



Concerned Person

you  
U



Persona Preocupada **¡Ayuda!**

NYCEAC Helpline for Concern Persons
provides services in Spanish, Summer 2021





NYC Elder Abuse Center at Weill Cornell
Elder Abuse Helpline for Concerned Persons

Right by Your Side:
The role of Concerned Persons
in mitigating elder abuse

The 2021 New York State
Adult Abuse Training Institute
Wednesday, October 6

Philip C. Marshall, Founder

Beyond Brooke

beyondbrooke.org

upstandership.org

philipcmarshall@gmail.com, mobile 508.951.8562



NYC Elder Abuse Center at Weill Cornell
Elder Abuse Helpline for Concerned Persons

Right by Your Side: The role of Concerned Persons in mitigating elder abuse

links to topics
and a return
to this...

MENU

- title
- Brooke Astor story
- complacent • complicit
- Concerned Persons
- safety networks
- trust triad
- our social compact
- Upstandership
- standing
- the journey
- share your concern



Right by Your Side: The role of Concerned Persons in mitigating elder abuse



Astor enjoyed posing for *Town and Country* and opening a new attraction at the Bronx Zoo in 1977.

1902-2007

Brooke Astor

Philanthropist Brooke Astor, Manhattan's grandest grande dame, leaves a legacy of charity—and grace

Brooke Astor. *People Magazine*. August 27, 2007



Brooke Astor. Photographer: Mark Peterson/
CORBIS for *The New York Times Magazine*.



Brooke Astor (at age 96) receiving the Presidential Medal of Freedom from President Clinton, 1998. Photographer: Harry Hamburg.



Cakes at Brooke Astor's 100th-birthday party hosted by David Rockefeller at Kykuit, Pocantico Hills, NY. March 2002.



Weather: Warm and humid, 83/70

NATIONAL * FINAL

Wednesday, July 26, 2006

DAILY NEWS

\$1.00

NEW YORK'S HOMETOWN NEWSPAPER

nydailynews.com

STUNNING COURT ALLEGATIONS

DISASTER FOR MRS. ASTOR



gettyimages
New York Daily News Archive

Brooke Astor

EXCLUSIVE – PAGES 6-7

Son forces society queen to live on peas and porridge in dilapidated Park Ave. duplex

97294210

“Disaster for Mrs. Astor;”
Stunning Court Allegations. *New York Daily News*, July 26, 2006, Getty Images, *New York Daily News* archives.

Richardson, John. The Battle for Mrs. Astor. *Vanity Fair*. September 4, 2008.



“[Do not]
trim a life
to fit the frame.”

— James Hillman
The Soul's Code

ictim





complacent • complicit

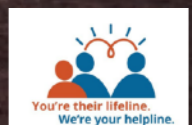


Concerned Persons



Concerned Persons

Family, Friends, and Neighbors



Experts who serve and save





Elder Abuse Helpline for **Concerned Persons**



Risa Breckman, Contributor
Director, NYC Elder Abuse Center



Philip C. Marshall, Contributor
Founder, Beyond Brooke

When Helping Hurts

03/20/2017 04:13 pm ET | Updated Apr 26, 2017



GRAPHIC BY NANCY OATTS, 2017

Elder abuse is a national epidemic. Each year in the United States, an estimated 10

- Breckman, Risa, et al. (2018) When Helping Hurts. *The Gerontologist*
- Mantrone and Breckman. Learnings from the Pilot Year of the Elder Abuse Helpline for Concerned Persons. NYCEAC, 2019.
- Breckman, Risa and Philip C. Marshall. When Helping Hurts. *Huffington Post*, 2017





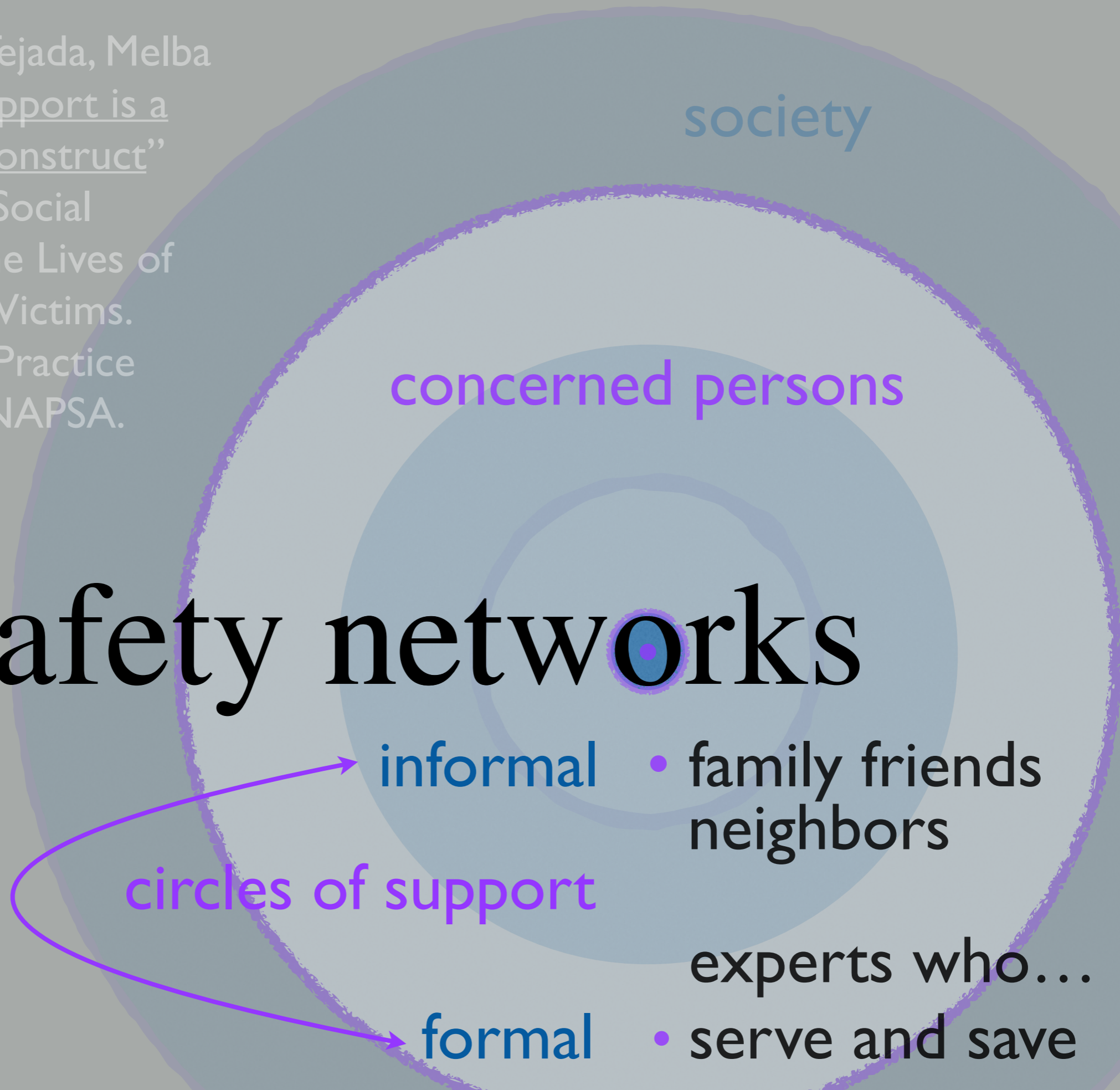


safety net



Hernandez-Tejada, Melba A. “Social Support is a Modifiable Construct”
 The Role of Social Support in the Lives of Elder Abuse-Victims.
 Research to Practice (R2P) Brief. NAPSA. June 2012,

safety networks



informal

- family friends neighbors

circles of support

experts who...

formal

- serve and save



Burnes, Breckman, Henderson
Lachs, and Pillemer (2018)
Informal Network Supporters
Make a Difference in Facilitating
Use of Formal Support Services
for Elder Abuse Victims.

Bicchieri, Cristina. (2017)
Norms in the Wild: How to
diagnose, measure, and change
social norms. Oxford.

