

# Elder Justice Center Investigations

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Elder Justice Center



# COURSE OVERVIEW

- Statistics
- Elder Justice Center
- Definitions
- Investigation of the Case
- Resources

# STATS

- **US Dept. of Health and Human Services Administration on Aging**
  - 46.2 million persons 65 or older in 2014, which is about 1 in 7 Americans.
  - Older Americans make up 14.5 % of the US population in 2014, and will grow to 21.7% by 2040.
  - About 28% of noninstitutionalized older persons live alone (8.8 million women, 3.8 million men).
  - Almost half of women age 75+ live alone.
  - Older women (25.1 million) outnumbered older men (19.6 million).
  - Social Security constituted the majority of older persons income followed by assets, private pensions, government pensions and earnings.

# STATS

- “For every one case reported another twenty three (23) cases never come to light.”

Source: NYS Elder Abuse Prevalence Study; Weill Cornell Medical College, NYC Department for the Aging; Lifespan; (2011)



# STATS

- **Victims may not report because of:**
  - Embarrassment
  - Shame
  - Love for the Suspect
  - Dependence on the Suspect
  - Denial
  - Fear



# ELDER JUSTICE CENTER

The Elder Justice Center is comprised of the following:

Clark County Prosecutor

Vancouver Police Department Detective

Three Adult Protective Services (APS) Investigators

System Based Victim Advocate

# ELDER JUSTICE CENTER

- Type of crimes investigated:
  - Attempted homicide
  - Physical abuse 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> degree
  - Sexual abuse, i.e. rape
  - Confinement crimes, i.e. kidnap
  - Property crimes, i.e., burglary
  - Person crimes, i.e. robbery



# ELDER JUSTICE CENTER

## Financial Exploitation Crimes Investigated:

- Theft 1<sup>st</sup> Degree – Loss of \$5,000 or Greater
- Theft 2<sup>nd</sup> Degree – Loss of \$750-\$5,000
- Unlawful Issuance of Bank Checks (NSF)
- Forgery
- Money Laundering
- Identity Theft
- Improperly Obtaining Financial Information



# DEFINITIONS

- Vulnerable Adult RCW 74.34.020:
- a. 60 years of age or older who has the functional, mental or physical inability to care for himself or herself; or
- b. Found incapacitated under chapter 11.88 RCW; or
- c. Who has a developmental disability as defined under RCW 71A.10.020; or
- d. Admitted to any facility

# DEFINITIONS

- Guardianship
  - “...Guardian is an individual appointed by the court to represent the best interests of a child or incapacitated person involved in a case in superior court.” (Washington Courts)
- Guardian/Guardian-ad-litem
  - May be someone who is a family member/lay person or certified professional guardian.

# DEFINITIONS

- Vulnerable Adult Protection Order (VAPO)
  - Court order is brought on by the vulnerable adult or their guardian/care taker.
  - Court authorizes full protection order for up to five years with provisions of no direct contact or third party contact and to remain specified distance away from the house, work or school or vulnerable adult.
  - Violation of the order by the suspect is an automatic arrest.

# DEFINITIONS

- Fiduciary
  - “An individual in whom another has placed the utmost trust and confidence to manage and protect property or money. The relationship wherein one person has an obligation to act for another’s benefit.” ([thefreedictionary.com](http://thefreedictionary.com))

# DEFINITIONS

- Power of Attorney

- A power of attorney (POA) is a written authorization to represent or act on another's behalf in private affairs, business, or some other legal matter, sometimes against the wishes of the other. The person authorizing the other to act is the *principal, grantor, or donor* (of the power). The one authorized to act is the *attorney-in-fact* (*attorney* for short). (Wikipedia)

# INVESTIGATION

- What I look for in a financial exploitation case:
  - Changes in spending/banking habits
  - Suspicious ATM withdrawals
  - Unpaid bills
  - Purchases of items not normally obtained by victim



