

## NOTES ON NEWSPAPER ACCOUNTS OF MALE ELDER ABUSE \*

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### ABSTRACT

Law enforcement press releases and other print-media miscellany detailing accounts of male elder abuse involving insurance fraud, false allegations by perpetrators, and abuse inflicted by caregivers, spawned interest in a more systematic review. That review was accomplished principally by accessing two search engines, *ProQuest Newspapers* and *Newspaper Archive.com*. *ProQuest* surveys 550 U.S. and international news sources including more than 150 major newspapers, detailing news articles from 1986 to the present. *Newspaper Archive.com* surveys more than 2500 newspaper titles ranging as far back in time as 1759. A review of scores of media accounts appearing since 1986 transformed the initial “insurance fraud” category into a broader category classified as “economic exploitation”. That same review also resulted in three distinctive categories of caregiver abuse. This article provides abbreviated case accounts within each category, and concludes with brief notes on several themes derived from the reported accounts.

## NOTES ON NEWSPAPER ACCOUNTS OF MALE ELDER ABUSE

A review of recent newspaper accounts detailing the abuse of elderly men yielded five categories of violence. These categories include cases involving: (a) economic abuse; (b) false allegations of prior abuse by the perpetrator; (c) non-relative caregiver abuse; (d) institutional caregiver abuse; and (e) abuse of male elders by family members. The categories are not mutually exclusive. Many of the reported cases involve murder. This brief note provides vivid accounts, within the five categories, which are offered to detail the actual experiences of the victims, rather than subsuming these victimization experiences within broad and comparatively sterile categorical classifications such as “elder abuse” or “elder neglect.” The “grittiness” of these cases yields insight not only with respect to the terror experienced by some of these men, but also of their utter vulnerability, defenselessness, and susceptibility to their own victimization. Especially, it appears, in post-industrial countries where extended family ties often are not robust, social isolation and/or loneliness can be salient contributing aspects to the victimization, particularly in cases involving late-life intimate relationships.

### Economic Exploitation

In Portland, Oregon, forty-three year-old Roxanna Thomas was charged with criminal treatment and theft involving an eighty-two year-old man after an investigation was launched following reports being made of the man’s sudden change in attitude toward family members.<sup>1</sup> Thomas, who worked at a grocery store in which the elderly man shopped, “befriended” him, following which \$530,000 worth of the victim’s assets either were conveyed outright to Thomas, or her relatives, or the perpetrators were made joint owners of the victim’s assets. Officials noted that elder abuse is epidemic in their Washington County community and that economic abuse of elderly men by strangers appears more common than either physical abuse or neglect. The victim ultimately benefited from intervention when he was the subject of an emergency guardianship and his financial accounts were frozen. Other men, ostensibly with little or no contact with relatives, or whose relatives were less vigilant, have not been as fortunate.

Two homeless elderly men, for example, fifty-year-old Kenneth McDavid, and seventy-three year-old Paul Vados, both of whom resided in Los Angeles, were found dead after being defrauded out of two million dollars by seventy-two year-old Olga Rutterschmidt and seventy-five year-old Helen Golay.<sup>2</sup> The women paid for apartments for the men over a period of two years in exchange for the men naming the women as beneficiaries of insurance policies procured by the women. Both men, subsequently, died when involved in separate hit-and-run automobile incidents. The women were arrested when surveillance revealed them talking to several other elderly men who also were observed signing documents provided by the women.

### False Allegations: Victimization by Intimates

In another murder case, twenty-seven year-old Tatjana Edwards, married to seventy-two year-old Gwyn Edwards, was convicted of having murdered her elderly spouse, despite Edwards’ false allegations, at trial, of having been physically abused by her husband. The two

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<sup>1</sup> Sandy James, “Woman Arrested After Trying to Bilk Elderly Man Out of More Than a Quarter Million Dollars,” Media Information, Washington County, Portland, Oregon, Sheriff’s Office, April 5, 2004.

<sup>2</sup> Peter Y. Hong, “Two Women Accused of Killing Transients Plead Not Guilty,” Los Angeles Times, September 14, 2006; John Spano, “Police Still Seeking Three Men Linked to Women in Homeless Murder Case,” Los Angeles Times, August 29, 2006; Paul Pringle, “Elderly Women Face Murder Charges,” Los Angeles Times, August 1, 2006.

had met at the London, England massage parlor where Mrs. Edwards worked as a “massage therapist” prior to the marriage. In pronouncing sentence, Judge Geoffrey Rivlin, noting that she had falsely accused her husband of domestic violence and had shown no remorse or contrition, also commented:

“You lived with him rather less than two years, during which time you took every penny off him you could, and when you could get no more you took his life away.”