safety networks

• society

concerned persons

circles of support

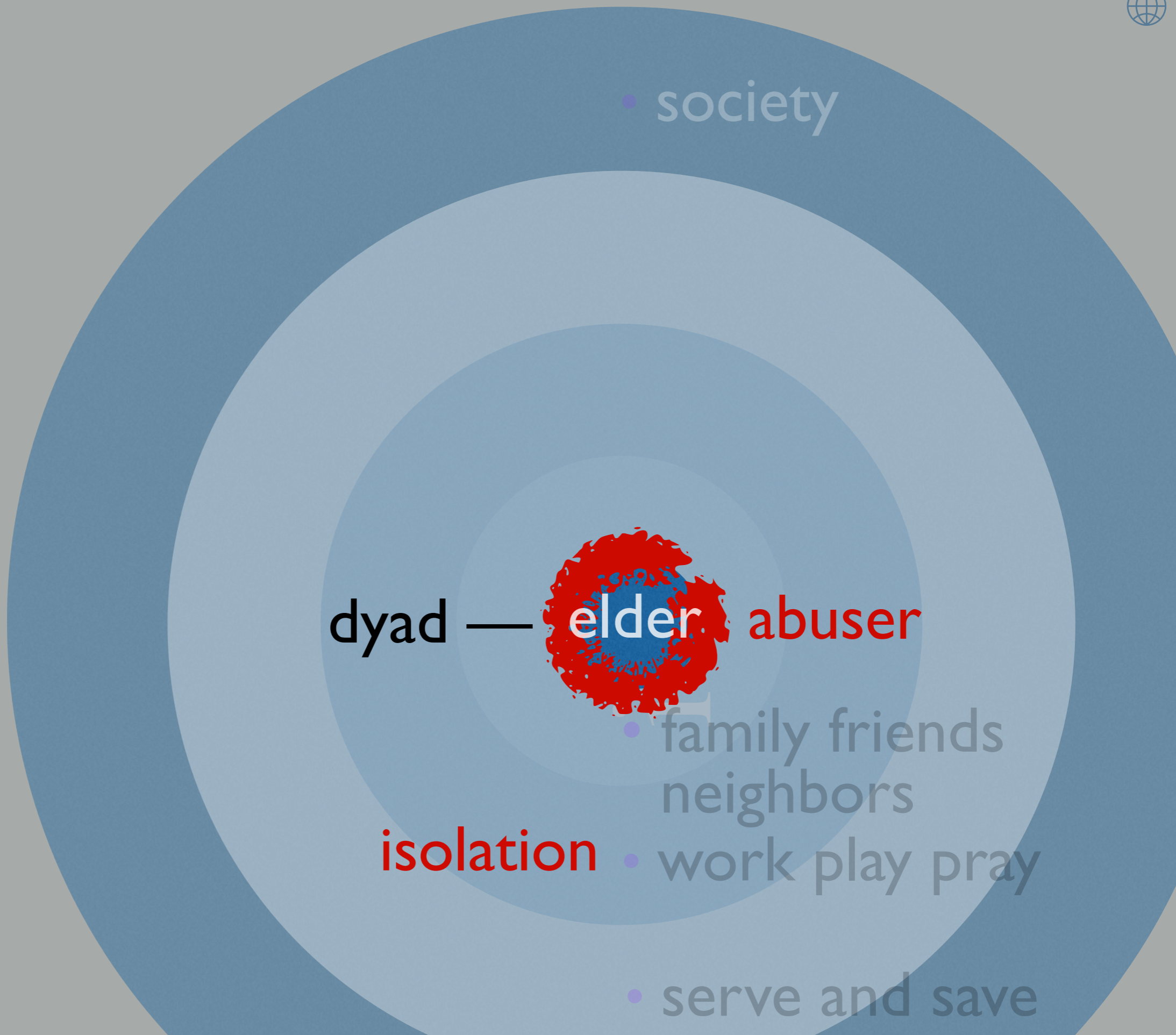
informal

- family friends neighbors
- work play pray

formal

- serve and save

policy
protocol
practice
advocacy



• society

dyad — elder abuser

• family friends
neighbors

isolation • work play pray

• serve and save

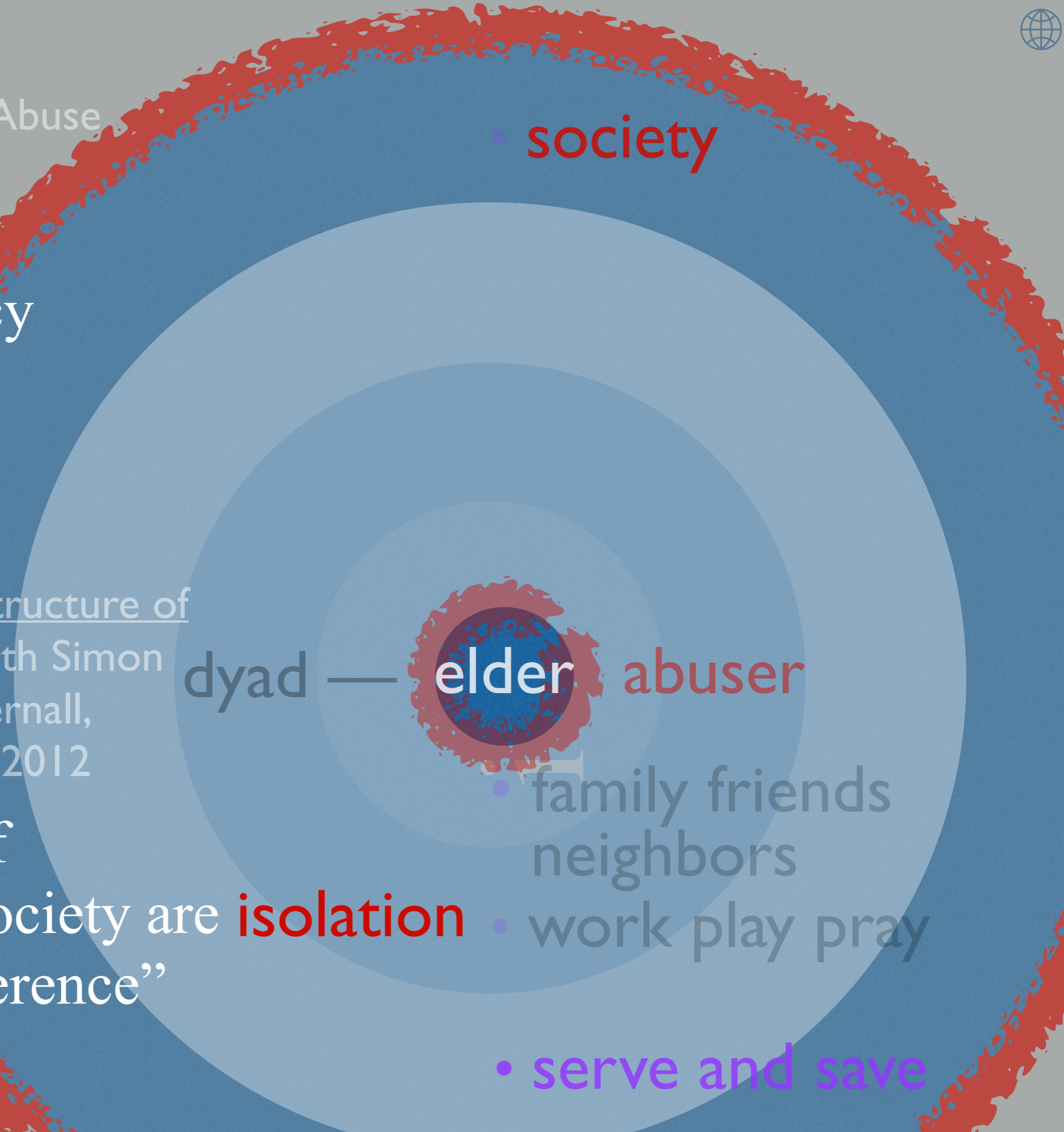


Harbison, et al. (2011)
 Understanding “Elder Abuse
 and Neglect” JEAN.

“...much of the
 social dependency
 of older people
 was artificially
 created...”

Social harm and the structure of
 societies. Interview with Simon
 Pemberton by Lucy Vernall,
 Ideas Lab. February 8, 2012

“greatest level of
 harms...in our society are **isolation**
 caused by indifference”



• **society**

dyad — **elder abuser**

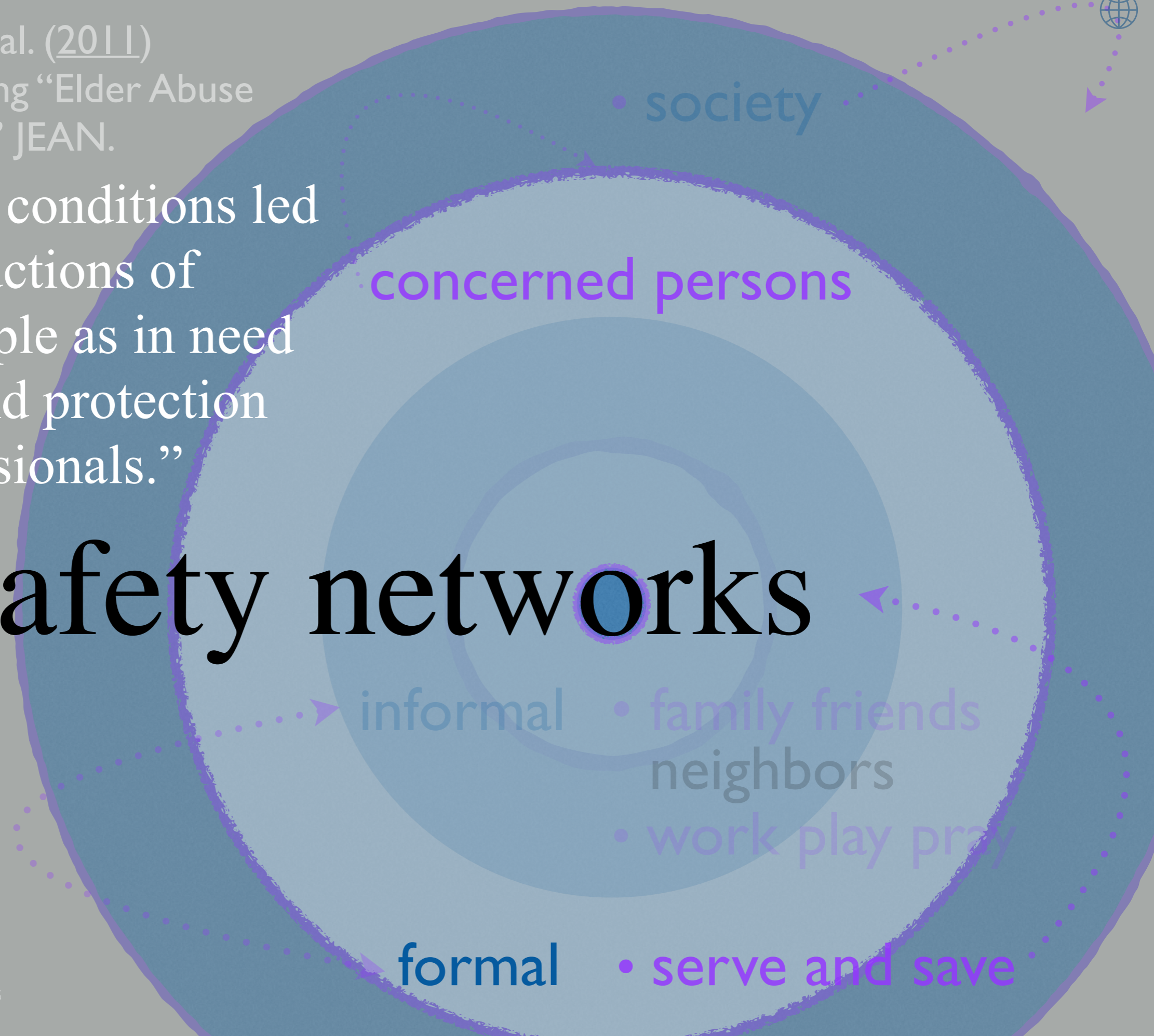
- family friends neighbors
- work play pray

• **serve and save**

Harbison, et al. (2011)
Understanding “Elder Abuse
and Neglect” JEAN.

“...social conditions led
to constructions of
older people as in need
of care and protection
by professionals.”

safety networks





Podnieks, Elizabeth.
Opening Remarks.
Seventh Global
Summit, World
Elder Abuse
Awareness Day.
NAPSA,
INPEA, and
partners
June 14, 2021



society

elder



• society

elder

independence

• family friends

relationships

• work play pray

• serve and save



activities of daily living independence

Activities of Daily Living (ADL), Wikipedia.



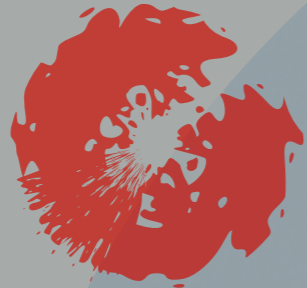
Burnes, D., Hernandez-Tejada, T.A., Breckman. The Role of Social Support in the Lives of Elder Abuse Victims. NAPSA webinar, slides. July 17, 2019.

caregivers
concerned persons

activities
of daily loving
interdependence



Jackson and Hafemeister.
 Financial Abuse of Elderly
 People vs. Other Forms
 of Elder Abuse:
 Assessing Their
 Dynamics, Risk
 Factors, and
 Society's
 Response.
2011



risk factors
contextual
individual/interpersonal

dyad: elder abuser

- family friends
neighbors
- work play pray
- **serve and save**





(Elder) abuse is the betrayal
of trust.





