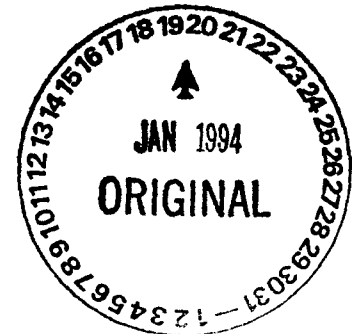


Law Enforcement Management Institute

The American Dream Has Become a Nightmare
"The Elderly Are Being Arrested"

A research paper
submitted in partial fulfillment for
Module III

by
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Abstract

This paper is entitled, The American Dream has become a Nightmare "The Elderly Are Being Arrested."

It is intended to reinforce the fact that the elderly do commit crimes and that the crimes they commit are on the increase.

This paper will show the increase of elderly offenders 55 years of age and older who are processed through the Houston Police Department jail system during July, August, and October of 1990, 1991 and 1992. This information will show the number of persons 55 years of age and older arrested who were arrested by their gender and age as well as the increase in first and repeat offenders.

The information collected does not include misdemeanor arrests. The numbers reflect crime categories that include shoplifting, possession with intent to sale narcotics, and homicides.

The paper concludes with a statement on the importance of making policing agencies aware of trends that develop within their jurisdictions concerning elderly crime. It is imperative that recognition of the significant increases in elderly crimes lead to the establishment of policies, training and support programs designed specifically for the elderly criminal.

Purpose

Wei Lin, Henry Durlock, Kathryn Yanunch, Betty Jean Astley, and Wilbert Willington each have something in common: (1) they have been arrested; (2) they are first-time offenders; and (3) their ages range from 65 to 82 years old.¹

This paper examines the elderly offender processed through the Houston Police Department jail system. The periods examined was July, August, September, and October 1990, 1991, through 1992.

The primary mission of this paper is:

- * To show that there is an increase in the number of persons 55 years of age or older being arrested as first-time offenders and jailed by the Houston Police Department Police Officers.
- * To recommend that sensitivity classes designed to specifically address elderly offenders be taught to police officers as part of their in-service training program at the Police Academy.
- * To suggest that we monitor, train, and inform our personnel about how to handle the elderly offender.
- * To suggest that there is an urgent need for better reporting (record-keeping) of crimes committed by the elderly offender.

- * To suggest that we create networking systems with business leaders for helping the elderly offender.
- * To promote public awareness that while there is not a crisis here, there is a problem that will need to be addressed in the immediate future.

The history of crime in America is quite simply the history of America. And even in the good old days, the best of neighborhoods quickly went to hell. This was true of Cherry Street, where George Washington resided at the corner of Franklin Square after his inauguration as president of the United States and where, a few doors away, John Hancock lived. Together they strolled amid the street's fragrant cherry trees and spoke of the *American Dream*.

- Carl Sifakis

Introduction

What happen to the American Dream? Somewhere we have dropped the ball. In this age of technology and race for success, many elderly have been pushed aside for their younger more aggressive grandchildren. Today's elderly are often forced into early retirement and denied jobs which they are capable or performing well. They are discriminated against simply because of their age and are forced to do what they feel is necessary to survive. Sometime this means committing a crime. This can happen when the elderly become involved in supplementing their meager social security and retirement checks at times by either stealing or selling drugs.

Is it that America has bottomed out and can not longer provide the American dream? The elderly are arrested at an usually high rate and are treated like an embarrassing alcoholic uncle at some family gathering.

For the most part, elderly crime has been confined to the closet since 1984. In that year it was examined in the Elderly Criminal by Newman and Newman and considered a problem created by the graying of America. It represents a dilemma that has received little professional attention even as increasingly greater number of elderly persons become involved in the criminal justice system. During the past decade there has been much more concern about elderly persons as victims of crime than as criminals. At first the idea of an elderly criminal strikes many people as a rare occurrence or as unimportant. However, newspapers give accounts of 80-year-olds, growing marijuana; 76-year-olds bank robbers, and elderly shoplifters acting out illegal, improper and even humorous behavior.²

The problem of the elderly criminal offender falls squarely between the disciplines of gerontology and criminology. This is perhaps because it is even

yet a statistical rarity and theoretically a deviation from the normal order, or because focusing on such an issue casts the elderly in a negative light. Social scientists have largely neglected the issue because the elderly are usually thought of as financially secure, stable, and a learning resource for the younger generation. Seeing the elderly confined in the jail system sends a signal to society that we have failed. Nevertheless, because of economic pressures, or possible family isolation, the elderly are becoming more involved in criminal activity. For many elderly persons, throughout America and Houston, Texas, the American Dream has become a nightmare.

Who Is the Criminal The Elderly or Society?

To set the tone for the discussion that follows, let us keep in mind that senility is no crime and growing old is no sin. Although brain damage or fury and frustration of old age may result in an offense, gerontologists suggest that society commits far more crimes against the elderly than the elderly commit against society. For example, such crimes may be those of impoverishment, ridicule, imposed loneliness, or neglect of the aged.³

In the movie *Going in Style*, the octogenarian actor, George Burns (whose only crime as far as I know is leering at slim young women and smoking fat cigars), depicts the lonely oldster who, in desperation to give spirit to his later years, joins a few other lonesome seniors in a major project: robbing a bank! This is to be the ultimate macho victory. And yet, in every older person, burns a desire for recognition and, in an uncaring society, some find it only in acts of defiance.

