenses their older citizens often have to endure, they may put pressure on lawmakers and district attorneys’ offices to take a serious look at the offenders in their jurisdiction who prey on the aged. These are just some of the possible

ways police departments could better serve the elder community before and after they are victimized. Many of these steps could both enhance service to this often neglected segment of society while at the same time increasing prosecution of the crimes.

## REFERENCES

- Bachman, R. (2002, January 26). *Criminal victimization of the elderly*. Retrieved from <http://www.encyclopedia.com/doc/1G2-3402200088.html>
- Bachman, R. & Meloy, M. (2008, March). The epidemiology of violence against the elderly: Implications for primary and secondary prevention. *Journal of Contemporary Criminal Justice*, 24(2) 186-197.
- Brandon, E. (2012, January 9). 65 and older populations soars. *US News And World Report*. Retrieved from <http://money.usnews.com/money/retirement/articles/2012/01/09/65-and-older-population-soars>
- Burkett-Dreggors, D. (2001, Sep/Oct). Crime prevention for an aging America: A stepping stone to comprehensive response. *Sheriff*, 53(5), 30-32.
- Elderly Victims*. (n.d.). VC Archive. Retrieved from [https://www.ncjrs.gov/ovc\\_archives/reports/firstrep/eldvic.html](https://www.ncjrs.gov/ovc_archives/reports/firstrep/eldvic.html)
- Jordan, L. (2002, May). Law enforcement and the elderly: A concern for the 21st Century. *FBI Law Enforcement Bulletin*, 71(5), 20-23.
- Karel, M. J., Gatz, M. & Smyer, M. A. (2012, April). Aging and mental health in the decade ahead: What psychologists need to know. *The American Psychologist*, 67(3), 184-198. doi: 10.1037/a0025393
- LexisNexis. (2015). *Texas criminal and traffic law manual*. Charlottesville VA: Matthew Bender and Company Inc.
- Sharpe, C. C. (2004). *Frauds against the elderly*. Jefferson, NC: McFarland and company.

Summers, R. W. & Hoffman, A.M. (2006). *Elder abuse: A public health perspective*.

Washington, DC: American Public Health Association.

Texas Commission on Law Enforcement, (2017). *Course curriculum materials and updates*. Austin, TX: Author.

Wichita Falls Police Department. (2016, May). *General order 100.007, II, B, 7, Sentinels*. Wichita Falls, TX: Author.