(Elder) justice is our promise
of trust.



(Elder) justice is our promise
of trust.

“The notion of moral
responsibility is always
forward looking”

Sam Harris, *Free Will*, Part 6: The Paradox
of Responsibility. Waking Up.



(Elder) justice is our promise of trust, with the trust twins:

- ethics – responsibility
- agency – ‘response ability’

“The entire point of the book is that in the real world it is hard to disentangle ethics on one hand from knowledge and competence on the other.”

Taleb, Nassim Nicholas. (2018) *Skin in the Game: Hidden asymmetries in daily life*. Taleb’s fifth book in *Incerto* (on [Medium](#))



(Elder) justice is our promise
of trust, with confidence:

- ethics – confide
- agency – confident



Engelmann , et al. (2019) The neural circuitry
of affect-induced distortions of trust.



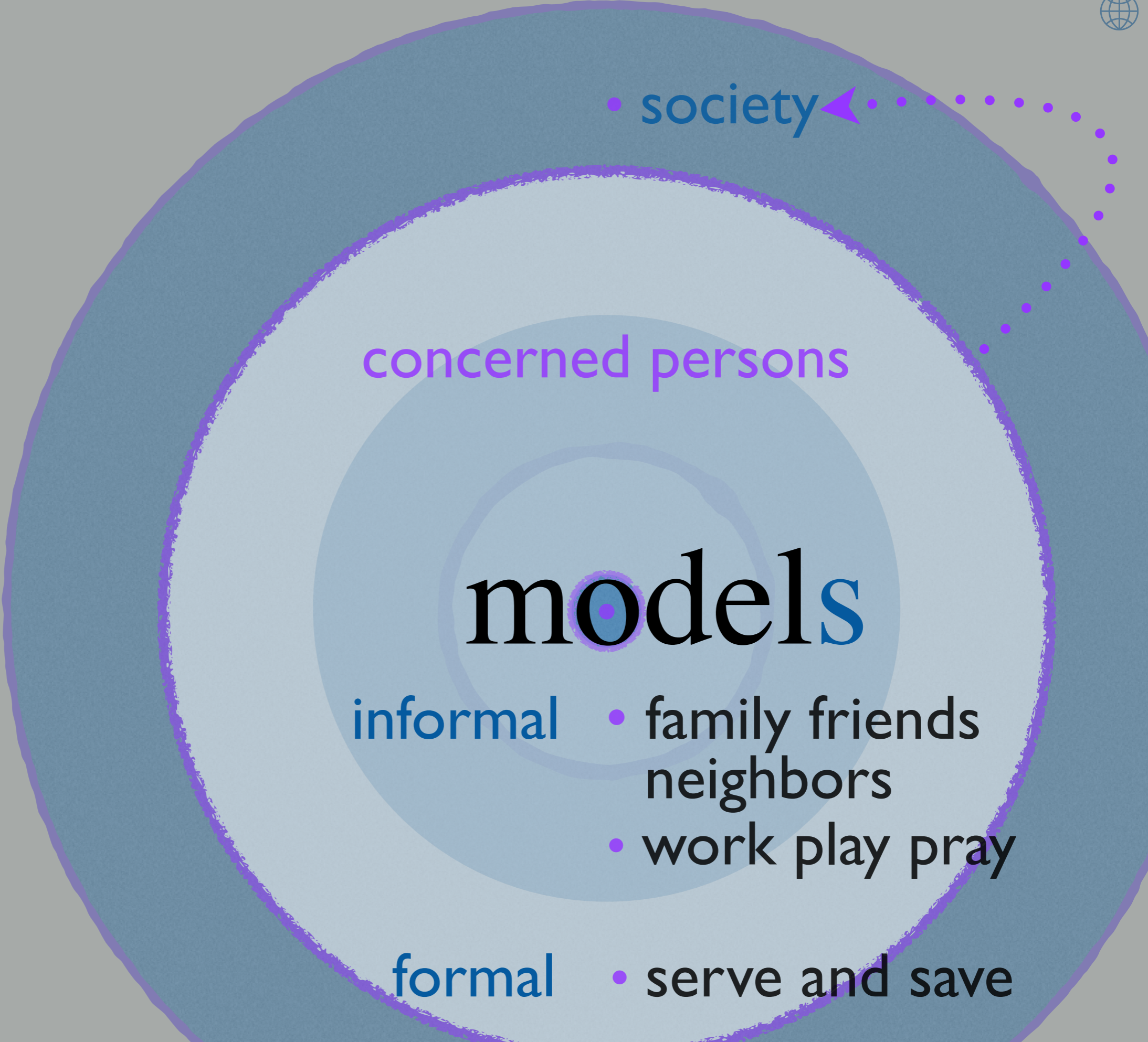
(Elder) justice is our promise¹
of trust— with the trust triad:

- ethics
- agency
- goals² and wishes³

1. *Promittere* “...foretell; assure beforehand, promise.” Etymonline
2. Burnes and Lachs. (2017) The Case for Individualized Goal Attainment Scaling Measurement in Elder Abuse Interventions.
Baumeister and Vohs. (2016) Introduction to the Special Issue: The Science of Propection. [Review of General Psychology]
3. Wish to live and (testamentary) wish to give



Philip Marshall in entrance of Brooke Astor's apartment,
778 Park Avenue, New York, NY. April 2, 2006.



• society

concerned persons

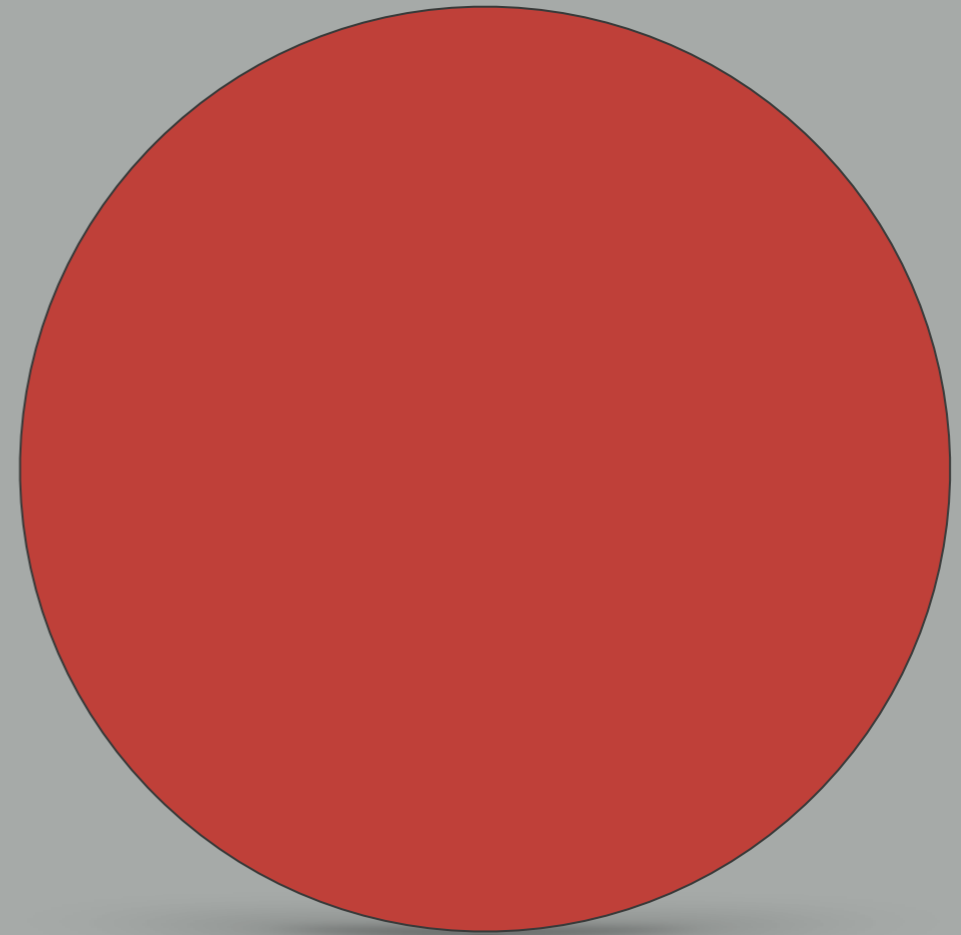
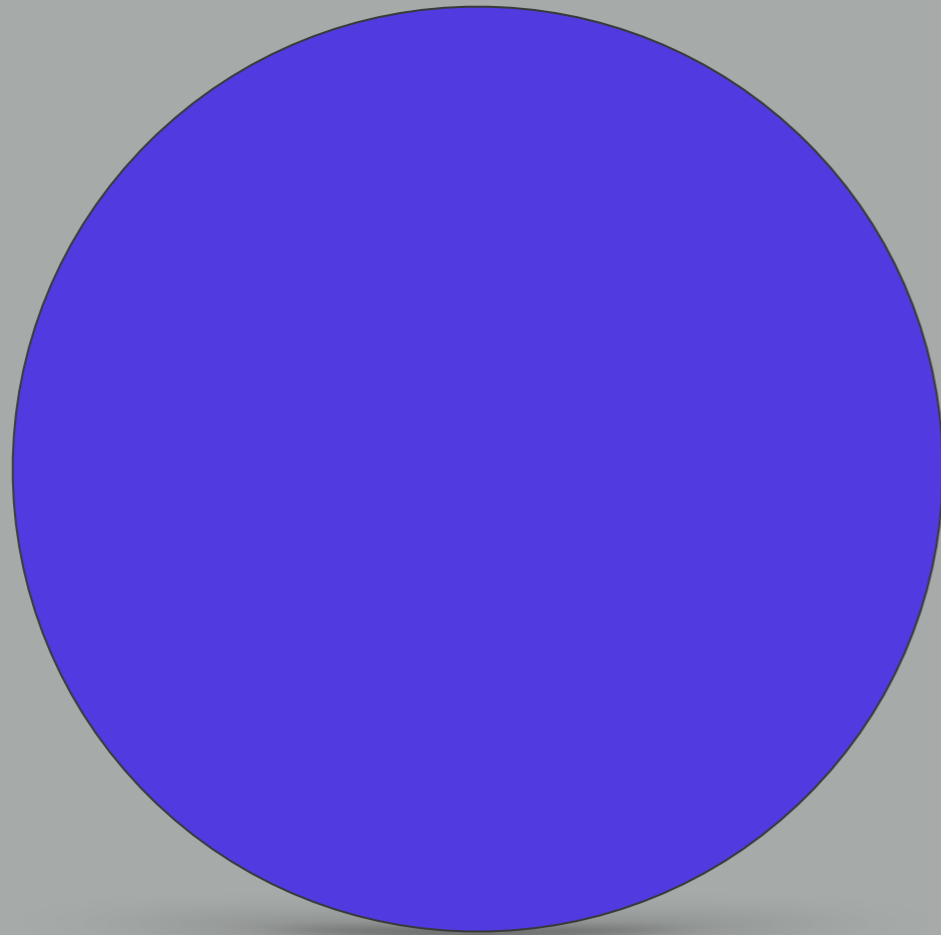
models