Values and standards all too often get in the way of the compassion we can show for our fellow men. An article entitled, "Sorry There Are No Jobs Lady," published in The Houston Post, brings to light this lack of employer compassion and rejection of qualification and experience. The article highlights a 65-year-old lady with two degrees and an abundance of work experience. She is denied employment clearly because of her age.⁴

But, it is not necessarily lack of income that leads elderly people to crime, it's lack of responsibilities and controls. A paying job provides an elderly citizen with accountabilities at the same time that it helps beat old-age indigence. When it comes to being healthy enough to work, most elderly people are. Yet, census figures show that labor force participation by the elderly has plummeted as their longevity has skyrocketed.

Soon, the once popular argument that older workers need to be moved out to make room for the young will no longer hold. Labor shortages are anticipated by the year 2000. Even in the present, while we have relatively high regional unemployment rates, jobs are being created in record numbers. These jobs often go begging because of an absence of skilled workers to fill them. Older Americans, will, in the future be a valuable repository of those skills.⁵

When persons are old, poor, and stigmatized by society they become victims of preconceptions and prejudice. They are seen as problems to society. The natural result of elderly research should suggest the importance of how society should adjust to the needs of older people, rather than requiring older people to adjust to society.⁶

Demography

If the 1990 Census Bureau count is right, the number of people ages 85 and older will grow from 3.3 million today to 18.76 million in 2080. But if a researcher working with the National Institute on Aging is correct, the number of these oldest seniors in 2080 could actually be 72 million, a figure nearly four times as great as the Census Bureau's projection. This striking disparity involves a fundamental disagreement about the nature of aging. According to Dr. James Vaupel, demographer at Duke University, "If you assume that little or no progress can be made in reducing the death rates of the oldest old, the cohort will grow a lot, but if you assume the death rates among the oldest old will come down, the numbers will explode."⁷ Table 1 provides a projection of the elderly population to the year 2020.

Table 1

Percentage of 65 and Over of Total Population, 1950 - 2020

1950	8.5
1960	9.4
1970	10.0
1980	11.1
1990	12.2
2000	12.4
2010	13.0
2020	15.5

(Source) Data from Newman, Newman and Gerwitz, Elderly Criminals, Table 1

Note: As shown in Table 1, those people 65-and-over makes up about 12 percent of all American. Thus, Congress now wrestles with an economic problem, since that 12 percent gets 25 percent of the nation's annual budgetary expenditure for Medicaid, Social Security, and a variety of elderly programs.⁸

The above figures illustrate the graying of America. More startling is the whitening of those gray hairs. The highest percentage increases among the elderly is in the group eighty and over. In contrast to previous generations, when the age of people declined slowly and steadily in their sixties and seventies, today's elderly are staying vigorous, active, and healthy into their seventies and eighties, then declining precipitously and rapidly in their late eighties and nineties.⁹ Table 2 shows the projected increase in the population by age.

Table 2

Percentage Increase in Older Population, by Age Group Percent Change In 10 Year Period				
Period	65-74	75-84	85 Years and Over	65 Years and Over
Projections:				
(Middle Series)				
1980-1990	5.4	32.1	52.2	23.7
1990-2000	-2.0	18.7	48.4	10.2
2000-2010	4.6	-0.3	32.7	12.1
2010-2020	46.8	17.3	7.6	30.9
(Source) U. S. Bureau of the Census, Current Population Reports, Series P-23, No.138.				

With more Americans reaching old age, we can expect an accompanying rate in criminal offenses committed by the elderly. However, while the numbers may increase, there is no reason to expect that the rate of offenses should increase disproportionate to the number of elderly people.¹⁰

Economic Factors

Why do elderly people turn to crime? There are many factors, including the loss of prestige upon retirement, boredom, feelings of helplessness as life's end draws nearer, among other factors. Economics might be one source of the problem. Although the medium household income for persons living in Harris County, Texas in 1990 was \$ 30, 970, it was only an estimated \$ 18,000 for the elderly. Single older persons fare far worse if they are black, and single black women have median annual incomes of only an estimated \$ 15,000.¹¹

Table 3
Salary Projections By Age
1990-2020

	<i>Male</i>			<i>Female</i>		
	55-64	65+	TOT.	55-64	65+	TOT.
1990	5,159	7,207	12,398	6,137	3,169	5,274
1995	17,453	8,147	13,823	7,083	3,606	5,849
2000	18,717	8,545	14,867	7,620	3,814	6,325
2005	19,078	8,510	15,791	7,793	3,832	6,856
2010	19,280	8,431	16,657	7,898	3,824	7,390
2015	19,376	8,338	17,359	7,955	3,805	7,861
2020	20,126	8,550	18,117	8,279	3,921	8,290

(Source) U.S. Department of Health and Human Service, *National Institute on Aging*. The National Institute on Aging Macroeconomic-Demographic Model. Washington, D.C.: National Institute of Health, 1984.

Inflation is crippling efforts by those in the lower middle income brackets to keep up their quality of life. A man who retires at 65 just five years ago has seen his buying power reduced by half. Those persons that are fortunate to have jobs are working more, but are not lucky enough to have

more. It is not surprising that at 70 years of age, a person may be insecure and frightened. Frankly, he may not understand after he has worked for 35 years and is suddenly told that "cutbacks" will force him into early retirement, or simply out of work. Often their plans do not include early retirement or any drastic change in their lifestyle. Consequently, reaction takes priority over thought. Reacting to fear that their financial security will be lost, some elderly may turn to selling drugs or becoming involved in various illegal activities. They find these alternatives the only means of maintaining the lifestyle they so have become accustomed too.

