

**STOP AT- RISK- ADULTS-ABUSE**

April 25, 2013

SB13-111

Past Colorado General Assembly From 1995 to present,  
has failed to stop the “UNDER REPORTING”,  
of At-Risk-Adults-Abuse (A-R-A-A).

Resulting in crimes (As Listed below), that may have been prevented if  
there was Mandatory Reporting in Colorado:

Killing, Raping Assaulting and Robbing of our At-Risk-Adults  
(Seniors & Disabled persons).

The first Annual Report on A-R-A-A, was made in 1995. The  
attached Colorado Adult Protective Services Workload Reports  
dated 2010, 2011 and 2012, support that the abuse continues to  
increase. The time has come to:

**Give At-Risk-Adults-Abuse a Mandatory Reporting LAW**

NOTE:

**Colorado is the only State in the nation that has  
Voluntary Reporting for At-Risk- Adults-Abuse.**

**The Colorado Senior Lobby request, the  
Colorado General Assembly take action  
and request that Seniors & Disabled persons  
be given the full protection of the LAW.**

**Pass SB13-111, “NOW”**

**Summited by: Charles W. Carter,  
Colorado Senior Lobby &  
NARFE, National President Emeritus**

©

# THE COLORADO ADULT PROTECTION PROGRAM



1995

## ANNUAL REPORT

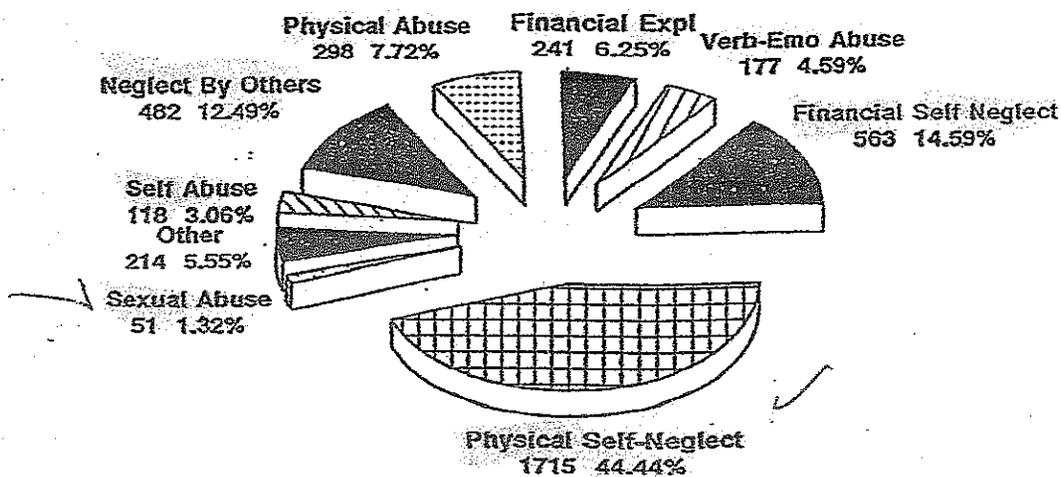
Colorado Department of Human Services  
Division of Aging and Adult Services  
110 16th Street, Suite 200  
Denver, Colorado 80202  
1-800-773-1366

17/9/95

## WHO ARE THE VICTIMS?

Similar to other states and the national profile, the typical adult abuse victim in Colorado is a white woman over the age of 75 who is demented or physically disabled and who lives by herself in the Denver metropolitan area. When we think of the term "elder abuse," usually what comes to mind is a terrified elderly woman cowering under the blows of an unknown assailant. However the primary problem is not that these victims are being beaten by others, but that they are not able to take adequate physical care of themselves or manage their finances, which means that they are categorized as "self-neglecting" adults. While most self neglecting adults accept the services offered by Adult Protection staff some do not. Their refusal of help does not necessarily mean that they are incapable of making informed decisions. Unless they are declared incompetent by a court of law, they have the right to make unwise choices. Unwanted services cannot be imposed upon them regardless of pressure from well-meaning friends, relatives, or the community. In Colorado, self-neglect accounted for 2,278 (59%) of all active Adult Protection cases. (See Table 3)

## Colorado Adult Protection Program Cases Active Anytime During 1995 Type of Case



3859 Total Cases Active

Table 3

Colorado Department of Human Services  
Division of Aging and Adult Services  
Adult Protection and Elder Rights Program January 1996