informal

- family friends neighbors
- work play pray

formal

- serve and save



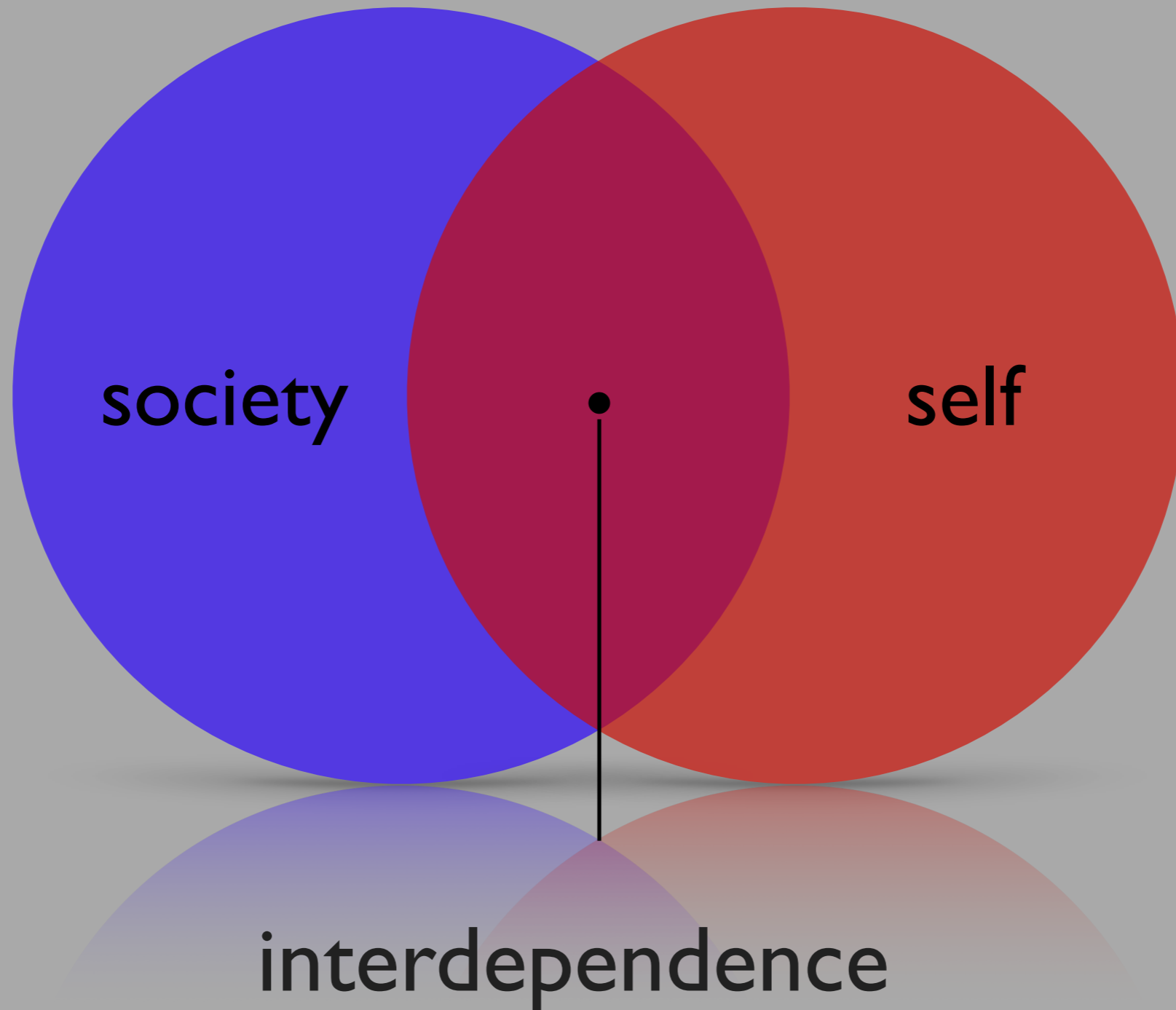
society

self

independence



social compact









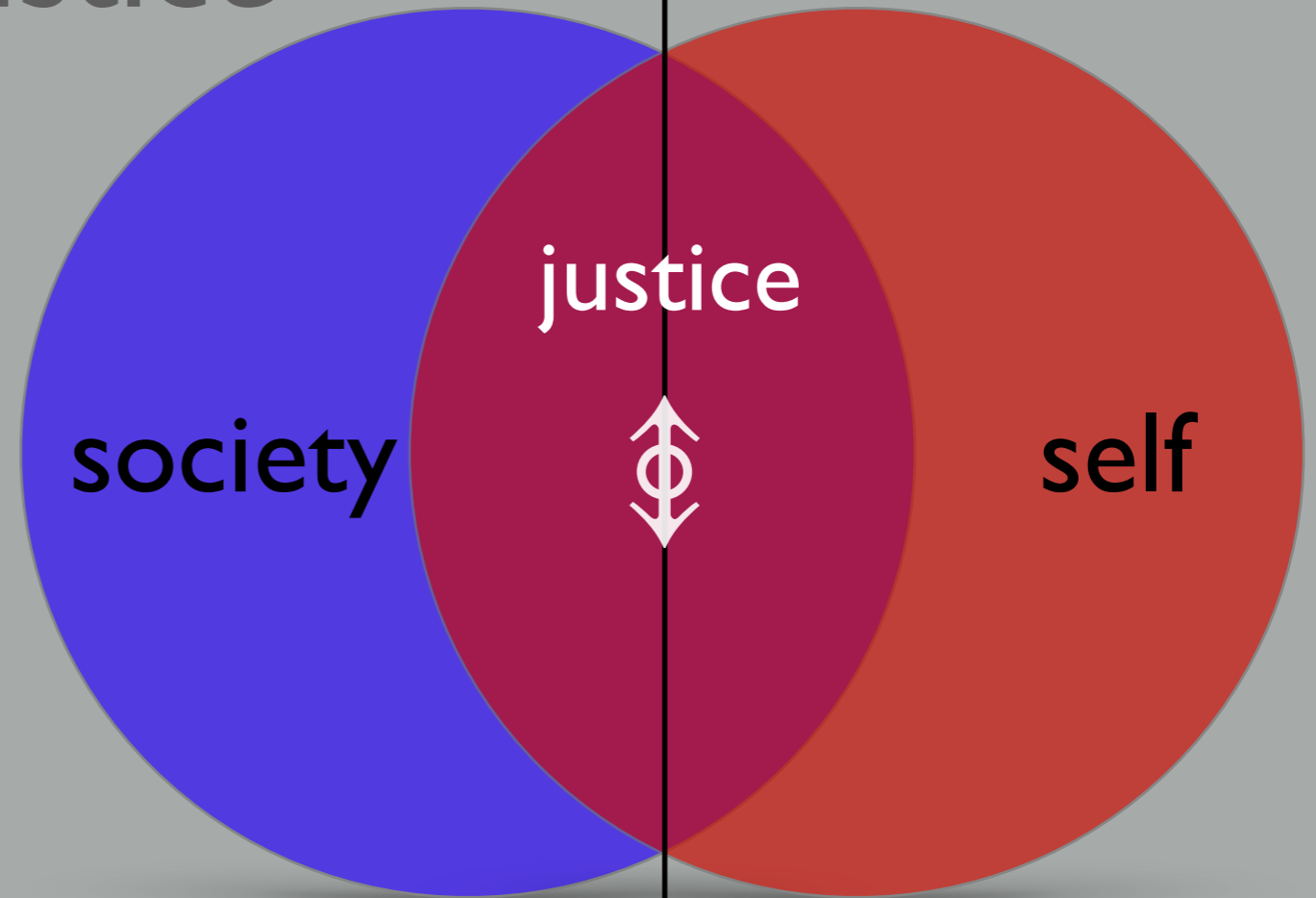
you   i



SM

üpsttandership

stand up to injustice



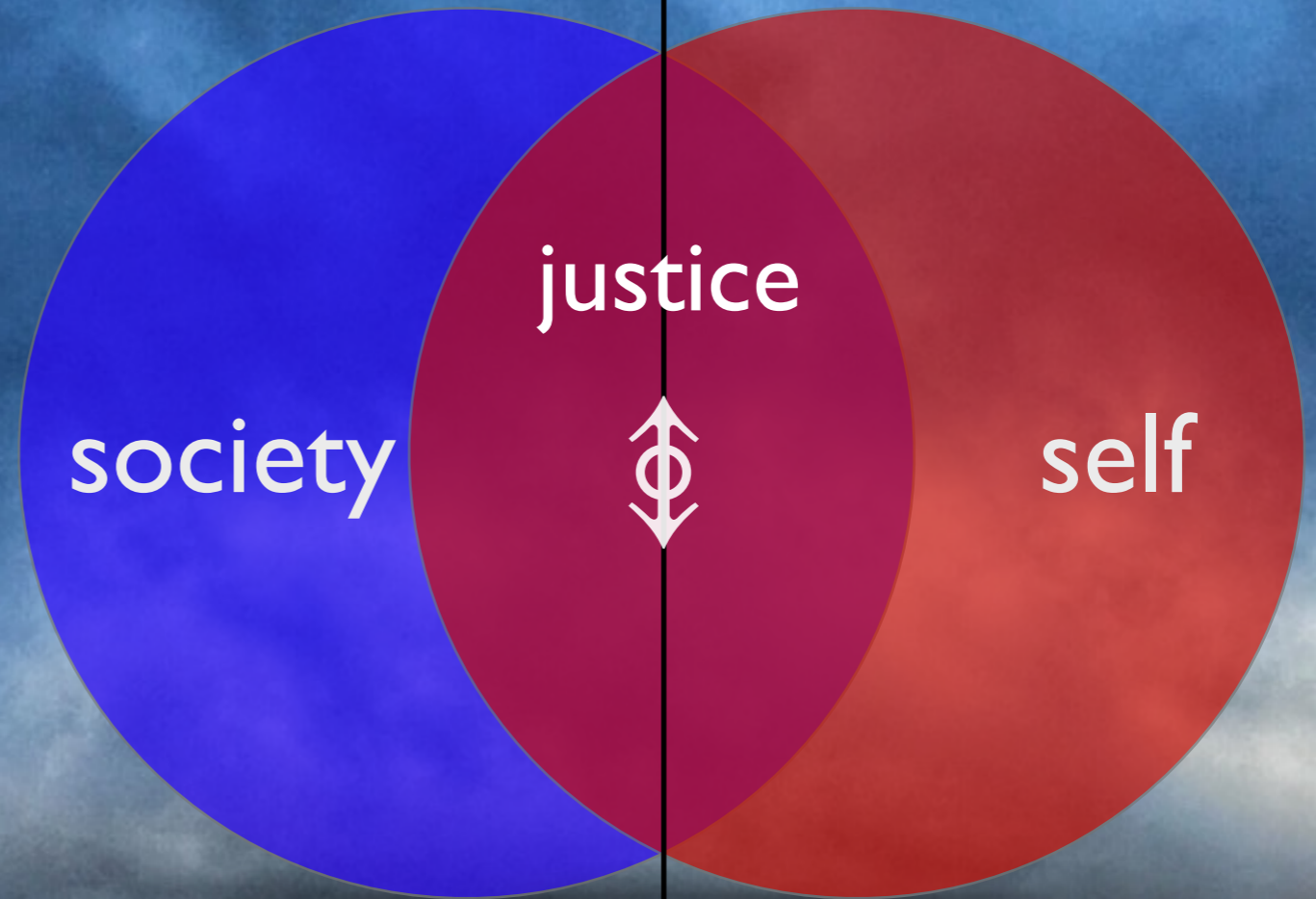
safety networks

strengthen circles of support



SM

upstandership

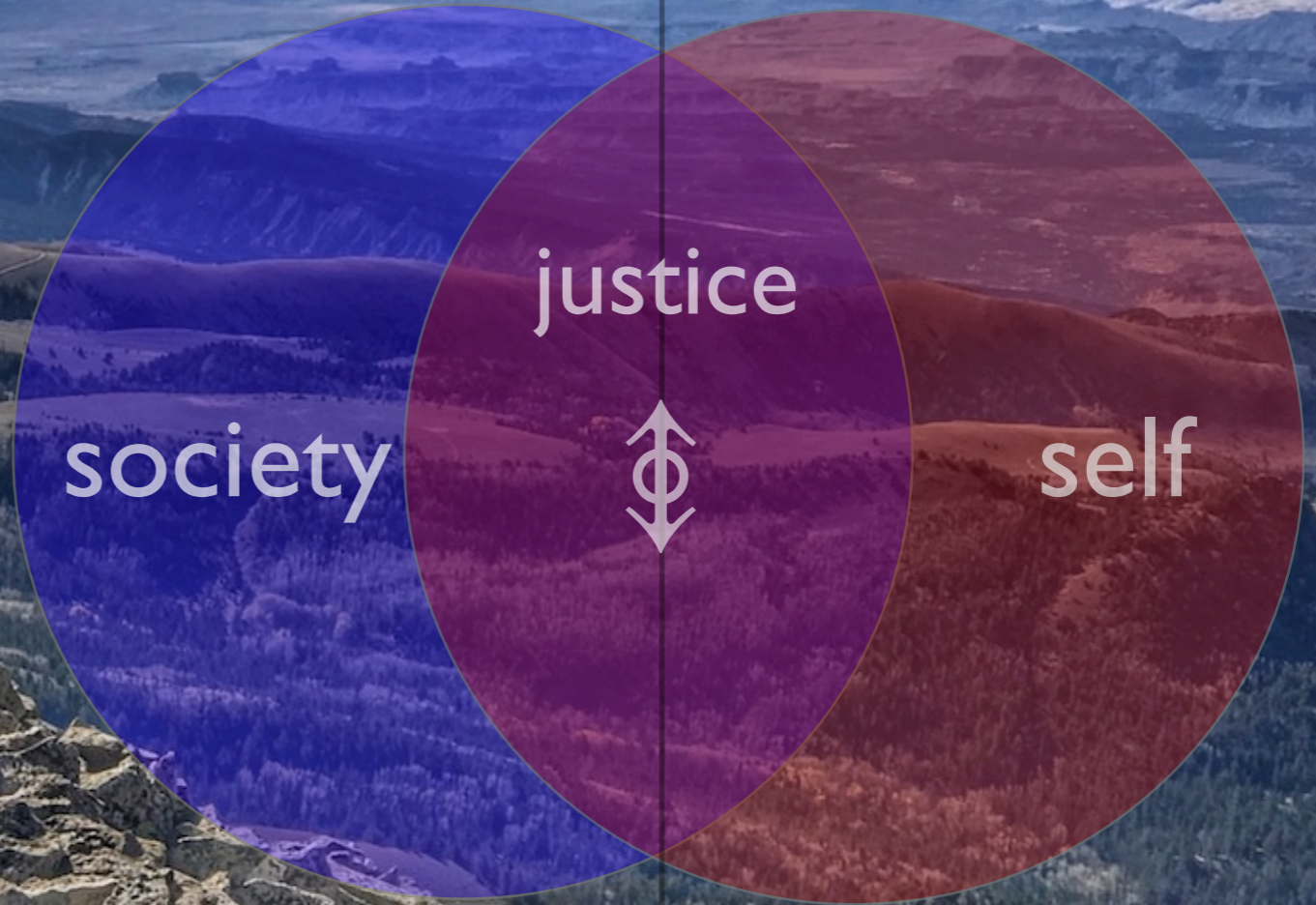


safety networks



SM

upstandership

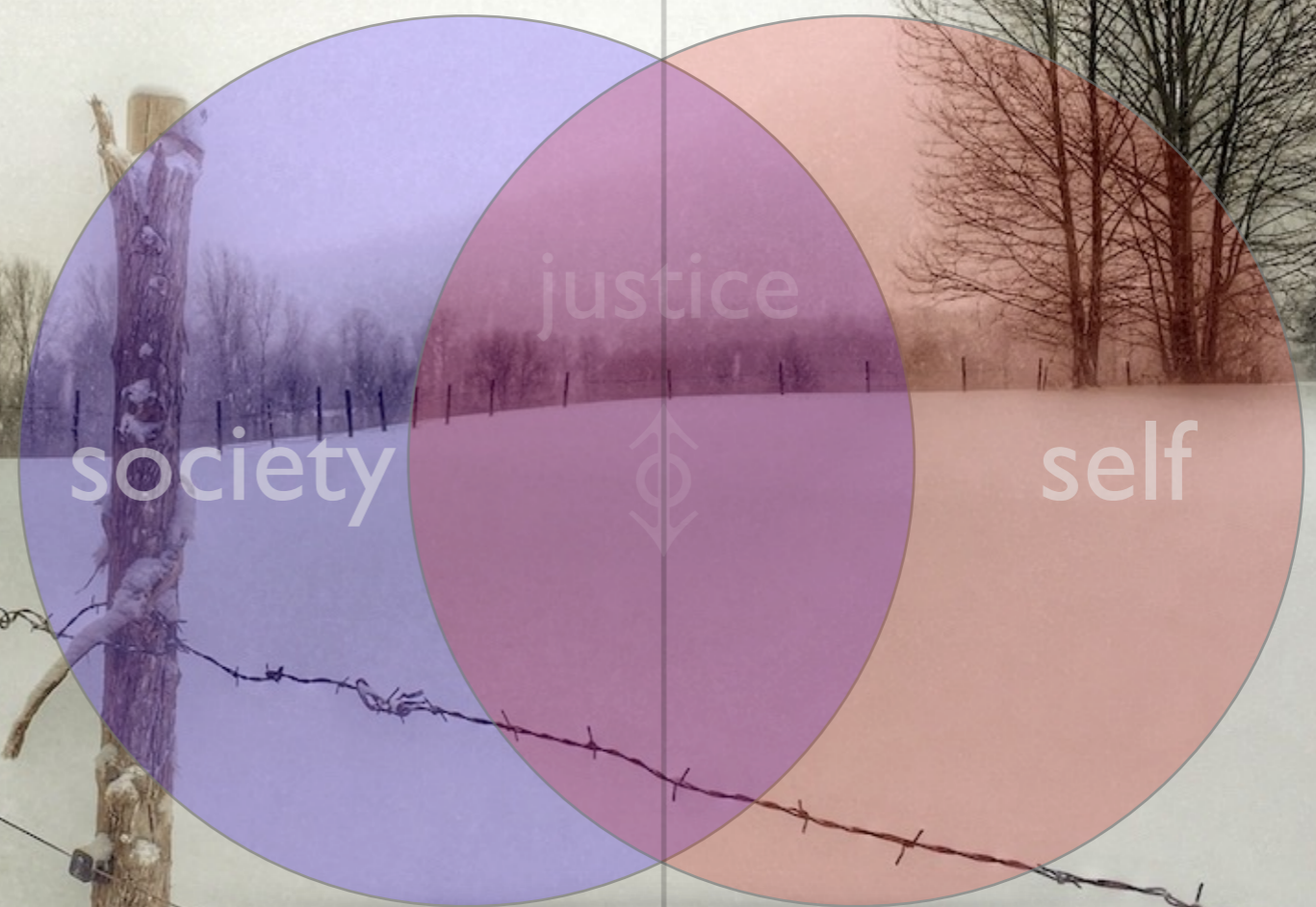


safety networks



SM

üpstander snip



safety networks



Table A

Rates of Elder Abuse in New York State:
Comparison of Self-Reported One-Year Incidence and Documented Case Data

	Documented Rate per 1,000	Self-reported Rate per 1,000	Ratio of Self-Reported to Documented
New York State - All forms of abuse	3.24	76.0	23.5
Financial	.96	42.1	43.9
Physical and Sexual	1.13*	22.4*	19.8
Neglect	.32	18.3	57.2
Emotional	1.37	16.4	12.0

*The Documented Case rate includes physical abuse cases only. Physical and sexual abuse data were combined in the Self-Reported Study. The sexual abuse rate for the Documented Case Study was 0.03 per 1,000.

It should be noted that the sum of the rates exceeds the total rates in both the Documented Case and Self-Reported Studies because some victims experienced more than one type of abuse.



