



PROTECTION & ADVOCACY
FOR PEOPLE WITH DISABILITIES, INC.

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FACT SHEET

Abuse, Neglect & Exploitation

Definitions & Warning Signs

Abuse...

is inappropriate treatment of an individual. It includes physical, psychological, emotional and sexual abuse.

- **Physical Abuse** – use of physical force that may result in bodily injury, physical pain, or impairment. *Examples include striking (with or without an object), hitting, beating, pushing, shoving, shaking, slapping, kicking, pinching, burning, inappropriate use of drugs and physical restraints, force-feeding and physical punishment.*
- **Psychological or Emotional Abuse** – causing anguish, pain or distress to another person through verbal or nonverbal acts. *Examples include: verbal assaults, insults, threats, intimidation, humiliation and harassment.*
- **Sexual Abuse** –sexual contact or photographs of a person without their permission. Also sexual contact with any person incapable of giving consent. *Examples include unwanted touching and all types of sexual assault or battery including rape, sodomy, coerced nudity and sexually explicit photographing.*

Neglect...

is the refusal or failure to fulfill an individual's needs.

- **Lacking Care, Goods and Services** necessary to maintain the health or safety of an individual. *Examples include lack of food, water, clothing, medicine, shelter, supervision, personal safety, personal hygiene and medical services.*
- **Can be repeated conduct or a single incident** which has produced or can be proven to result in serious physical or psychological harm or substantial risk of death.
- **Inability of an individual, in the absence of a caretaker, to provide for his/her own health or safety** which produces or could reasonably be expected to produce serious physical or psychological harm or substantial risk of death.

Exploitation...

is to take advantage of an individual. It includes financial, material, activity and labor exploitation.

- **Financial or Material Exploitation** is the improper, illegal or unauthorized use of an individual's funds, assets, property, power of attorney, guardianship or conservatorship by a person (other than the individual) for the profit or advantage of that person or another person. *Examples include cashing someone's checks without permission, forging someone's signature, misusing or stealing someone's money or possessions and coercing or deceiving someone into signing any document.*
- **Activity or Labor Exploitation** is causing or requiring an individual to engage in activity or labor which is improper, illegal, or against the reasonable and rational wishes of the individual. *Examples include forced chores or activities which are not a part of an individual's written plan of care or which are not prescribed or authorized by the individual's physician.*

Warning Signs...

- **Physical Abuse**
 - bruises, black eyes, welts, cuts and rope marks;
 - broken bones and skull fractures;
 - open wounds, cuts, punctures, untreated injuries in various stages of healing;
 - sprains, dislocations, and internal injuries/bleeding;
 - broken eyeglasses/frames, physical signs of being subjected to punishment and signs of being restrained;
 - an individual's report of being hit, slapped, kicked or mistreated; and
 - the caregiver's refusal to allow visitors to visit the individual alone.
- **Psychological or Emotional Abuse**
 - emotionally upset or agitated;
 - extremely and unusually withdrawn, not communicating or not responding
 - unusual childlike behavior (sucking, biting, rocking)
 - an individual's report of being verbally or emotionally mistreated.
- **Sexual Abuse**
 - bruises around the breasts or genital area;
 - unexplained venereal disease or genital infections;
 - unexplained vaginal or anal bleeding;
 - torn, stained or bloody underclothing; and
 - an individual's report of being sexually assaulted or raped.
- **Neglect**
 - dehydration, malnutrition, untreated bed sores and poor personal hygiene;
 - unattended or untreated health problems;
 - hazardous or unsafe living conditions/arrangements (improper wiring, no heat or no running water)
 - unsanitary and unclean living conditions (dirt, fleas, lice on person, soiled bedding, fecal/urine smell, inadequate clothing); and
 - an individual's report of being mistreated.

- **Financial or Material Exploitation**
 - sudden changes in bank account or banking practice, including an unexplained withdrawal of large sums of money by a person accompanying the individual;
 - addition of names on an individual's bank signature card;
 - unauthorized withdrawal of funds with an ATM card;
 - abrupt changes in a will or other financial documents;
 - unexplained disappearance of funds or valuable possessions;
 - substandard care being provided or bills unpaid despite the availability of adequate financial resources;
 - discovery of forged signature or documents;
 - sudden appearance of previously uninvolved relatives claiming rights to an individual's affairs and possessions;
 - unexplained sudden transfer of assets to a family member or someone outside the family;
 - provision of services that are not necessary; and
 - an individual's report of exploitation.

- **Activity or Labor Exploitation**
 - an individual's report of being forced to participate in activities that are not part of a care plan;
 - an individual's report of working (non-volunteer work) but not being paid; and
 - an individual's report of being forced to do chores or labor that are not part of his/her care plan.

What to do...

- There are several laws that protect vulnerable individuals from abuse, neglect and exploitation. These laws and other agency regulations explain how to report suspected or actual knowledge of abuse and neglect. Please see the P&A publication on "Reporting Abuse & Neglect".
- In emergency situations, and when in doubt where to report abuse, neglect or exploitation, contact your local law enforcement office.

This publication provides legal information, but is not intended to be legal advice. The information was based on the law at the time it was written. As the law may change, please contact the P&A for updates.

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