Elderly In The Criminal Justice System: Police Processing of the Elderly

The FBI reports that arrests of old people (in the Uniform Crime Reports, "old: starts at age fifty-five) doubled between 1970 and 1980. While old people have been a growing force in serious crime, their arrests for minor crimes have dropped by half since 1986. Table 4 shows the arrest of persons age 55, during 1990 and 1991.

Table 4

Offense Charged	<u>Arrest, Persons Age 55</u>	
	1990 Total	1991 Total
Total	120,657	113,178
Percent Distribution*	1.1	1.1
Murder/Nonnegligent Manslaughter	192	158
Forcible Rape	310	295
Robbery	256	248
Aggravated Assault	4,027	3,779
Larceny-Theft	12,965	12,179
Motor Vehicle Theft	284	305
Arson	138	120

Violent Crime	4,785	4,480
Percent Distribution	.9	.8
Property Crime	14,215	13,447
Percent Distribution	.8	.8
Crime Index Total**	19,000	17,927
Percent Distribution	.8	.8
Other Assaults	7,302	7,052
Forgery and Counterfeiting	416	406
Fraud	2,987	3,270
Embezzlement	104	143
Stolen Property:buying;receiving, possessing	567	569
Vandalism	930	913
Weapons,carrying,possessing,etc.	1,750	1,588
Prostitution and Commercialized Vice	623	525
Sex Offenses (except forcible rape and prostitution)	1,909	1,689
Drug abuse violations	3,705	3,422
Gambling	941	676
Offenses Against family and children	635	693
Driving Under the Influence	27,815	25,663
Liquor laws	3,676	2,872
Drunkenness	17,579	16,170
Disorderly Conduct	4,763	4,730
Vagrancy	671	600
All other fines (except traffic)	25,184	24,203
Suspicion	100	67

* Violent Crimes are offenses of murder, forcible rape, robbery, and aggravated assault.

* Property Crimes are offenses of burglary, larceny-theft, motor vehicle theft, and arson.

** Includes Arson

* Source: Federal Bureau of Investigation. Uniform Crime Reports for the United States: 1990, August 1991.

That isn't necessarily because they are committing fewer petty offenses, but we now have alternate ways of dealing with traditional old people's nuisance crimes- drunkenness, vagrancy, and disorderly conduct. The people we call "homeless," for example, are not taken to shelters rather than jailed as derelicts.

In Houston, like many of America's largest and most heterogeneous cities, the police officers are trained to deal with a great variety of population subgroups. The Houston Police Department general orders, for example, include sections on interactions with such offenders such as drug users, juvenile offenders, violent offenders, demonstrators, drunk drivers, sexual abusers and suicides.

Like most other police training manuals and task prescriptive texts, the Houston Police Department's publication also includes sections on circumstances in which elderly citizens are likely to come to police attention. However, these are generally limited to descriptions of the elderly as extremely vulnerable targets of crime, as parties to cultural conflict with more recently arrived immigrant groups, or as persons whose diminished physical and mental capacities may require officers to take part in locating their homes, relatives or an institution to care for them. Nowhere does this text discuss police interaction with elderly offenders.¹²

Other than providing medical care for prisoners, the Houston Police Department does not provide any special care or facilities for elderly offenders. There are no provisions for wheelchairs (the creation of the American Disabilities Act may force agencies to provide/construct necessities for the disabled), and it's highly likely that few even notice when an elderly offender is brought into the jail system. Tables 5, 6 and 7 show the total number of elderly offenders processed into the Houston Police Department jail system during the four months reviewed.