*Under the Radar:
New York State Elder Abuse Prevalence Study*

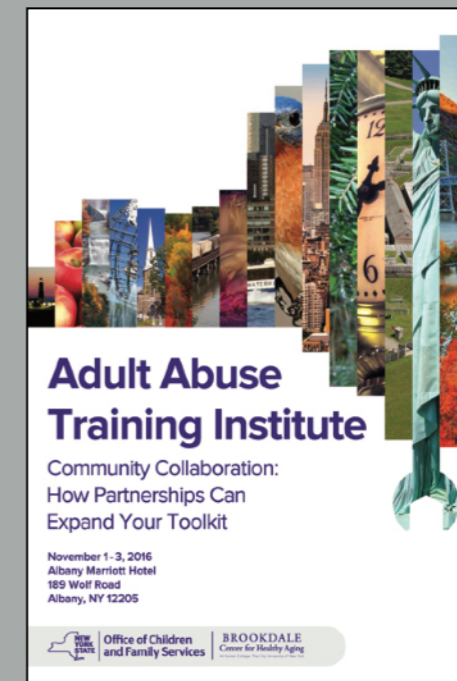
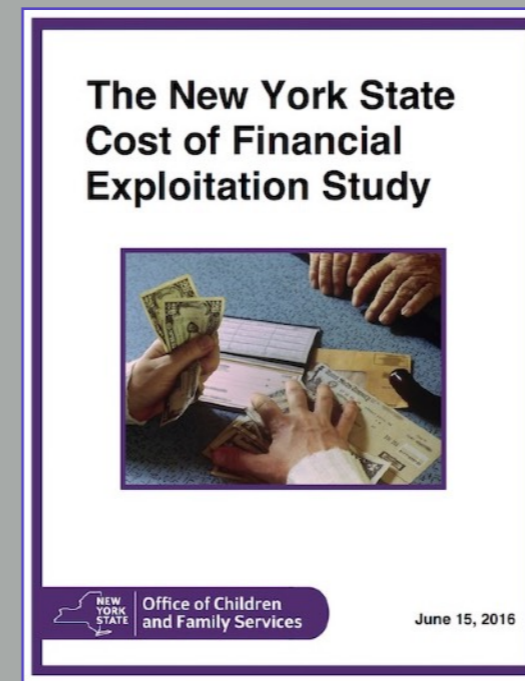
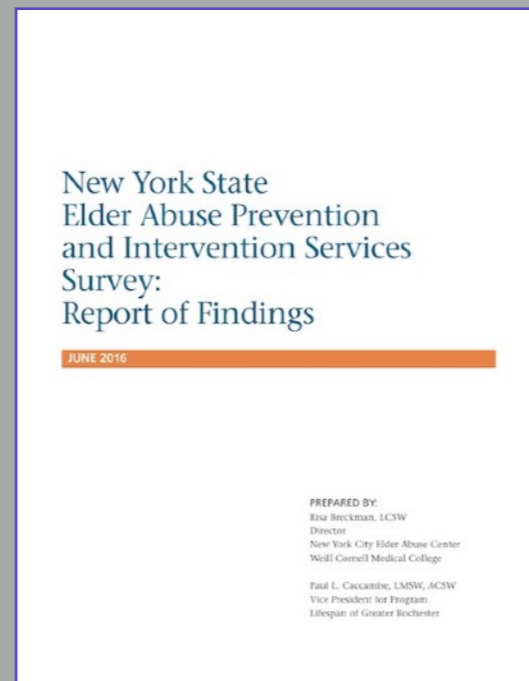
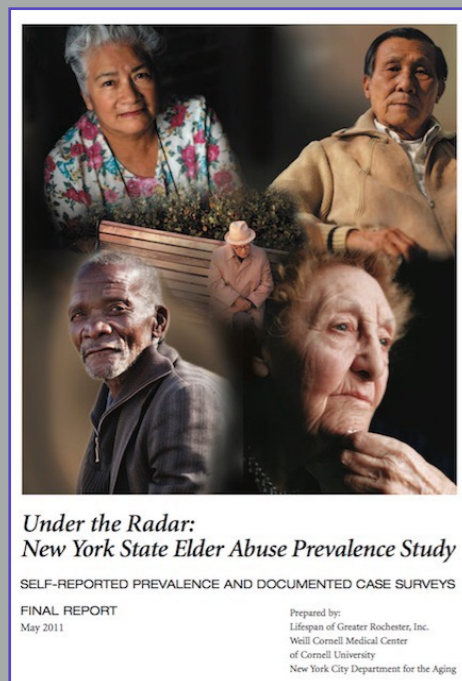
SELF-REPORTED PREVALENCE AND DOCUMENTED CASE SURVEYS

FINAL REPORT
May 2011

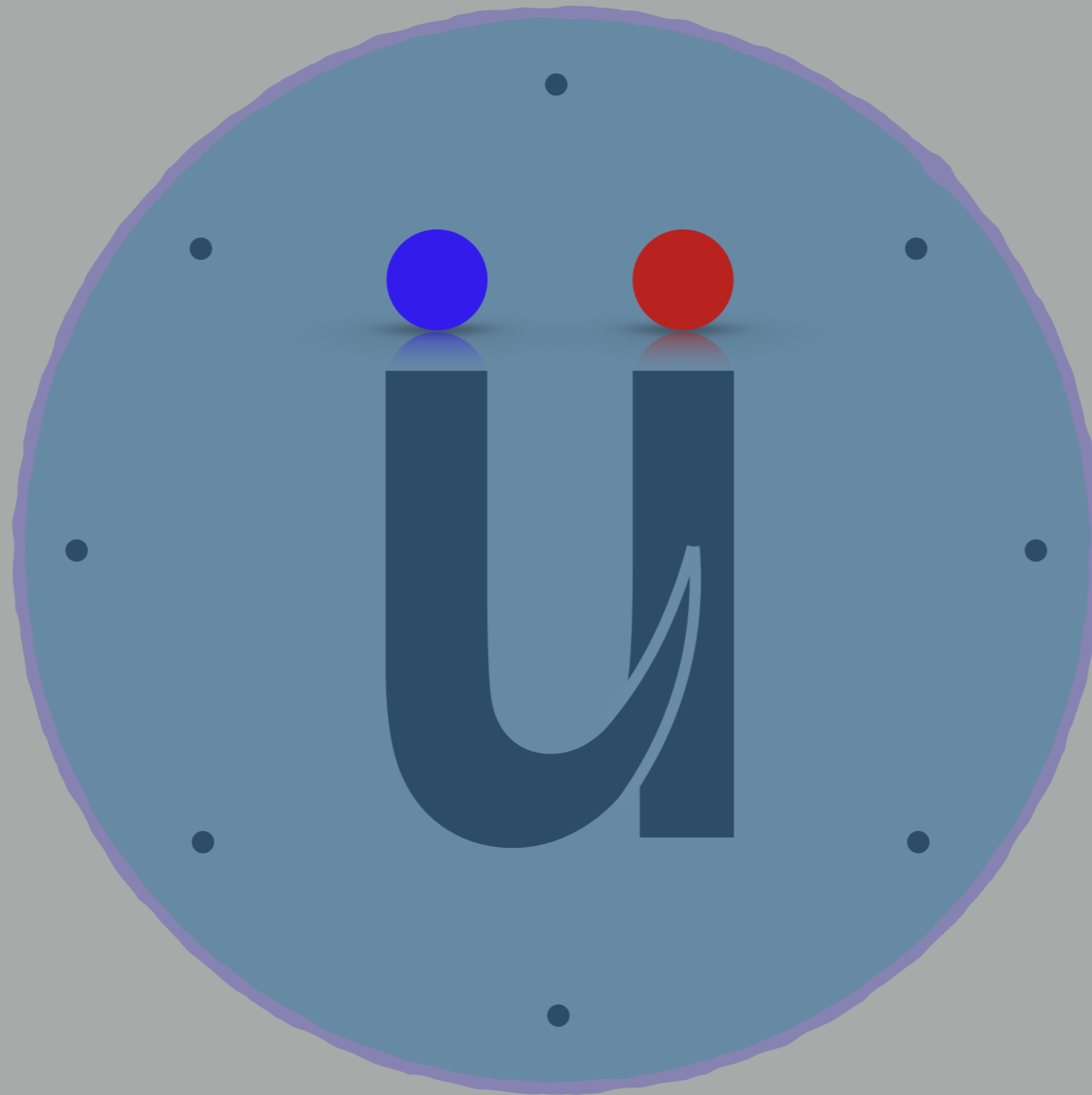
Prepared by:
Lifespan of Greater Rochester, Inc.
Weill Cornell Medical Center
of Cornell University
New York City Department for the Aging

For every elder abuse case reported to programs and agencies, 24 were unknown

Under the Radar.
Lifespan of Greater Rochester, Inc., Weill Cornell Medical Center of Cornell University, New York City Department for the Aging, 2011



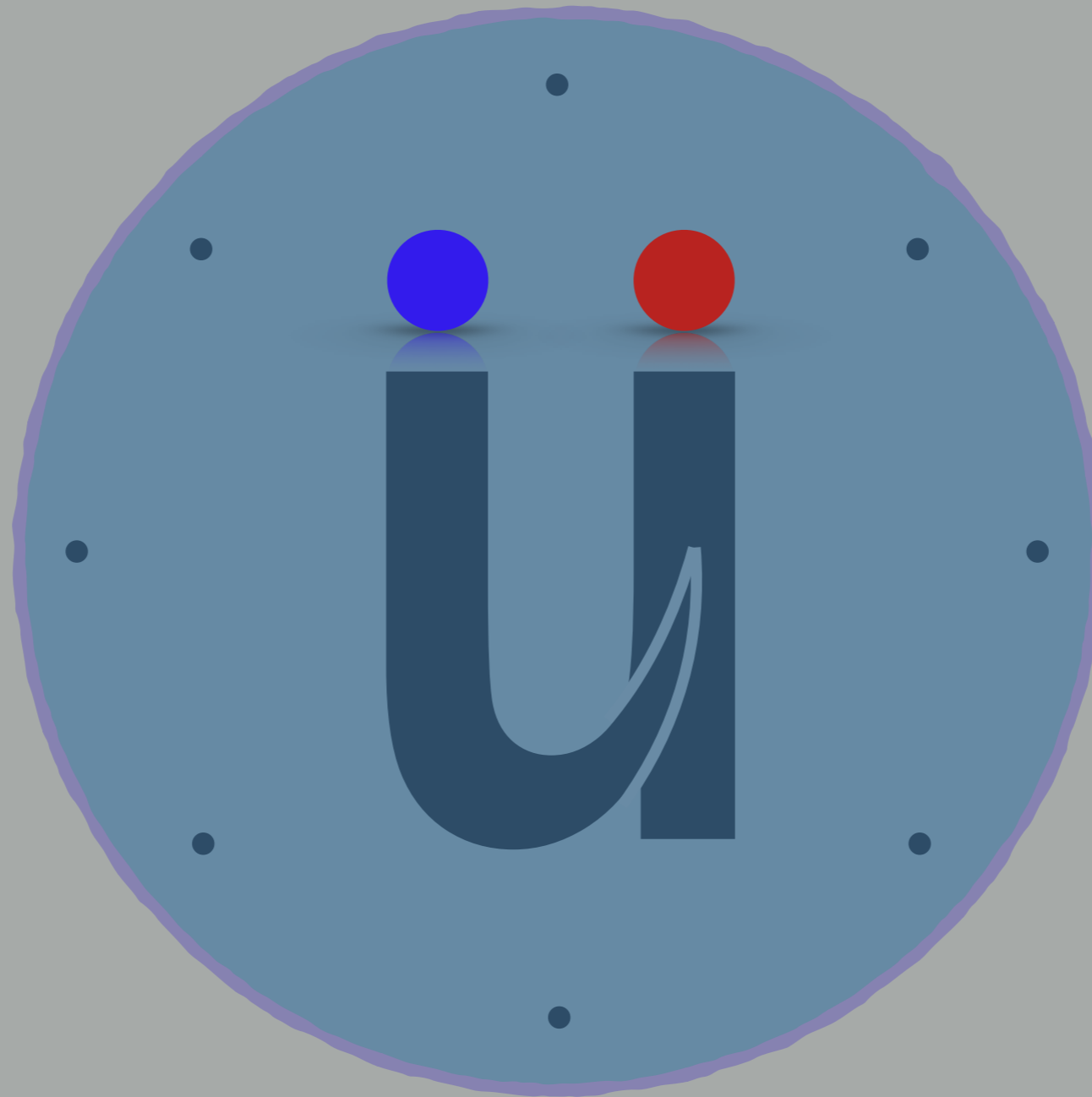
Under the Radar. Lifespan of Greater Rochester, Inc., Weill Cornell Medical Center of Cornell University, New York City Department for the Aging, 2011 🌀 Breckman and Caccamise. New York State Elder Abuse Prevention and Intervention Services Survey: Report of Findings. Lifespan of Greater Rochester Inc. and Weill Cornell Medicine's NYC Elder Abuse Center, 2016 🌀 Huang and Lawitz. The New York State Cost of Financial Exploitation Study. New York State Office of Children and Family Services, 2016 🌀 Adult Abuse Training Institute. Community Collaboration: How partnerships can expand your toolkit. Albany, NY. New York State Office of Children and Family Services, Brookdale Center for Healthy Aging. November 1-3, 2016.



