



Testimony before Philadelphia City Council, Committee on Public Safety

Bill No. 130140

Elder Abuse and Elder Justice

April 12, 2013

SeniorLAW Center

Karen C. Buck, Esq., Executive Director

100 South Broad Street, Suite 1810

Philadelphia, PA 19110

1-877-727-7529 Pennsylvania SeniorLAW HelpLine

215-988-1244 (general)

215-701-3201 (direct)

kbuck@seniorlawcenter.org

www.seniorlawcenter.org

Good morning. My name is Karen C. Buck, Esq. and I have the privilege of serving as Executive Director of SeniorLAW Center. Thank you, Chairperson Jones, and members of the committee for this opportunity and for bringing issues of aging, elder abuse and elder justice to the forefront.

Our work at SeniorLAW Center is protecting the rights of older Pennsylvanians. Located here in center city Philadelphia, we were founded in 1978 to protect the rights of seniors in need and now serve over 8,000 seniors each year 60 - 100+ years of age across Pennsylvania with legal representation, education and advocacy. We save homes, prevent homelessness, fight for grandparent and voting rights, stop elder abuse, fraud and exploitation, and promote independence and dignity. We are an independent nonprofit and the only nonprofit organization solely dedicated to providing legal protection to Pennsylvania senior citizens. We serve over 8,000 Pennsylvania seniors each year with limited resources, much of which we must raise anew each year and none of which comes from the City of Philadelphia. This year in 2013 we are celebrating our 35th year of protecting the rights of seniors and the powerful impact our organization has had on the lives of seniors and access to justice.

SeniorLAW Center is proud to serve as a Commissioner of the Mayor's Commission on Aging and applaud the new energy and initiative of the Commission and its leadership under Lydia Hernandez Velez. We have long advocated for the Commission and issues of aging to have greater visibility, respect, and resources and a more powerful voice in City government, as seniors are such an important population in our City, in our families and in our communities. In my opinion, the City has historically

failed to provide adequate resources and attention not only to the Commission, but to the needs of the diverse lives and communities of seniors in Philadelphia. We appreciate and are happy to have this opportunity to provide brief input on this Bill and the issues of elder abuse, exploitation and justice which it references.

First, let me say that we welcome any opportunity for greater collaboration with our City's leaders in law enforcement, in this Council, with the Nutter administration and with all other governmental and quasi-governmental agencies in the City, as all should be highly concerned about the health and welfare of our over quarter of a million seniors. We and many of my colleagues testifying here today partner vibrantly with the aging, nonprofit, and human services networks in creative ways to serve the expansive needs of older Philadelphians. Many of our colleagues here make up Philadelphia's diverse and collaborative Financial Exploitation Prevention Task Force for Older Philadelphians, which includes representation from the Police and the District Attorney's Office. We at SeniorLAW Center also currently partner with the Philadelphia Police Department on the groundbreaking Telephone Outreach Program or TOP, through which we receive reports of and reach out and offer services to all senior victims who have called 911 where there have been multiple responses by police to a single household reporting violence. Over the past seven months, we have received over 120 reports of such violence from the Police and reached out to each senior victim. We also serve with leaders of the Philadelphia Police and District Attorney's Office on the Domestic Violence Law Enforcement Committee, the Philadelphia Coalition of Victim Advocacy, and several of us serve on diverse other coalitions addressing victims' needs here in Philadelphia, in Harrisburg and across the nation, and bring the voices of the senior victims we serve to those tables.

As to Bill No. 130140, we welcome the addition of leadership of the Police Department and the District Attorney's Office to the Mayor's Commission, as we welcome other leaders who will raise the visibility of both the contributions and the critical needs of Philadelphia seniors, particularly those who face the dual hardships of aging and poverty. We do recommend that members who are appointed to the Commission continue to be leaders with authority to make real change. As such, we recommend that the bill be amended to appoint the Philadelphia District Attorney *or his or her designee*. We applaud the recent appointment of an Elder Justice Project Director in the DA's Office and are delighted to work with her. This appointment is but a first step toward establishing an Elder Justice *Unit*, a best practice in many other cities across the country and desperately needed in Philadelphia with its large and vulnerable senior population. We and other advocates have recommended the formation of such a Unit in sharing national best practices and examining the most successful elder justice programs across the country with our District Attorney. The Elder Justice Director, however, is a brand new, part-time position with few resources at present. If this position were changed, defunded, or terminated, it would render this particular section of the Bill meaningless.

To make real change regarding elder abuse and justice, the Mayor's Commission on Aging, the Elder Justice Project and those of us serving seniors need greater support and greater visibility, as do the seniors in our City.

Today we truly have a crisis of elder abuse and exploitation in our city and in our nation. Seniors' homes are being stolen through fraudulent deed conveyances and they

and the thousands of grandchildren seniors are raising are being illegally locked out of their homes by unscrupulous landlords who take the law into their own hands and defy any notion of due process. They are defrauded by contractors who take the money and run, leaving seniors' homes to deteriorate and become uninhabitable, leaving them no place to age in place. Financial exploitation costs older Americans \$2.5 billion nationally, as estimated by the MetLife Mature Market Institute and the National Committee for the Prevention of Elder Abuse. Abuse of power of attorney or guardianship, credit card and bank account fraud and unauthorized use, pressured sales of unsuitable products, lottery scams, and illegal and exploitative telemarketing and collection practices are just examples of the many forms of elder financial exploitation.