Table 5

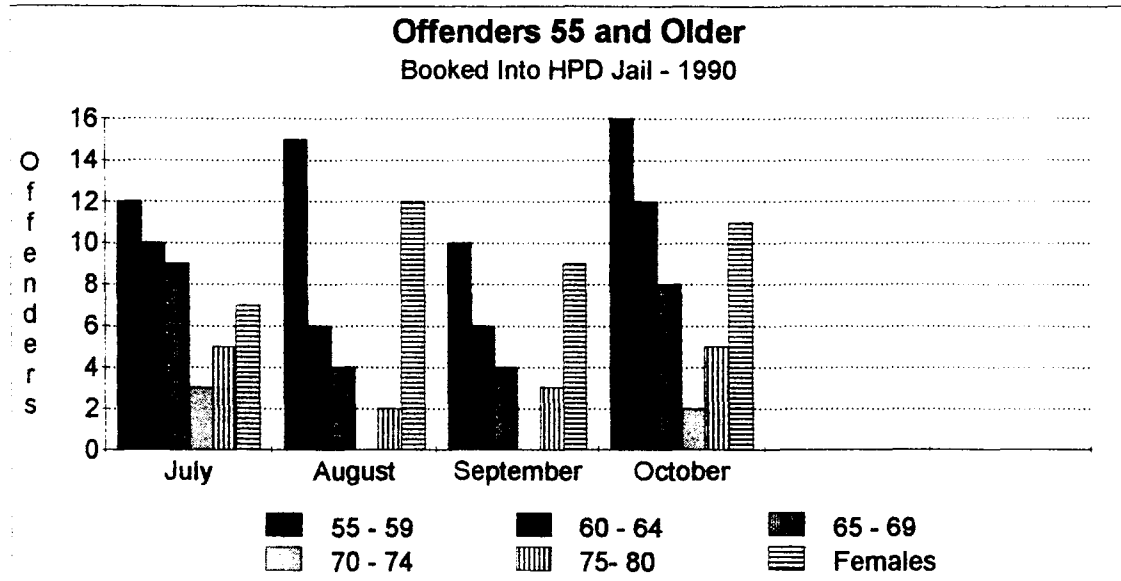


Table 6

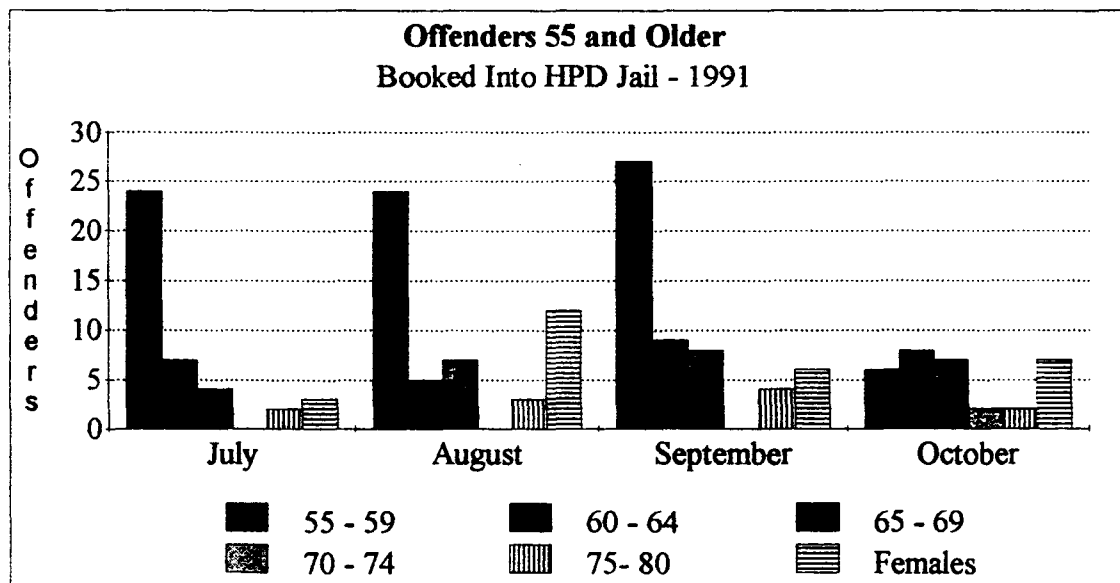


Table 7

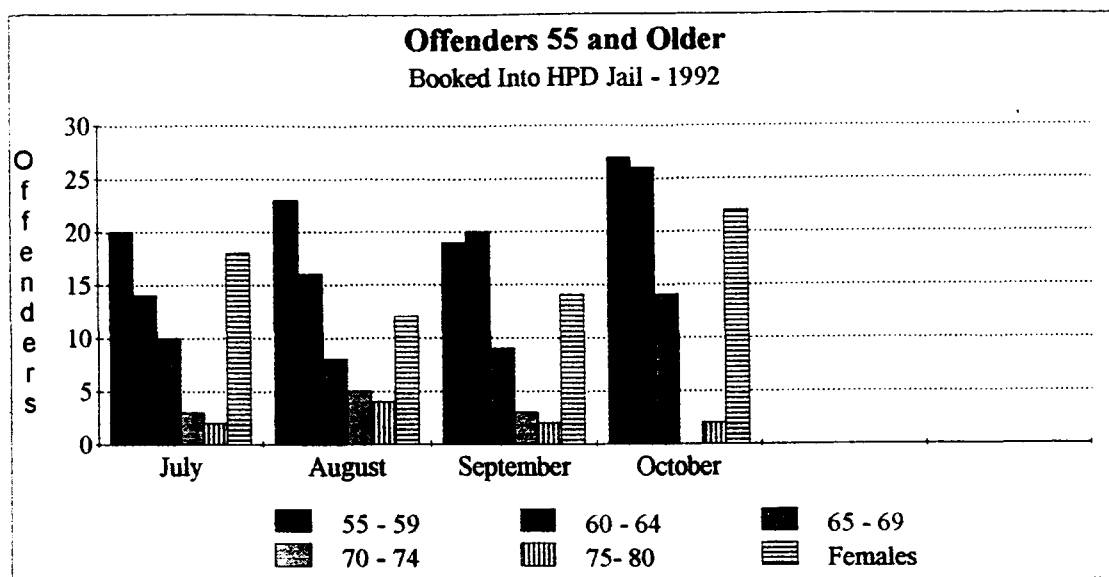
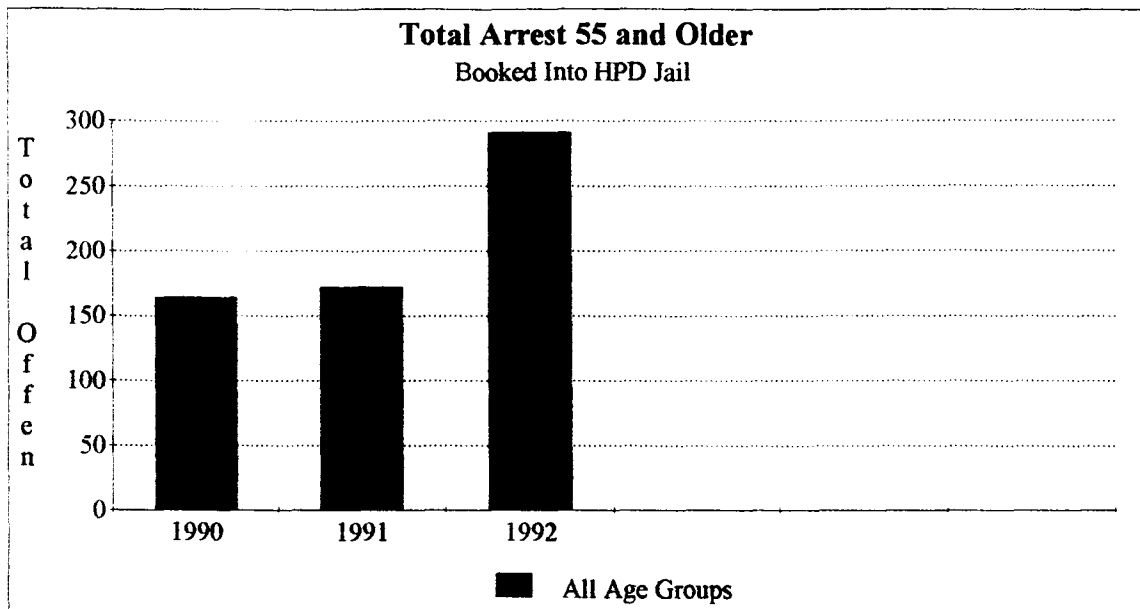