üpstandershipSM



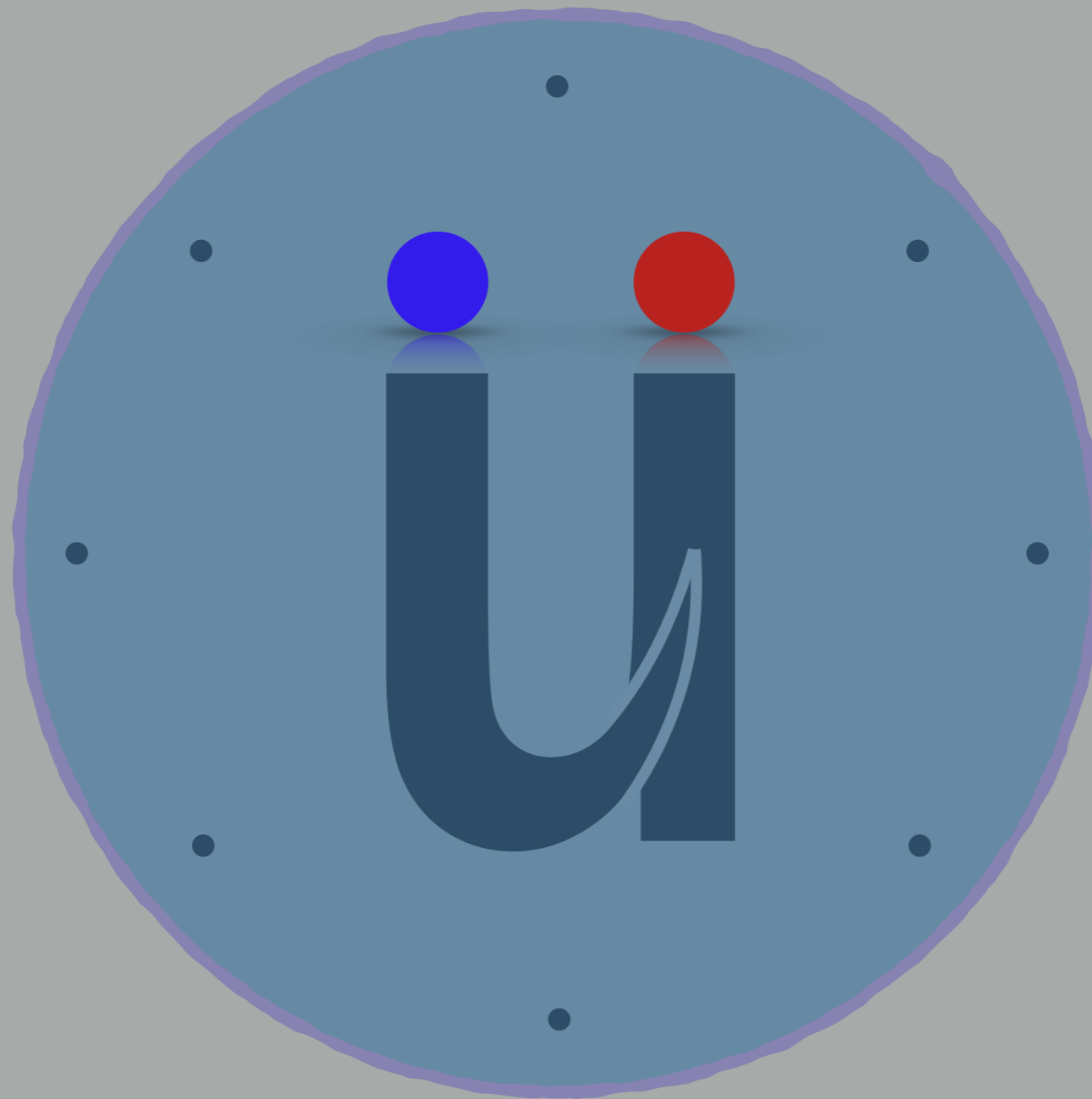
a **concerned person** practices...



üpstandershipSM



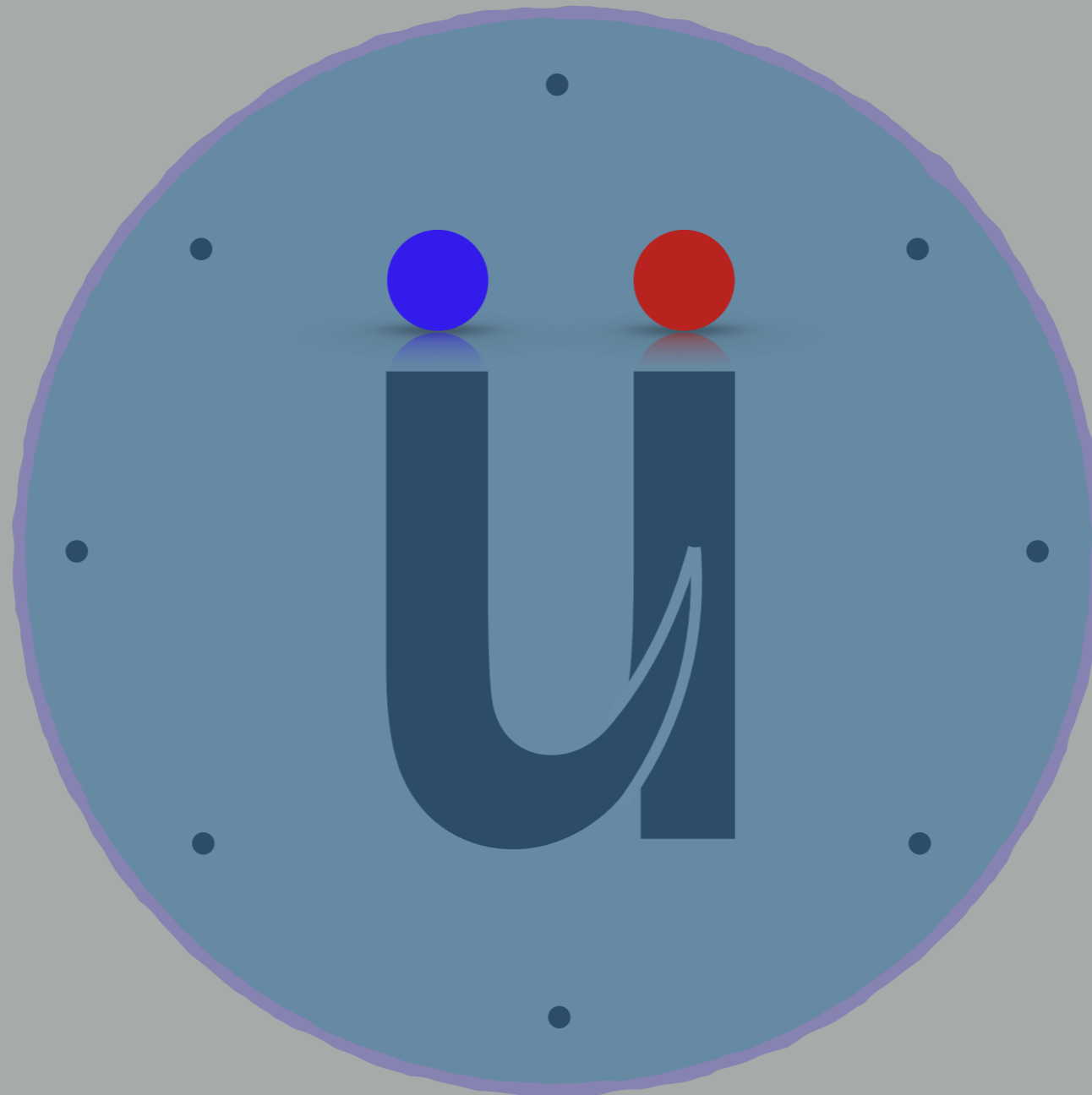
a **concerned** person practices...



üpstandershipSM



a concerned **person** practices...