# INVESTIGATION

- What I look for in a financial exploitation case:
  - Sudden change of interest by previously uninvolved family member toward elderly person
  - Sudden changes to elderly persons legal/financial documents, i.e. made to be a joint account holder, becomes attorney in fact, will or trust is changed to reflect the suspect as the beneficiary

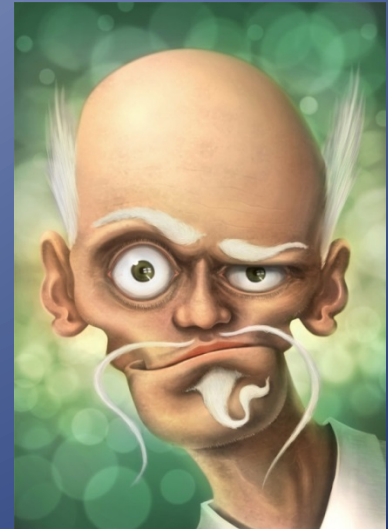


# INVESTIGATION

- Law enforcement needs to overcome obstacles such as:
  - Dementia/Alzheimer's
  - Power of Attorney
  - Consent
- What authority does the suspect have to the monies of the victim?

# INVESTIGATION

- Interview of the Victim:
  - Relationship to suspect
    - Where is the victim living?
    - Video interview of victim.
  - Documents to support the case
    - Bank Documents (consent/SW)
    - Written Statement
    - Medical Consent Form



# INTERVIEW OF SUSPECT

“Grandpa wanted me to have the money.”

“Do you know how much I have done for them?  
I deserve this!”

“They acted and  
sounded normal.”



# INTERVIEW OF SUSPECT

- “They gave me consent to take their credit cards because they wanted to see me happy.”
- “I would have received the money *anyhow* when they died.”



# HOW TO PROTECT YOURSELF

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Always fill in and  
do not leave  
blank

NAME  
ADDRESS  
CITY, STATE ZIP

DATE

PAY TO THE  
ORDER OF

\$

DOLLARS

BANK NAME  
ADDRESS  
CITY, STATE ZIP

FOR

0123  
01-2345/6789

0123456789 012345678901234 0123

Routing Number      Account Number

Sign your  
name. Don't  
leave it blank  
or have  
someone else  
sign.

Bank Routing Number

Checking Account Number

# HOW TO PROTECT YOURSELF

- Personal information
  - **NEVER** give your private information over the telephone, i.e. your date of birth, social security number, full name, maiden name/family information
  - Remove your SSAN or unused credit cards from your wallet
  - Always shred and completely dispose of all personal documents/information
  - Protect your PIN (Personal Identification Number)
    - ATM, Store,
    - Check the machine if the seal has been broken

# HOW TO PROTECT YOURSELF

- Prevalent criminal scams
  - Phone
  - Construction
  - Sweetheart
  - Power of Attorney





# RESOURCES

- Agencies to contact
  - Equifax
  - Experian
  - Trans Union
  - Social Security Administration
  - US Postal Inspection Service
  - Department of Licensing

# RESOURCES

- Adult Protective Services – [dshs.wa.gov](http://dshs.wa.gov)
- Senior Resource Alliance - [seniorresourcealliance.org](http://seniorresourcealliance.org)
- National Council on Aging - [ncoa.org](http://ncoa.org)
- YWCA - [ywca.org](http://ywca.org)
- Lutheran Community Services - [lcsnw.org](http://lcsnw.org)
- Lifeline Connections - [lifelineconnections.org](http://lifelineconnections.org)

# World Elder Abuse Awareness Day

This program was launched on June 15, 2006, by the International Network for the Prevention of Elder Abuse and the World Health Organization at the United Nations.

The purpose is to provide an opportunity for communities around the world to promote a better understanding of abuse and neglect of older persons...

# GOOD EARTH TEA

“Your value doesn’t decrease based on someone’s inability to see your worth.”

Author unknown



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