Table 5 shows there were 164 offenders arrested over the age of 55 years during 1990; 172 offenders were arrested in 1991 and 291 arrested during 1992. These figures illustrate that in absolute terms, arrest of the elderly increased dramatically, but not so greatly as arrest of younger persons between 1990, 1991 and 1992.

The tables demonstrate a 28.2 percent increase in arrest from 1990 to 1991 and a 59 percent increase from 1991 to 1992 of elderly over the age of 55 years of age in Houston. Since the number of female offenders was small in the various age groups, they were grouped with their male counterparts.

Table 8



Tables 8, 9 and 10 show the number of first time offenders. During 1990 there were 55 arrested as first time offenders. In 1991, 98 were arrested as first time offenders and in 1992 there were 167 arrested as first time offenders. Comparing 1991 arrest with 1990 illustrates a 58 percent increase. The increase in total arrests recorded in 1992 was 56 percent over 1991.

Table 9

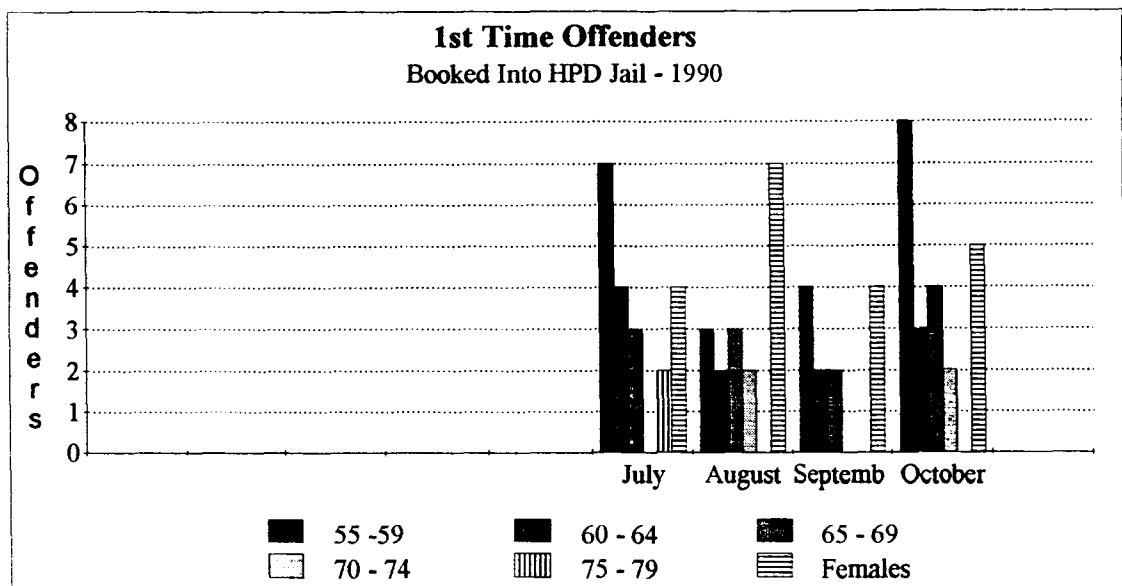
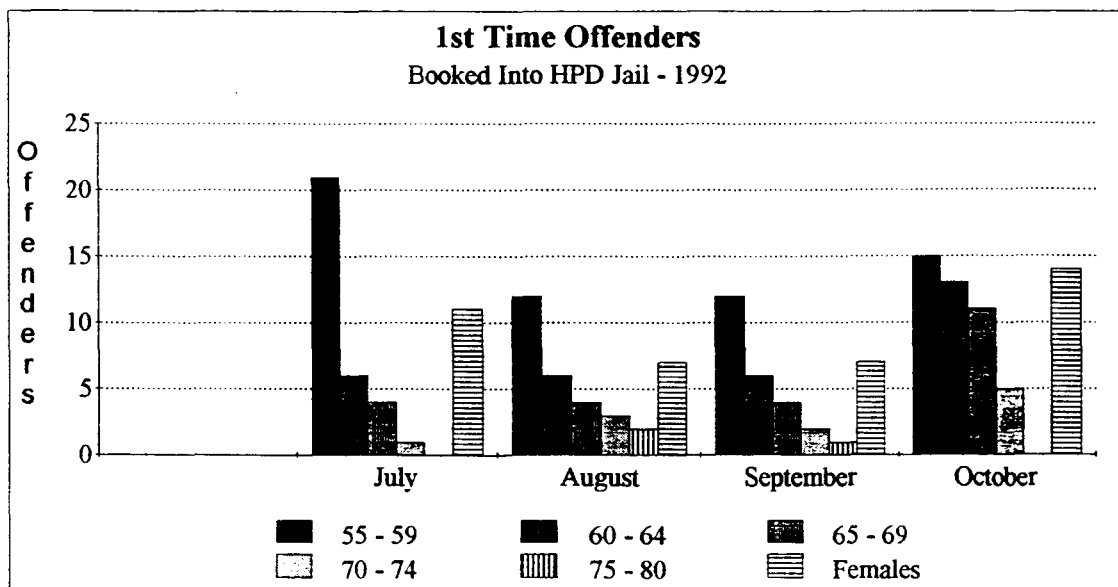