üpstandinghipSM



“...in American jurisprudence at least, a private citizen lacks a judicially cognizable interest in the prosecution or non-prosecution of another.”

society harm victims*

‡ society centric no standing

Linda R. S. v. Richard D., 410 U.S. 614 (1973), opinion delivered by Justice Marshall. U.S. Supreme Court

* The term ‘victim’ is used as a placeholder



VOCA • VAWA • CVRA

society

harm

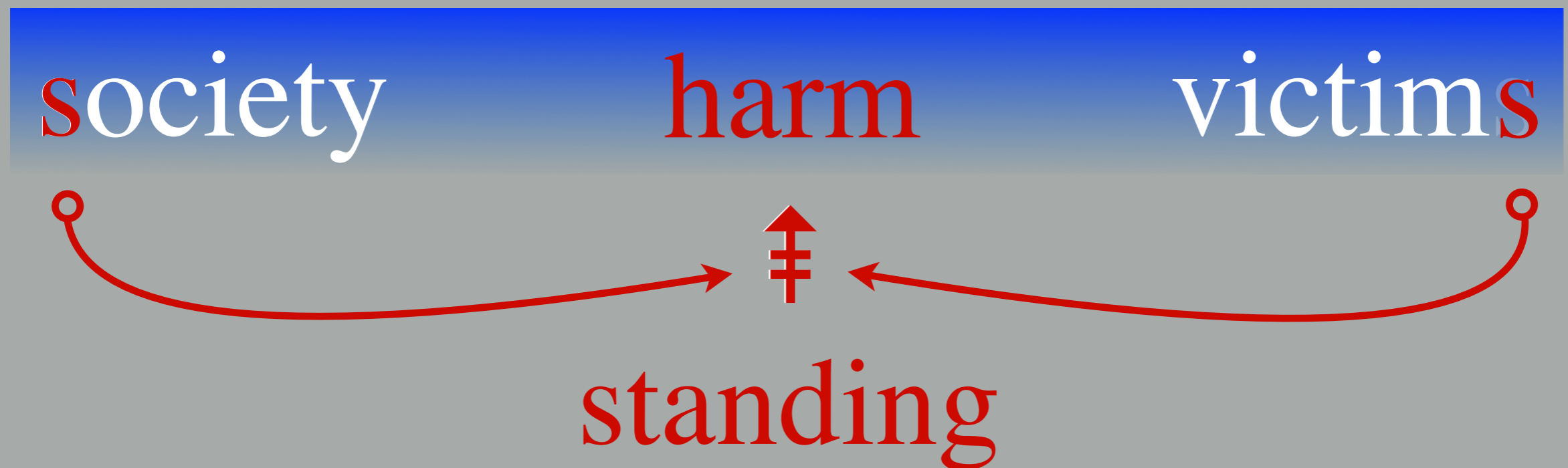
victims

‘no’ standing

victim centric ↑

- Victims of Crime Act 1984
 - Violence Against Women Act 1994
 - Crime Victims' Rights Act 2004
- ...for example

“social harm allows us to look at the structures of our society”

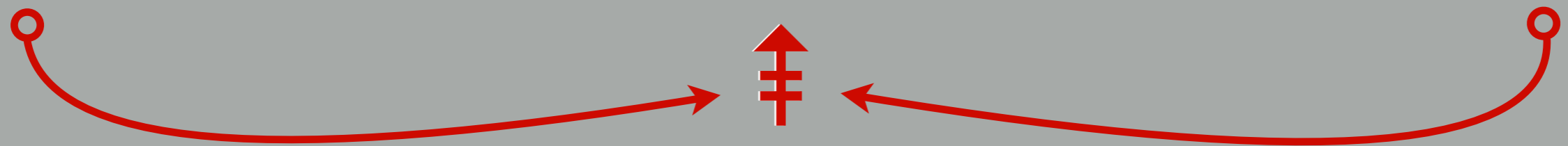


Social harm and the structure of societies. Interview with Dr. Simon Pemberton by Lucy Vernall, Ideas Lab. February 8, 2012

Concerned Persons...*

- are considered victims of crime, too
- can be worldwide, while served by state funding
- receive expert services throughout their experience

society harm ‘victims’



standing

* As defined by the NYCEAC Helpline and as interpreted by NYS Office of Victim Services, grantor, informed by VOCA formula assistance rules provided by the U.S. Department of Justice Office for Victims of Crime



harm



upstandershipSM

society

self

attention

advocacy

awareness

justice

heros' journey

knowledge

response ability



responsibility

agency

serve

report • refer • respond

1



upstandershipSM

society

self

attention

awareness

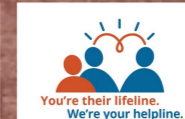
knowledge

responsibility

heros' journey

agency

serve



“[There is] a dramatic gap between the rate of elder abuse events reported by older New Yorkers and the number of cases referred to and served in the formal elder abuse service system.”

Under the Radar 2011

report • refer • respond



Graphic:
Nancy Oatts
2019

My Neighbor
Miss D- "When
are you taking
me home?"
Nancy Oatts,
Blog

Nancy Oatts and Miss D – Coordination



Experts	Scope	Time
Local District Council Office, for Upper West Side, Manhattan 6th District	Email, phone, and in-person contact with the director	Constant 3 weeks
Adult Protective Services (APS) Web referral (first), then Manhattan APS caseworker from JASA, assigned	Via phone, and then in person	Frequent, 3 weeks
Emergency Medical Services (EMS)	At Miss D's apartment, to hospital	1 hour
North Shore LIJ Lenox Hill Hospital; assigned LCSW Chief Social Worker for Patient Care Management; lawyer at legal firm.	Phone, in person: Alleged incapacitated person assessment, guardianship discussions; financial exploitation; Medicaid process	Frequent, 2 months
NYC Police Department	In person, to file an aggravated harassment report	1 day
The Weinberg Center for Elder Abuse Prevention at The Hebrew Home (elder abuse shelter) with director, staff.	Placement, coordination with MSW social workers and legal team, visits	Frequent 1 year

Nancy Oatts and Miss D – Coordination



Experts

Scope

Time

Supreme Court of the State of New York—The Hon. Judge Tanya R. Kennedy, lawyer, court evaluator,	Article 81A — AIP guardianship petition, testimony	Frequent, Two weeks of phone calls, meetings
Vera Institute, The Guardianship Project: Director, then Social Worker Case Manager	Guardianship placement	Frequent 10 months
New York City Elder Abuse Center: director, and colleagues	Reach-out by NYCEAC, conversation about experience; advocacy on Helpline Advisory Board	8 years
District Attorney— Director, and colleagues	Attempts toward prosecution, never achieved	Phone call, and one day of meetings
Home Care Agency	4 Homecare Aides	Constant 2 months



upstandershipSM

society

self

attention

advocacy

awareness

justice

trauma-informed response

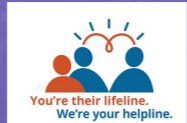
knowledge

'no wrong door'*

response ability

responsibility

unified
• reporting
• response



agency

eMDTs

2

report • refer • respond

1

* ACL

3

intervention

upstandershipSM

prevention



re-pair

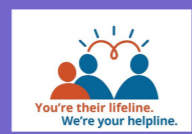
society

self

repair

attention

advocacy



justice

credible messengers

awareness

knowledge

response ability

responsibility

agency

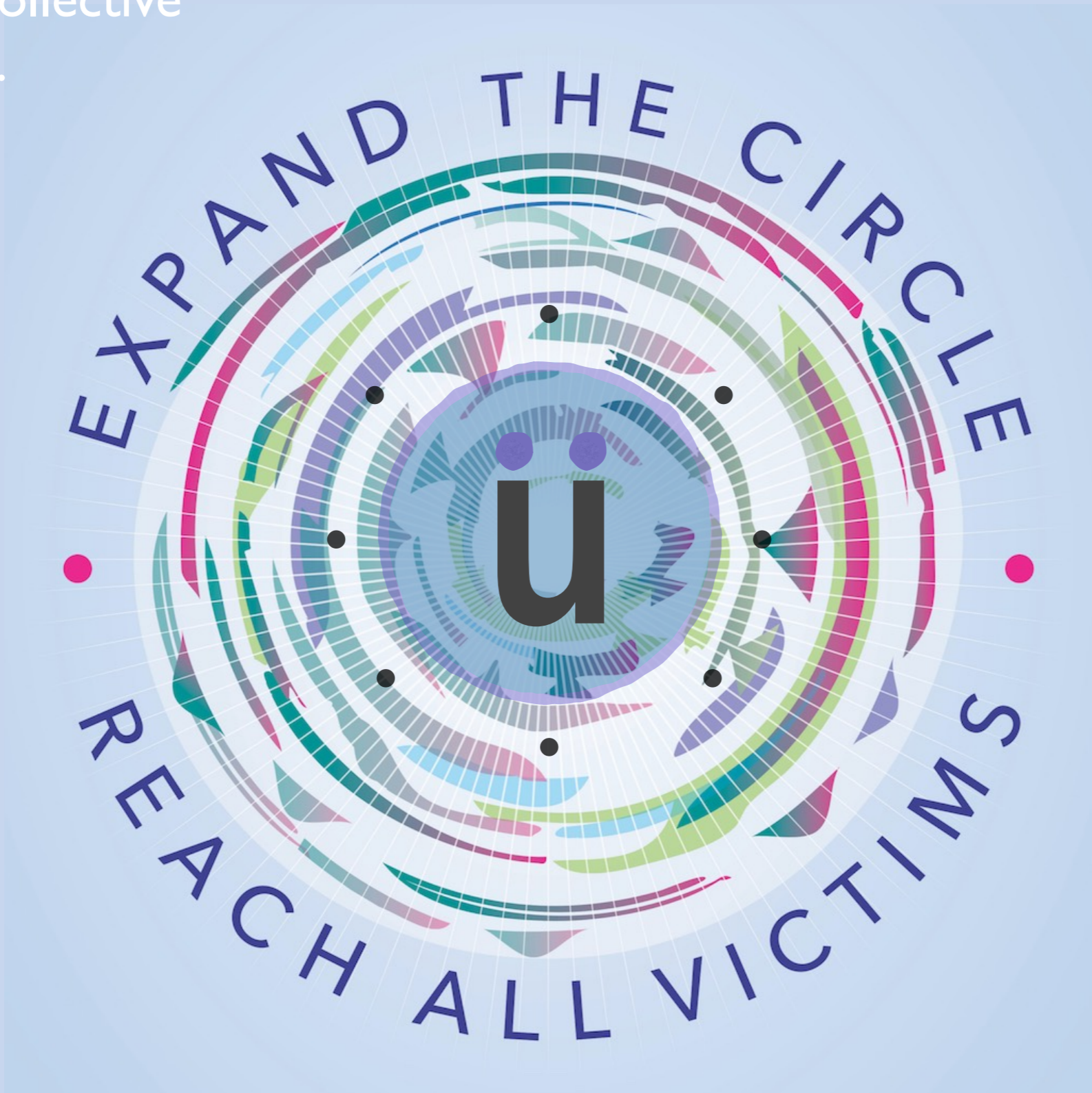
2

report • refer • respond

1



Blumer, Herbert. Social Problems as Collective Behavior. 1971.



National Crime Victims' Rights Week. April 8-14, 2018.
Office for Victims of Crime (OVC), OJP, US DOJ

Aging networks “...shall
serve as an effective and
visible advocate on behalf
of older individuals...”

Older Americans Act (OAA) of 1965, as amended through P.L. 114-144. Enacted April 19, 2016. Referenced in webinar *In Conversation with Bill Benson: The State of Elder Justice* (March 27, 2019). California Elder Justice Coalition, with support from the Huguetta Clark Family Fund for the Protection of Elders.







please share your concern