Edwards used a kitchen knife to stab her husband to death. She was sentenced to a life term, meaning she will have to serve a minimum of twelve years in prison.<sup>3</sup>

In a similar case, celebrated Canadian, Melissa Friedrich, was a cause célèbre for battered women until she pled guilty to felony charges arising from the victimization of a second elderly male. Friedrich, known as Melissa Stewart at the time she was celebrated, first made headlines in Nova Scotia as an abused woman who had struck back at her allegedly abusive husband, Gordon Stewart. In killing her husband, she gave him a lethal dose of pills, liquor, and rubbing alcohol, and then ran over him with her automobile on a deserted road near Halifax International Airport. Despite the crime’s grisliness, Friedrich was featured in Canada’s National Film Board documentary, *Why Women Kill*, as an exponent of battered women’s syndrome, and she was given a governmental grant to fund an Ontario hotline for battered women. But she made news, again, following her marriage to eighty-four year-old Robert Friedrich, a man she had met on an Internet dating site, after his children successfully litigated a civil suit alleging that Friedrich had killed their father by administering a lethal overdose of drugs. But Friedrich’s story didn’t end there. Two years later, amid allegations that she was poisoning hospitalized seventy-three year-old Floridian, Alex Strategos, she was charged with several offenses, including defrauding Canada’s social insurance system, after witnesses observed Friedrich forcing Strategos, on his hospital bed, to sign several documents.<sup>4</sup>

### Non-relative Caregivers

Non-hospital and other non-institutionalized settings provide fertile opportunities for abuse because, unlike settings such as retirement homes, assisted living arrangements, and the like, privately arranged care-giving is not regulated. Absent state regulation and inspection, cases like that of fifty-nine year-old boarding home operator, Dorothea Puente, of Sacramento, California, can go on for years without detection.<sup>5</sup> It may also be that older care-giver women

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<sup>3</sup> Paul Cheston, “Life for Gold-Digging Prostitute Who Murdered Husband of Seventy-Two,” Evening Standard, March 24, 2006: P.2; Vickram Dodd, “Former Prostitute Found Guilty of Murdering The Husband She Thought Was A Millionaire,” The Guardian, March 24, 2006: P.7; “Greedy Wife Gets Life for Murder,” BBC News, March 24, 2006; “Tragic End to Unlikely Marriage,” BBC News, March 23, 2006; “Estonian Prostitute Accused of Murdering Elderly Husband,” UK News, March 7, 2006.

<sup>4</sup> Chris Tisch, “Scamming Woman Gets Five-Year Term,” St. Petersburg Times, March 15, 2006; “Melissa Friedrich: Internet Black Widow,” CBC News, March 14, 2005; John Leyden, “Internet Black Widow Stalked Pensioners on the Net,” The Register, January 13, 2005; Jamie Thompson, “Police Say Woman Victimized Companion,” St. Petersburg Times, January 12, 2005.

<sup>5</sup> Doug Nelson, “Valley of Death,” Sacramento News and Review, May 2, 2006; Wayne Wilson, “Puente’s Conviction Reaffirmed But Misconduct Charge Will be Probed,” The Sacramento Bee, September 10, 1997, p. B1.

(3)

are assumed to be both less inclined and less capable than others of bringing about harm to men, thereby causing them to be more likely to escape suspicion and subsequent detection by law enforcement authorities. In Puente's case, nine bodies of elderly victims, one of whom had been dismembered with his head cut off, were found buried either in Puente's garden or within her boarding home's surrounding premises. Autopsies revealed that all of those murdered had been killed by drug overdoses. Puente's crimes eventually were discovered, but only after she continued to cash the governmental assistance checks of her victims. Puente, however, was convicted only of three murders, not nine, when a male juror refused to believe that she could have been responsible for all of the murders, pointing to an unsophisticated but pervasive belief that women just cannot be as dangerous, or as lethal, as males.