Table 10



Further, several trends suggest that there will be continuing increases in police arrest of the elderly. First, as previously stated, people are living longer and the representation of elderly citizens in our population is increasing. Even if the rate at which elderly offenders come to official police attention were to remain constant, we could anticipate continued increases in the number of arrests.¹³

A second trend exaggerates the effects of these changing demographics. Many older people live on small, fixed incomes and have suffered large real-dollar losses during recent inflation has been low in comparison with other years in U.S. History. Thus, one might expect more members of the growing elderly population to succumb to the temptation to engage in shoplifting and other forms of property crime simply to make end's meet. Further, the probability of continuing increases in elderly property

crime is especially great when so many elderly live in areas in which the cost of living is particularly high.¹⁴

Problems the Elderly Confront in Jail

Older inmates include two distinct groups. The first includes individuals who have grown old in the system - those who have been involved in criminal activity as a lifestyle and are familiar with jails. The other group consists of persons who have been living noncriminal lives but for various reasons find themselves in trouble with the law at a late age. These latter criminals are commonly found in local jails rather than in state prison.¹⁵

A first timer to the jail will likely find the experience traumatic. During the admission process it is important that the staff gather as much information as possible. There are many factors that can interfere, such as the influence of alcohol, drugs, or medication, mental problems, anxiety, misunderstanding of questions, and fear.¹⁶

One of the most important aspects of admission of older inmates is medical screening. The information received by the medical staff may be vague, or the inmate may not relate his/her medical concerns. The staff may learn that the individual takes medication for a heart disorder, but not the type of medication. The facility doctor is asked to examine the prisoner and to advise the security staff whether it is medically necessary or desirable to transport him to a hospital. It must be remembered that the main function of a jail is security, and that an inmate may feign a medical problem to be taken out of the facility planning to escape. The possibility of escape attempts must be considered with every inmate, including those who are elderly.¹⁷

Because of the age of most prisoners, jails are geared toward younger offenders. This presents a major problem for older inmates. Young inmates are often noisy and assaultive. Jail programs are geared toward young inmates, and even the physical layout of the jail is meant for people in good physical condition. Special arrangements must be made for inmates who have difficulty walking or who suffer from other handicaps.¹⁸ (A visit to the Ellis Unit of the Texas Department of Corrections that was provided by the Law Enforcement Management Staff was very educational. During the visit it was observed that there was construction in progress of a building to house elderly offenders. The question was asked, "Is this being built for those already in the correctional system, or is it being built in anticipation of more elderly offenders?" The reply was both.)

Profile Reports (Case Studies)

The following case studies are random-samples taken from the Houston Police department's Police Reports through the Identification unit:

1. Offender #1 - is a white male 65-years old arrested first time for computer theft. The offender stated he was about to lose his job and thought he could get additional funds for his family and simply took the change. The offender had been with his company for thirty-one years and knew he was going to be forced into either early retirement or laid off.
2. Offender #2 - is a black male, 65 and a repeat offender. He said that he started doing "things" early in his life and when he gets out he tries

not to return but always seem to return. He was arrested with his son in a stolen car.

3. Offender #3 - is a black female who was laid off her job and was arrested for shoplifting. She had been unable to find any work. She feels she is unable to find work because of her age, 61. She is misplaced from her family and had been living with friends. This is her first time going to jail, but it is not her first time shoplifting.
4. Offender #4 - is an Asian male and he is a first time offender. He said he went to jail because he needed money to help his family. He stole money from his place of employment, from a friend. He is 59 years old.
5. Offender #5 - is a black male 75 years old. He was arrested after he tried to sell narcotics to a police officer. The police found guns and additional drugs in house. This is his third time going to jail in as many years.
6. Offender #6 - is a white male 60 years old. The offender said he lost his family because of his drinking problem and he needed some fast money. He sold and received stolen goods. This was his first time being arrested but not the first time the police had questioned him about police matters.

7. Offender #7 - is a white female 55 years old. The offender was arrested for possession with intent to sale. The offender is a repeat offender dealing in drugs as a way of living.
8. Offender #8 - is a black female 55 years old. She is a first time offender and was arrested after passing a worthless check. Store security personnel arrested her and found three other check books in her possession, along with various credit cards with different names.

This is a small sampling of the persons arrested during the period examined. The offenders were arrested for a variety of reasons and motives. As can be seen, money is the primary motive for committing crimes; other contributing factors are the misplacement of family members, loss of jobs and survival needs.