# Colorado Adult Protective Services Workload Report

Date Refreshed: 09/01/2010  
 FY 2010



## STATE SUMMARY

Report Type	Count
I&R	4,795
Referral	5,944
<b>Total:</b>	<b>10,739</b>

Response Priority	Total	In Compliance	Out of Compliance	% in Compliance
Immediate	241	211	30	87.55%
24 Hour	314	274	40	87.26%
3 Day	5,389	4,052	1,337	75.19%
<b>Grand Total Referrals:</b>	<b>5,944</b>	<b>Total: 4,537</b>	<b>Total: 1,407</b>	<b>76.33%</b>

Mistreatment Categories	Count
Abuse/Physical	450
Abuse/Self	55
Abuse/Sexual	60
Exploitation/Financial	952
Exploitation/Other	208
Neglect/Other	1,320
Neglect/Self	2,879
None	529
<b>Total:</b>	<b>6,453</b>

Assessment Data	Count
New Assessments	7,065
Closed Assessments	6,911

County/ Legal Authority	Count
Guardianships	348
Conservatorships	18
Rep Payeeships	285

Law Enforcement - District Attorney	Count
Referrals or Cases to LE	1,206
Referrals or Cases from LE	588
Referrals or Cases to DA	1,008
Referrals or Cases from DA	5

Case Data	Count
Beginning Cases	1,742
New Cases	4,497
Total Open Cases	6,239
Closed Cases	4,332
Ongoing Cases	1,907

Length of Time Closed Cases Were Open	Count
Same Day	423
1-30 Days	1,535
31-90 Days	1,309
91-180 Days	597
181-365 Days	233
1+ YRS	105
2+ YRS	27
3+ YRS	19
4+ YRS	16
5+ YRS	68



# Colorado Adult Protective Services Workload Report

Date Refreshed: 09/20/2011  
 FY 2011



## STATE SUMMARY

Report Type	Count
I&R	4,778
Referral	6,068
<b>Total:</b>	<b>10,846</b>

Response Priority	Total	In Compliance	Out of Compliance	% In Compliance
Immediate	231	196	35	84.85%
24 Hour	249	196	53	78.71%
3 Day	5,588	4,330	1,258	77.49%
<b>Grand Total Referrals:</b>	<b>6,068</b>	<b>Total: 4,722</b>	<b>Total: 1,346</b>	<b>77.82%</b>

Mistreatment Categories	Count
Abuse/Physical	490
Abuse/Self	74
Abuse/Sexual	58
Exploitation/Financial	1,024
Exploitation/Other	219
Neglect/Other	1,378
Neglect/Self	2,916
None	561
<b>Total:</b>	<b>6,720</b>

Assessment Data	Count
New Assessments	6,919
Closed Assessments	6,958

County Legal Authority	Count
Guardianships	330
Conservatorships	13
Rep. Payeeships	219

Law Enforcement - District Attorney	Count
Referrals or Cases to LE	1,708
Referrals or Cases from LE	602
Referrals or Cases to DA	1,617
Referrals or Cases from DA	5

Case Data	Count
Beginning Cases	1,812
New Cases	4,481
Total Open Cases	6,293
Closed Cases	4,496
Ongoing Cases	1,797

Length of Time Closed Cases Were Open									
Same Day	1-30 Days	31-90 Days	91-180 Days	181-365 Days	++ YRS	2+ YRS	3+ YRS	4+ YRS	5+ YRS
299	1,638	1,460	614	274	99	32	15	15	50



# Colorado Adult Protective Services Workload Report

Date Refreshed: 09/05/2012

FY 2012



## STATE SUMMARY

Report Type	Count
I&R	4,475
Referral	6,525
<b>Total:</b>	<b>11,000</b>

Response Priority	Total	In Compliance	Out of Compliance	% In Compliance
Immediate	129	113	16	87.60%
24 Hour	203	171	32	84.24%
3 Day	6,193	5,063	1,130	81.75%
<b>Grand Total Referrals:</b>	<b>6,525</b>	<b>Total: 5,347</b>	<b>Total: 1,178</b>	<b>81.95%</b>

Mistreatment Categories	Count
Abuse/Physical	568
Abuse/Self	56
Abuse/Sexual	72
Exploitation/Financial	1,147
Exploitation/Other	261
Neglect/Other	1,547
Neglect/Self	3,206
None	516
<b>Total:</b>	<b>7,373</b>

