

The emerging era of the centenarian creates painful challenges for the old and the young: Phillip Morris

CLEVELAND, Ohio -- Judge Jean Murrell Capers had finished breakfast and was preparing for a visit with her ailing younger sister when I caught up with her Friday morning.

I was her driver that day, in part, because she is no longer legally permitted behind the wheel, a reality which angers her to no end.

She put on her hat and started toward the door of her apartment, mumbling softly as she looked around the space, cluttered with newspapers, magazines and legal briefs. She was forgetting something.

"Ah, yes, my necklace," she said to herself and walked to a table and retrieved a pearl necklace, one of the last pieces of jewelry that Clifford, her deceased husband of 56 years, gave her decades ago.

"Could you help me with this, Mr. Morris?" she said after fumbling with the clasp on the pearls for a few moments. That's when I noticed that a bandaged finger on her right hand created her challenge.

"So what do you think of the 107-year-old man that the police shot and killed in Arkansas?" I asked after we got into the car and headed toward Kindred Hospital on Cleveland's Fairhill Road.

The judge, the first Negro woman elected to Cleveland City Council in 1949 -- and someone who has long held an interest in senior law, first as a practitioner, now as someone who is no longer permitted to make legal decisions for herself -- was instantly interested and agitated by the news.

"Why did they kill a 107-year-old man?" the 100-year-old woman asked with a look of shock and rapt curiosity.

"I think they had to judge. He was shooting at them."

That's when I attempted to explain the unlikely demise of Monroe Isadore, one of the oldest men in America. Pine Bluff, Arkansas police killed him after they received a do-

mestic disturbance call to a house where he had been staying with friends.

After the friends decided that they could no longer care for Isadore, and informed him that they had found another place for him, he became agitated and hostile. He locked himself into a bedroom with a gun and threatened to shoot the homeowners. He started to ramble on that the house was his. That's when police were called.

After four hours of attempting to negotiate with Isadore, they gassed the bedroom in an attempt to force him out. They threw in a distraction device. Isadore wasn't having it.

He signed his own death warrant when he started firing through the door on the police officers. That's when they killed him.

The judge was silent for nearly a minute after I finished recounting what I had heard of the encounter. I could tell she was saddened by the story. I could also see that she was measuring her words.

In another time and place, I'm certain Isadore would have been exactly the type of client she would have sought to represent had he survived.

"I think I can understand why he behaved that way. I don't know why he had a gun, but I can understand how upset he was about losing control of his life. I can understand how angry he was about being told what he had to do and where he had to live."

"What most people don't realize is how frustrating it is for a lot of seniors when they reach a point in life where most people want to treat them like children. So many of us are treated with a complete lack of dignity and respect."

"That's why so many seniors have emotional and psychological problems. They can't deal with the way they're treated."

Last November, after yet another visit to the hospital, the judge lost the ability to make her own legal decisions. A guardian ad litem was assigned to manage her finances and to decide her living arrangements.

Although her mind remains as sharp as a tack, although she still believes -- correctly -- that she is the smartest person in any room she walks, her body is failing her.

But the way she sees it, that's her problem. She deeply resents the Cuyahoga County

Probate Court for allowing her legal guardian to decide to move her out of her Fairfax apartment and into the much safer environment of Judson Manor.

That's why she spends several hours each week at the Case Western Reserve University law library researching the law and preparing legal objections to her guardian status. She wants another day in court.

Each passing year more Americans, mostly females, live to be 100. The 2010 census revealed that there were more than 53,000 centenarians in the nation, up 65 percent since the 1980 census.

The trend is expected to continue unabated.

But it will continue at what real cost to seniors in terms of their independence, dignity and self-respect?

"We have to look out for ourselves, because no one else seems to want to," the judge said as we walked into her sister's hospital room.

As she bent down to kiss the cheek of her smiling baby sister, I could only marvel at the strength of these two beautiful old women, especially the youngest, who fractured her fibula two months ago and now is learning to stand and walk again at the age of 97.

It's comforting to know they still have each other.