**Proposed Improvement:
Recommendation for
Sensitivity Classes at Police Academy**

At present the number of elderly people entering the criminal justice system is not creating any major strains, except perhaps in some Sun Belt communities, whether they are charged, convicted, and sentenced or diverted. However, as the number of older people increases, the fit between our customary methods of crime control and population of elderly offenders will necessarily be tested. It is rare to have the opportunity to see a problem emerging and be able to, from the beginning, study, evaluate, and suggest policies. We are at this stage with elderly crime.¹⁹

It is recommended that sensitivity curricula be developed that specifically addresses the needs of the elderly. Police officers need to be made aware through training of the medical problems they may encounter in dealing with the elderly. Many officers are not trained in recognizing the difference in a seizure and drunkenness, or a retreat to silence because of fear.

It is recommended that careful consideration be given to ensuring that police officers understand the need for careful handling of the elderly, although they are crime offenders. Police officers need to know that handling a 60 year old is quite different from handling a 20 year old. Officers should have the training to recognize when an elderly offender may be "scared" old and harassed." Officers learn how to avoid triggering violent responses from ethnic and sexual minorities by refraining from using provocative words ("You people," "boy", or "fag") and actions, there is the same need for officers handling the elderly, to be trained to avoid using the words or actions that turn elderly offenders into assailants, as well.

Jail Facilities for Elderly Offenders

It is probably at incarceration that the special needs of elderly persons become most evident. Cellblocks are not designed for the old and infirm. For those who already incarcerated, and for those who will be imprisoned, there must be clearly articulated policies addressing their special needs in housing, medical care, diet and programs.

Admission of a new inmate to a jail is a complicated procedure and it difficult for both the older inmate and the staff of the booking unit. An individual who is being incarcerated for the first time will likely find the

experience traumatic. During the admission process it is important that the staff gather as much information as possible, but there are many factors that can interfere, such as the influence of alcohol, drugs, medication, mental problems, anxiety, misunderstanding or questions and fear.²⁰ A most important aspect of admission of older offender is a medical screening.

The older inmate may find it difficult to adjust to the daily life style of the jail. By the time an individual reaches the age of 55, his lifestyle had become set in many ways. Older people may not enjoy the variety of foods they once did and find the noise and loud talking so common among young offenders annoying.

Because of impairment and/or fear of younger inmates, most older inmates remain inside of their cells, which further reduce their physical activity and may cause emotional problems. In some cases, an elderly offender may serve his/her entire sentence in idleness.

**Support Groups for Elderly:
Mentor Programs through Community Outreach
Networking with Business Leaders**

The elderly, no matter what problems they exhibit, deserve both compassion and dignity. There is a need to develop programs where the elderly interact and are allowed to discuss problems they may encounter in their day-to-day activities. All too often elderly offenders are excluded because no one has time; every one is so busy with his or her own agencies. Since the Houston Police Department has the Community Outreach program, possible consideration might be given by their managers to starting a pilot program for mentoring elderly offenders. Maybe it would or could

complement the Ministers Against Crime Program, or one of their other established community based programs. A mentoring program, for example, would provide the elderly offender an opportunity to share his or her thoughts about problems. The mentor could help the elderly with contracting agencies that provide assistance, could become an invaluable resource to reestablishing offenders back into the main stream of society. Mentors could provide some sharing, caring and communication that could better ensure the well being of these senior citizens.

Involvement of the ministers against crimes with elderly offenders would be a great mentoring effort. Establishing a "pal" program would require that a minister adopt an offender. The minister would work with the offender in reestablishing him/her into the system. Ministers could commit time to helping with job leads, housing and listening when the elderly inmate needs some one to talk to. The minister could simply be an anchor to an otherwise floundering ship.

A pledge from business leaders in employment and housing programs could provide elderly offenders with a chance to get jobs and low income housing. For those businesses participating in the program, incentives could be offered for aiding elderly offenders. For example, tax exemptions or credits could be offered. Business Leaders that offer special educational training for the elderly could be given the necessary equipment for establishing the training programs as an incentive.

Programs similar to the Broward Senior Intervention and Education Program in Florida may be reviewed and considered as models for start-up programs in the Houston area. The Broward Program is having great success dealing with elderly shoplifters: Only 1.5 percent of its graduates commit

new crimes. That's a lower recidivism rate for any community program currently established.

Broward accepts into the program only those who are at least sixty years old and first-time offenders. One in the program, clients experience little sense of being in a program for criminals; instead, they receive extensive counseling to get to the root of their shoplifting problems. Participants are involved in activities at various senior centers and participate in community service: working for "meals-on-wheels," or as library aides, or helping other senior citizens deal with grief, illness, or loneliness.²¹

If structures are created that enable old people to work, present and future cohorts will be in good position to take advantage of the opportunities. Unlike those who entered old age in the first half of the century, more than 90 percent of today's oldsters are native born. They've been raised and educated in the United States, and most have lived their lives in urban settings. In contrast to the turn of the century, when only a tenth of the elderly population had completed high school, almost three quarters of today's old people have a high school diploma. Today's elderly know this country and how it works; by mooring them to the world of responsibility, we will incite fewer of them to drift into the sea of crime.

Conclusion

An elderly couple, married fifty years and living in a retirement home, has only each other on whom to take out their frustrations. One morning the husband sent his wife out for bagels: in old age she'd become somewhat forgetful, and brought back onion rolls instead. Her husband flew into a rage and killed her with a Boy Scout axe.

It was a domestic homicide, the kind that accounts for almost half the murders committed by older people (but only a quarter of those committed by younger ones). As in this axe murder, elderly assailants know their victims in 92 percent of the cases (as opposed to 83 percent for younger ones). An increase in domestic violence among the elderly will be one of the hallmarks of crime in the future.