Assessment Data	Count
New Assessments	6,883
Closed Assessments	6,802

County/ Legal Authority	Count
Guardianships	325
Conservatorships	15
Rep Payeeships	206

Law Enforcement - District Attorney	Count
Referrals or Cases to LE	2,445
Referrals or Cases from LE	728
Referrals or Cases to DA	2,278
Referrals or Cases from DA	7

Case Data	Count
Beginning Cases	1,750
New Cases	4,733
Total Open Cases	6,483
Closed Cases	4,608
Ongoing Cases	1,875

Length of Time Closed Cases Were Open									
Same Day	1-30 Days	31-90 Days	91-180 Days	181-365 Days	1+ YRS	2+ YRS	3+ YRS	4+ YRS	5+ YRS
299	1,873	1,465	555	238	80	25	20	9	44

## At-Risk-Adult-Abuse Stories

The following are news articles that have appeared in the Denver Post on A-R-A-B:

February,2,2013, "Man sent prison for bilking Mother-in-law" (\$578,000.00)

\*May 2,2012, Lajunta Jury awards \$3.2 million in death". link to bedsores

\*February 27,2012,"Speaking up for abused seniors" Denver Post Editorial.

March 30,2013, "Erie woman sentence for theft from elderly friend".(\$11,682.96)

\*March 26, 2012, "Fraud against elderly rising".

July 12,2012, "Denver man accused if holding parents hostage".

\*October 24, 2011, "Advocate for elders aims for abuse law".

The following are stories that also appeared in the Denver Post .The dates are not available.

"Daughter kills mother with a jumping rope".

"Court appointed lawyer steals (1M), one million dollars, from elderly woman".

"Son kills mother and father , over their farm in Welds county".

"Caregiver rapes disabled woman in nursing home".

"Widow of Denver Post Editor, Kill by adopted grandson ".

"Pueblo man dismembered Grand Mother".

Submitted by: (\*Attached)

Charles W. Carter

303-973-0665

PROTECTING AT-RISK ADULTS

# Advocate for elders aims for abuse law

By Sara Burnett *The Denver Post*

After years of advocating for the elderly, Charles Carter can rattle off the horror stories with ease.

An 84-year-old Denver woman allegedly killed by the adult son she supported.

A Greeley caregiver charged with stealing from a 101-year-old woman to buy gas, clothes and drugs.

A Colorado probate-court system that state auditors twice in the past six years have said fails those it is intended to protect.

Yet Colorado remains one of four states that do not require social workers, physicians and other occupations to report suspected or evident elder abuse to police or adult protective services, according to the American Bar Association's Commission on Law and Aging.

The laws in other states have been credited with identifying and helping to stop elder abuse, and the only other states without one are New York, North Dakota and South Dakota.

So Carter, an 82-year-old former lobbyist from Littleton, is working to get a mandatory-reporting law for at-risk adults passed when the state legislature reconvenes next year.

"I just can't understand why people are so blind to this," Carter said. "Once you get into adulthood, if you lose your mind... you can be as vulnerable as any child."

Carter has a strong ally in First judicial District Attorney Scott Storey, who said he too

ELDER ABUSE » 15A

D R  
24 Oct 11

DP  
2-27-12  
2-27-12

## The Post Editorials

# Speaking up for abused seniors

### A bill to protect Colorado's elderly should include mandatory reporting of suspected mistreatment.

The graying of America is a long-established trend that has given rise to something more sinister and repugnant — an increase in abuse of the elderly.

A bill pending in the Colorado legislature would require county workers who come in contact with this vulnerable population to have criminal background checks. It would also establish a task force to study reporting of mistreatment and service provision for older residents.

It's a good measure designed to protect the aging, but we think it could be better.

The measure falls short of requiring something the state has needed for quite some time — mandatory reporting of suspected elder abuse.

This would bring Colorado in line with other states, and would recognize the severity of the neglect, exploitation and physical and emotional abuse suffered by the elderly.

Colorado is among only four states in the country that do not require social workers, doctors and others to report suspicions of abuse.

Since 1991, there have been five attempts to put into mandatory reporting into law, said state Sen. Evie Hudak, D-Westminster, who is sponsoring this year's bill.