Elder abuse is also raw violence -- often at the hands of their own family members, *in seniors' homes*, where the great majority of seniors live. Seniors like Ms. V., a 79- year-old victim who lived with her adult daughter and disabled son, and whose 42- year-old daughter beat her mother over a 3- day period with a belt, broomstick and the choker of a dog collar. Our senior client suffered broken ribs, broken nose, bruises about the face, eyes, forehead, and a swollen leg and ankle. She was left on an outside step on a sweltering hot afternoon without food or water, where a passerby noticed her and called police. SeniorLAW Center received a call from the police after daughter was arrested, secured an Emergency Protection from Abuse Order and arranged for senior to testify from her hospital bed, where she remained for 4 days. SeniorLAW Center represented the senior in Family Court where a Final Protection from Abuse Order was entered for 36 months, assisted senior in removing daughter as a signatory on all bank

accounts, revoked her power of attorney, and helped put her life back in order with the in-home supports she needed.

As noted in Bill No. 130140, seniors are facing a universe of other devastating forms of crime, fraud and abuse, as well as neglect, sexual assault and violence in nursing homes and facilities -- where they go for care when they are most vulnerable.

These are but examples of the kinds of Philadelphia seniors we serve every day at SeniorLAW Center, in partnership with other advocates here today, including our colleagues at CARIE, the Center for the Rights and Interests of the Elderly, the Philadelphia Corporation for Aging and others. We would welcome an opportunity to share our clients' stories, and for them to tell their own, and to examine and strategize responses -- and needed resources -- to this crisis facing our seniors. We would welcome a member of City Council taking leadership on a more comprehensive "Elder Justice" hearing and/or conference in the near future to bring greater attention and awareness to the diverse, extraordinarily important issues seniors are facing, issues which affect many generations, and the health, safety and security of our families and communities in powerful ways.

We need your partnership and support to serve the thousands of older victims, grandparents, veterans, and homeowners who need our services and our advocacy. To make this City -- home to one of the largest and most vulnerable populations of seniors in the country -- one that truly demonstrates respect for our elders and their safety, dignity and well-being. We look forward to working with you to make Philadelphia a national leader in pursuing elder justice. Thank you.



- **PROJECT S.A.F.E. (*Stop Abuse and Financial Exploitation*)** Working to end and prevent various forms of elder abuse and financial exploitation of the elderly through direct services, educational workshops, and professional outreach
- **HOMEOWNERS ASSISTANCE PROGRAM** Addressing the needs of low-income elderly homeowners in Philadelphia, enabling them to maintain their homes and remain in their communities, helping them to lead safe, independent lives
- **FOSTERING CONNECTIONS TO KINSHIP CARE** Addressing the needs of grandparents and other elders raising young relative children, many of whom have been abandoned, neglected or abused by birth parents
- **LEGAL SERVICES FOR HISPANIC ELDERS** Providing bilingual bicultural legal services for Hispanic elders in their own languages and communities, holding workshops and community-based legal clinics in communities in Kensington and North Philadelphia, at senior centers and residences focusing on Spanish-speaking elders, and networking with Latino media and partners
- **ASIAN ELDERLY LEGAL PROJECT** A bilingual bicultural program focusing on the legal needs of diverse communities of Asian elders in partnership with Asian community organizations and partners
- **COMMUNITY-BASED LEGAL CLINICS & NEIGHBORHOOD LEGAL SERVICES** Our services are provided not only by telephone and emergency walk-in intake at our center city offices, but throughout the communities of Philadelphia, through home visits, outreach and special projects at community and senior centers, and at *five* community-based clinic sites conducted each month in diverse communities
- **PROPERTY AND INHERITANCE TAX AID FOR ELDERS** Providing free legal advice, representation, and education to seniors facing real estate tax foreclosure, tangled title issues, and inheritance tax issues affecting homeownership
- **PENNSYLVANIA SENIORLAW HELPLINE 1-877-PA SR LAW** Our statewide service: a free, confidential telephone service that provides legal advice, counseling, information, and referrals for seniors throughout Pennsylvania through a toll-free line staffed by experienced SeniorLAW Center attorneys
- **PROTECTING SENIOR CONSUMERS** Addressing a wide range of consumer protection issues facing seniors, including identity theft, abusive debt collection practices, and fraud
- **PLANNING TO AGE WITH DIGNITY** Promoting the independence of seniors and assisting with health care and financial decisionmaking and advance planning

www.seniorlawcenter.org

Karen C. Buck, Esq., Executive Director
SeniorLAW Center
100 South Broad Street, Suite 1810
Philadelphia, PA 19110
1-877-727-7529 Pennsylvania SeniorLAW HelpLine
215-988-1244 (general)
215-701-3201 (direct)
kbuck@seniorlawcenter.org
www.seniorlawcenter.org