The question is what to do with oldsters once they're arrested. The prosecutor in the "onion roll" axe murder case, he understood the problem and asked: "What do we do now? Set high bail? Prosecute? Get a conviction and send the fellow to prison? Got any answers! We did nothing. The media dropped it quickly and, I hope, that's it."²²

The American Dream is misplaced and now the elderly are committing crimes. Although the increase may be small, there is clearly an increase in crime committed by persons 55 years of age and older. This does not imply a crime wave, for the number of crimes committed by the elderly is still comparatively small. Although the number of crimes committed by elderly persons is small, the problem will as our population ages. And, unless our economy markedly improves, elderly crime may increase much faster than simple demographic changes would suggest.

Despite the increase in arrest of persons age 55 and older, the data suggest increased criminality among seniors is more than an artifact of change in policy or in reporting. The implications for those who operate police agencies and for those who make arrests are substantial. The involvement of the elderly in all types of crime challenge the common assumption that American crime is solely a product of youth and, more particularly, of the young; poor minorities. Even so it can fairly be asked why elderly criminals

deserve our attention, particularly those involved in ordinary crime, when they account for only a small percentage of offenders.

More than other crime forms, ordinary crime is the target of enforcement by municipal police, local prosecutors, trial courts, probation services, prison systems, and parole boards. This system is geared to the young, for predatory and mobile people (who will likely flee), none of which describes ordinary elderly criminals. Consequently it raises some basic questions about the appropriateness of our crime control system. Is police hardware (handcuffs, leg irons) necessary for elderly offenders? Are common booking procedures-including fingerprinting, photographing, and line-ups necessary and appropriate for 70 -year-old suspects? Is monetary bail the only way elderly offenders can be released awaiting trial? Are they likely to flee? Do many or most elderly offenders really need to be jailed or imprisoned? How well do the purposes of our crime control system punishment, restraint, deterrence, and rehabilitation-for and elderly offender population? In short, can our criminal justice system effectively address the problems of elderly offenders? Might elderly offenders might be more effectively and more humanely processed from arrest through sentencing in a distinct geriatric crime control system much as we provide a special system for juvenile delinquents in all states and the federal jurisdiction? It seem a dilemma whether it is appropriate and necessary to use traditional crime control methods with elderly criminals. Crime committed by elderly persons is a new and unfortunately an uninteresting field for many crime analysts. Professional literature about elderly criminals is sparse, yet clearly this phenomenon is increasing due to demographics and economics.

The criminal justice system has the time to respond to this problem if it will. We are sure that the demographic balance of our population will shift so

that more people will be in the upper age range. As this occurs, the elderly crime problem can only assume a more important position on our list of domestic problems. It seems particularly appropriate to begin developing policies of control and prevention now.

Perhaps more than any other offender groups, elderly criminals are chiefly products of a complex set of relationships, aspirations and strains in our general social fabric. To this extent, elderly crime is largely a gerontological problem and only secondary of concern to the criminal justice system. Elderly crime touches criminal justice more in terms of control than cause. Yet both etiology and control must be studied with more thoroughness and more imagination that has been the case in the past.

This writer found that the handling of elderly offenders through the Houston Police Department and Harris County Pre-trial Services was complicated because neither agency keeps separate records on this age group. These offenders are grouped into one category after the age of thirty-five. The Houston Police Department keeps handwritten booking logs, but because this issue is considered unimportant, no one has written a computer program to pull elderly arrest information. Information of this type can only be secured by reviewing the handwritten booking logs.

Harris County Pre-trial services is the division responsible for talking with all prisoners processed into and out of the County Jail System. Information regarding elderly offenders in their system is generally lumped into a category of 35 and over offenders.

Other than the fact that elderly crime is unquestionably on a rise, there are several questions that raised concern during this research project. Perhaps, answers can be provided to (1) Why are records about the elderly so haphazardly kept by law enforcement agencies? (2) Many elderly people

have become homeless, can homelessness be a cause of crime increases? and (3) Police managers are treating elderly crime as nonimportant, but how long can this attitude prevail?

A final thought is this. There are many programs in place, or being started, for young high risk and teenage children. Can't the same energy be put in place for the elderly? Programs need to be initiated that will improve our criminal justice system's treatment of senior citizens. Programs could give insight to situations that they are involved in and allow a free expression of emotions (as well as treatment), especially for those who cannot express themselves verbally. We so often say that respect is the most valuable gift we can give our children. Could it be we could give this respect back to the elderly, especially those who are high risk and produce an opportunity to rediscover self-esteem? If this were done we could restore damaged bridges between generations and deepen societal respect for those whom society owes a great debt.

Endnotes

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- 3 ibid, xi.
- 4 Mary B. Bem, "Sorry, there are no jobs, lady," The Houston Post Newspaper, (November 15, 1992), 1.
- 5 Georgette Bennett, Crime Warps: The Future of Crime In America, (New York: Anchor Press/Doubleday 1987),60.
- 6 Newman & Newman, Elderly Criminals, 241.
- 7 Gina Kolata, "2080 Could Be a Crowded Year If Old Keep Living Longer, Scientist Said,:" The Houston Chronicle. (November 22, 1992) Sec. C12.
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- 13 Newman & Newman, Elderly Criminals, xiv.
- 14 ibid,145.
- 15 ibid, 146.
- 16 ibid.
- 17 Newman & Newman, Elderly Criminals,146.

- 18 ibid.
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