They've failed, she said, because of worries about paying for the additional investigators that may be necessary if reports go up.

And that is still a concern. Given the state's fiscal condition, measures that come with a requirement for new spending are hard-pressed to see the light of day. And that may be the

case this go-round as well.

Hudak said her "plan B" for Senate Bill 78 is to rewrite it so the mandatory reporting requirement wouldn't kick in until 2015.

That would give the state time to create the architecture necessary to coordinate investigations among multiple agencies and to allow the economy to rebound so there is money to pay for it.

Among the potential revenue sources, she said, are adult protective services fines that are tacked onto the court bill of those convicted of crimes against the elderly.

Hudak also said she is hopeful that having law enforcement and adult protective services workers join forces to conduct one investigation instead of separate inquiries would save money as well.

We hope lawmakers see their way clear to amending SB 78 to include this important mandatory reporting requirement.

The mandatory reporting provision is a priority for the Colorado attorney general's office, and for good reason.

The abuse of at-risk adults is an important public policy matter, particularly when it comes to the financial exploitation of seniors. That's the piece that policymakers tell us is on the rise.

We think Hudak is on the right track in pursuing strategies to reduce the impact to state and county budgets. We hope lawmakers stick with the goal of mandatory reporting and find a way to make it work during these difficult financial times.

The members of the Post editorial board are William Dean Singleton, chairman and publisher; Curtis Hubbard, editorial page editor; Ed Moss, president and CEO; Vincent Carroll and Mike Littwin, columnists; Alicia Caldwell, editorial writer; Barbara Ellis, news editor; and Cohen Peart, letters editor. The Denver Post editorial pages operate independently of the paper's news coverage, offering our opinion and additional commentary on issues of public interest. The editorial page editor can be reached at [chubbard@denverpost.com](mailto:chubbard@denverpost.com).

**MALLARD FILLMORE** By Bruce Tinsley

OKAY  
Does the



"ONE NAT

## The Open Should govern

Re: "English-only bill

The Denver Post's critique of the English-only bill by Mike Coffman and De

The Census Bureau spoken in the U.S. Ma the "neat use of advan we want to delete the

administration's website Coffman and Lamb attempt to put one me efficiency. What they do persistent in their com who has taught many o their desire to become Their route to unity is

Per your editorial, "T that should never make laws and regulations wr

When people are unit they can accomplish im cal task but is necessary everyone be able to spe will help bring together

Being able to speak an should always be suppo we as Americans cannot a scattered and divided

## Rick Santorum, g

Rick Santorum says he to be the grandson of a ca too am the grandson of a er. My grandfather was a low man in southern Col April 1941, during a strike United Mine Workers Un took a hard line on private lease of the union. The s sent militia troops to keep em in line and on April 30 opened fire and then set f mark the miners and their

## LA JUNTA JURY AWARDS \$3.2 MILLION IN DEATH LINKED TO BEDSORES

By Kirk Mitchell *The Denver Post*

A jury in La Junta has awarded \$3.2 million to the family of an 88-year-old man who died of complications from an infected bedsore the size of a baseball.

The award came last week in a lawsuit against Pioneer Health Care Center, a Rocky Ford nursing home.

The facility is owned by Grace Health-care, a Chattanooga, Tenn. company with nursing homes in eight states and a total of 4,000 beds.

The company has two other Colorado nursing homes, in Glenwood Springs and Paonia.

Nursing-home administrators and the attorney for Pioneer could not immediately be reached for comment.

The lawsuit accused the nursing home of hiding the seriousness of Henry Frazier's bedsores from his family.

Frazier entered the nursing home in May 2009. He also worked as a janitor at the facility.

Before the wound developed in late September 2010, Frazier, who had Parkinson's disease, could walk to the cafeteria with assistance.

Afterward, he stopped eating, drinking and walking and became bed-bound and unresponsive.

When Frazier was taken to a hospital, his doctor determined that he was dehydrated and malnourished. Hospital doctors said Frazier's death was linked to the bedsores.

\*\*\*

### New airspace

The Colorado Air National Guard's Cheyenne airspace area would expand to 4,000 square nautical

Denver  
O

# Infusio

\$22 million in federal



Dental hygienist Marcela Aten prepares was informed Tuesday morning that if w clinic will be able to add 11 new medical

Denver Post  
May 3, 2012  
Page 4A