Another California case receiving media attention involved an elderly man brutalized by a burly male home health aide employed by the victim's wife.<sup>6</sup> The brutalized man, as he laid on a gurney in a Santa Ana hospital emergency room, repeatedly told the same story of the home health aide's beatings, while the aide, and the victim's wife, insisted that the elderly man had fallen. But the bruises on the man's chest were determined to be the result of having been punched, he had purple bruises *all over* his body with some of the bruises beginning to fade to yellow, and the man had the bloody outline of a shoe on his leg. Perhaps, in part because the perpetrator was male, a prosecutor was sufficiently convinced to charge the aide with a felony, despite the victim having manifested signs of dementia when interviewed.

### Institutional Caregivers

While fertile ground exists for abuse to occur in unlicensed and non-regulated care-giving settings, deterrents imposed by state authority by no means eliminate abuse in licensed institutional settings, as the case of military veteran, Thomas Joyner, illustrates. Fifty-two year-old wheelchair-bound Joyner, a resident of a state run home for veterans located in Barstow, California, had just lit a cigarette when he was accosted by the home's acting administrator, and two employees, who promptly broke Joyner's finger in forcing the cigarette from his hand. Barstow, who had lighted the cigarette in an area of the home referred to as the "olive garden," unknowingly had violated a very recently enacted rule limiting smoking to certain hours and prohibiting smoking in certain areas, such as the olive garden. As noted by Joyner, the three women approached him from behind, held him down, forcibly took the cigarette, breaking the fourth finger on his right hand, and then searched his pockets for more cigarettes. Joyner reported that he said: "Help, you are hurting me...Please don't take my cigarettes." Joyner is partially paralyzed, has impaired speech, limited vision and hearing, and he requires assistance in eating, bathing, and taking his medications. Less than two months after his incident, the facility was fined \$95,000 in the death of a World War II infantryman and, prior to the infantryman's case, the facility had been ordered to pay fines for the death of a veteran involved in an eating incident, and for the death of another veteran whose diabetes had not been monitored properly. The California Highway Patrol, which investigates crimes occurring on state property, urged prosecutors to file elder abuse charges, in Joyner's case, against the three women.<sup>7</sup>

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<sup>6</sup> Jane Gross, "Forensic Skills Seek to Uncover Hidden Patterns of Elder Abuse," The New York Times, September 27, 2006.

<sup>7</sup> Carl Ingram, "CHP Alleges Elder Abuse at Veterans Home: Three Employees of a Barstow Facility Are Accused of Breaking Resident's Finger While Taking a Cigarette from Him," The Los Angeles Times, February 26, 2003: p. B.8.

Nursing home resident, seventy-eight year-old Alzheimer's patient, Marshall Rhodes, was beaten at the hands of his institutional caretaker over an eight-month period following which he subsequently died. He had been taken to a hospital after nurses discovered him in his room clothed in a torn and blood-stained sleeping gown. Six months prior to his death, two nursing assistants reported to two supervisors their suspicions that aide Karl Willard was beating Rhodes, but their protestations were rebuffed. Subsequently, Charles B. Kaiser, III, president of the company which operated the home, American Healthcare Management, received the maximum penalty of one year in jail with a fine of \$1,000 for having failed to report elder abuse to the state. Additionally, American Healthcare Management, and the home, St. Louis's St. Charles Claywest, also were convicted for failing to report the abuse and each were given maximum fines under Missouri law of \$5,000. Karl Willard was found guilty of elder abuse and is serving fifteen years in prison. Prior to the Rhodes' case, American Healthcare Management and Claywest had settled several wrongful death cases out of court. Reportedly, this was the first instance in the State of Missouri in which a nursing home executive was sentenced to jail in a case involving patient abuse.<sup>8</sup>

### Family Caregivers

Sixty-eight year-old retiree, plumber, Robert Heitzman, who had suffered debilitating strokes for nearly twenty years, was found dead in the home he shared with his family. He died, lying in excrement, of septic poisoning resulting from infected bedsores due to his being bedridden on the exposed springs of a mattress that was rotting away from his own bodily secretions. At trial, the presiding judge noted that Heitzman's sons could have made a simple phone call to relieve their father of severe suffering. It also was asserted by the prosecutor that the sons failed to do so because the victim was receiving monthly payments of nearly eight hundred dollars in combined Veterans Administration and Social Security payments. Both sons, Jerry and Richard, were convicted of involuntary manslaughter, and sentenced to four-year terms.<sup>9</sup>

Ralph Dills, formerly lauded as a venerable judge and lawmaker who had served longer than any other politician in California, died on his fifty acre ranch, unable to take a shower when often left alone because feces from his wife's rottweilers littered his bathroom. His wife, fifty-seven year-old Wendi Lewellen, who also was Dills' former non-adopted stepdaughter, had married the ninety-one year-old former lawmaker, less than a year prior to his death, while he already was suffering from Alzheimer's. As reported by family members and confirmed by court and medical records, Lewellen deceived her stepfather by impersonating her deceased mother, thereafter plundering Dills' estate to such an extent that Dills thought he was going broke despite receiving nearly \$14,000, monthly, in pensions and Social Security. Allegedly, and prior to the marriage, Lewellen, wielding undue influence, also was the cause of her brother, Leighton Dills, being omitted from the will of Ralph and Elizabeth Dills. Elizabeth Dills, who died in 2000, was Lewellen's natural mother.<sup>10</sup>

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<sup>8</sup> Valerie Schremp, "Nursing Home Chief Gets One-Year Sentence; He Failed to Report Elderly Abuse," St. Louis Post-Dispatch, February 7, 2003: p. A.1.

<sup>9</sup> Mark I. Pinsky, "Sons Get Prison for Fatal Neglect of Their Father, Courts: Judge Cites 'Cruelty and Depravity' of Huntington Beach Brothers Who are Sentenced to Four Years for Letting Parent Die of Septic Poisoning on His Rotting Mattress," Los Angeles Times, March 26, 1993: p. 1.

<sup>10</sup> "Elder Abuse Suspected in Dills' Marriage," Daily Breeze (Torrance CA), August 19, 2002: p. A9.

Comments

One theme emerging from the accounts is that many of the victimized men appear isolated, infirm, lonely, and bereft of vigilant family members concerned about their care. One impaired individual who subsequently became a ward had manifested a “sudden change” in attitude toward his family following meeting a younger woman, two individuals were homeless, another married a much younger woman who was a prostitute, and yet another married a woman he met on an Internet dating site. Other victims resided in non-regulated boarding home settings but some victims were domiciled in institutional settings employing staff reminiscent of those portrayed in the movie, *One Flew Over the Cuckoo’s Nest*. On the other hand, several cases involved the complicity of relatives, ostensibly motivated primarily by exploitative economic gain, but one older man was saved from further economic victimization by vigilant family members, whereas another was saved from possible death by witnesses who were vigilant in their observation of his hospital care. Economic motivations were at the heart of many of the cases. Poisoning appeared to be the method of choice in cases involving murder.

In the majority of cases, the victim was infirm prior to being victimized. One individual was sufficiently impaired as to require a court-ordered guardianship over his person and estate, one was partially paralyzed with other infirmities, two were victims of Alzheimer’s, and one had suffered debilitating strokes prior to his exploitation. These elderly men were particularly vulnerable, virtually defenseless, and exceedingly susceptible to becoming prey of the unscrupulous.

Many of the unscrupulous perpetrators were women, and some of the women had gone undetected for years despite leaving numerous corpses or individuals victimized by other means in their wake. Given the grisliness of their crimes, one is forced to wonder about a prevailing view held by many that women involved in domestic violence simply are not capable of being as lethal as men. Late-life marriages appeared especially implicated in the victimizations.

One theme, not particularly explicated in the accounts, is that perpetrators, institutional and otherwise, tend to receive comparatively meager punishment for their crimes. One individual perpetrator, for example, was even celebrated as a victim of domestic violence, one murderer received a “stiff” sentence of life imprisonment that required a minimum incarceration of only twelve years, another whose vulnerable victim subsequently died will be incarcerated only for fifteen years, and two others received respective terms only of four years.. As noted in the accounts, institutional perpetrators are just beginning to be prosecuted.

Another theme not explicitly addressed by the accounts is the role of agency and conservatorships in economic exploitation. An unscrupulous person designated by an infirm older individual as the elder’s attorney-in-fact, or agent, via a power-of-attorney document, is granted license virtually to loot the elderly person’s estate. The only recourse is for a person, or persons, with “standing” recognized by a court, to file suit, following which they must prove that the agent did not act in the best interests of the elder. By then, most often, it is too late. Indeed, in some states, conservators can be appointed without notice to the elder, whereas other states allow a decedent’s creditor to become executor of the decedent’s estate.<sup>11</sup> These scenarios leave the door wide open for financial abuse, during life, and afterwards.

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<sup>11</sup> “State Needs Better Oversight of Professional Conservators; Unwanted Takeover of O.C. Senior’s Affairs Raises Concern,” Los Angeles Times (Orange County Edition), December 7, 1997: p. 8; Wisconsin Statutes, § 856.07(2).