

WARNING SIGNS OF FINANCIAL EXPLOITATION

FINANCIAL ACTIVITY:

- Activity inconsistent with elder's ability, such as ATM use by a physically impaired person
- Numerous new withdrawals, usually in round numbers (\$50, \$100, \$1,000, \$5,000, etc.)
- Increased activity on credit cards
- Withdrawals made from savings or CD's in spite of penalty assessments
- Change in account beneficiaries
- New authorized signers on accounts
- Elder is confused about recent financial arrangements
- Change in property title, or new or refinanced loan.

INHERITANCE & WILLS:

- Recent change in Power of Attorney for the elder
- Recent change in Will or Trust, when elder is clearly incapable
- Recent change in Will or Trust to favor a new or much younger "friend"

CAREGIVER WARNING SIGNS:

- Is the elder now more reluctant to discuss matters that were previously routine?
- Does the elder seem more apprehensive of the outside world – tired or depressed?

- Does the caregiver say the elder is less willing or able to accept visits or calls?
- Does the caregiver seem overly concerned about the elder's finances?
- Does the caregiver often speak for the elder, even when the elder is present?
- Does the caregiver have no means of support other than the elder's income?

NEW FRIENDS AND PROFESSIONALS:

- Is there a new person involved in the elder's life, with no logical reason for being there, such as a new boyfriend or girlfriend much younger than the elder?
- Has the elder recently changed their physician, lawyer, or accountant?

WHERE TO GET HELP

ADULT PROTECTIVE SERVICES (APS) TEL. 557-5230

- Investigates complaints of abuse or neglect of elders and dependent adults,
- Ensures elders receive needed services, including conservatorship.

OMBUDSMAN TEL. 751-9788

- Investigates complaints involving elders in managed care facilities and nursing homes.

PUBLIC GUARDIAN TEL. 554-5055

- Assesses physical, mental and financial needs of elders and dependent adults.
- Locates assets and arranges for disposition.

- **Estate Investigators** secure assets and provide money management.
- **Representative Payee Program** provides financial management of income payments.

VETERANS SERVICE OFFICE TEL. 554-7100

- Assists veterans and dependents in obtaining benefits, including homeless vet outreach.

CONSERVATORS

- Appointed by Probate Court, when a person is no longer able to care for themselves, either physically, financially, or both.
- May be the Public Guardian, a family member, or a professional conservator.
- Power of Attorney is no substitute for conservatorship!

PROBATE COURT TEL. 551-3650

- Investigates conservatorship cases.
- Appoints conservators at hearings.
- Oversees conservatorships, and elder's funds spent in their behalf.

POLICE DEPARTMENT TEL. 553-0123

- Investigates reports of crimes against elders and dependent adults.

THE DISTRICT ATTORNEY'S SPECIAL PROSECUTIONS UNIT TEL. 551-9500

- Prosecutes crimes against elders and dependent adults.
- Provides assistance to crime victims.

HELP PUT A STOP TO ELDER FINANCIAL ABUSE

One in four persons now living in San Francisco is 65 or older. Our elders and dependent adults are being abused at an alarming rate.

In the following sections, you'll learn:

- The **warning signs** of abuse,
- How to **report abuse** when discovered,
- What you can do to **prevent abusers** from victimizing the elderly or dependent adults in your life.

WHAT IS THE LAW?

There are now special laws targeting those who steal from or financially exploit elderly or dependent adults. Abusers may face jail AND civil action.

WHAT IS "FINANCIAL ABUSE"?

Financial abuse is using the elder's money or assets contrary to the elder's wishes, needs, or best interests - or for the abuser's personal gain.

Examples of Financial Abuse:

- Taking money or other items from the home, bank or security accounts.
- Selling or transferring the elder's property.
- Failing to provide agreed upon services to the elder, such as caregiving, home or vehicle repair, or financial management.

Financial Abuse Examples (continued)

- Using the elder's credit card for unauthorized purchases.
- Using the elder's name or credit to open new accounts.
- Misusing the elder's power of attorney.
- Refusing to return money or assets borrowed from the elder, as agreed upon, or when requested.
- Creating or changing living trusts for the benefit of the abuser.
- Changing the elder's will, trusts, or other inheritance so the abuser benefits.

WHAT IS "UNDUE INFLUENCE"?

Undue influence is when a person in a position of trust coerces a vulnerable elder into *giving away or loaning money or property* – either directly, or through a trust, marriage inheritance, or adoption.

HOW IS UNDUE INFLUENCE ACCOMPLISHED BY ABUSERS?

- By promising the elder to take care of them for the rest of their lives.
- By lying to the elder that no one else cares about them.
- By isolating the elder from social contact with other family members, friends, and society.
- By intercepting the elder's mail, phonecalls, and visitors.
- By worrying the elder with the fear that they will lose their house and be placed in a nursing home.

- By manipulating the elder's food intake or medication so they become weak and compliant.
- By threatening the elder with harm, neglect, or abandonment if they don't agree to do what they are told.

WHO CAN BE AN ABUSER?

- Family members
- Caretakers, paid or volunteer
- Strangers, met in public, or over the phone, or those who come to the door
- Professionals hired by the elder (accountants, bankers, lawyers, doctors)

MAKING THE ELDER LESS OF A TARGET

BE AWARE OF RISKS FACED BY YOUR ELDERLY RELATIVES:

- Does the elder live alone?
- Does the elder still drive? If so, they may be prone to crashes, or be victimized by driving-related scams.
- Does the elder spend a lot of time on foot, in public places? If so, they may be targeted by *exploiters* who frequent banks, stores, parks, malls, libraries.
- How many local friends does the elder have?
- Does the elder have information about housing options, care choices and support groups?
- Have the elder's outside activities decreased over the past 3 years?
- Does the elder have family members in the area? Is there weekly contact?
- Is the elder overly friendly and helpful, even to strangers?

- Who oversees the elder's Power Of Attorney, or the expenses of caregivers?
- Who regularly checks the status of the elder's bank accounts, charge or credit accounts, or investments?
- Do you know where and from whom the elder is getting advice on financial and medical decisions?
- Does the elder know the popular scams that target the elderly? (See following section.)
- Does the elder seek advice of fortune tellers, "psychic advisors," or "spiritual healers"?
- Does the elder know when and how to call the police for emergencies and non-emergencies?
- How much do you know about the elder's caregiver? Have you checked their references and criminal background? Do you know how?
- Is there a written service agreement for care, signed by the caregiver and the elder?

TALK TO ELDERS ABOUT AVOIDING THESE COMMON SCAMS:

- *"You are a Sweepstakes Winner!"*: Elder receives a call or letter saying they have just won a big "prize", but must send money first to pay taxes, or fees before the prize can be sent to them.
- *Fortune-Teller or Psychic Healer*: Elder's money or jewelry is "cursed" and must be given to a fortune teller to remove the "curse." Raw eggs with hair, grapefruits with blood, and knotted threads are used for sleight-of-hand tricks to prove authenticity of the curse.
- *"I'll Fix your Roof Cheap"*: Elder pays cash for shoddy or non-existent work, by door-to-door solicitor with "left-over" materials from a previous job.

- *"Let's share this found cash"*: Stranger approaches elder with offer to share "found" cash. Elder is told to get "good faith" cash of their own, which is stolen by sleight of hand trickery..
- *"Help Me Donate Cash to Charity"*: "Foreigner" approaches elder, asking for help to donate cash to charity. Elder is told to get "good faith" cash of their own, which is stolen by sleight of hand trickery.
- *"You hit my car in the parking lot"*: Crooks smear elder's parked car with tar while elder is shopping. When elder returns and drives off, suspects follow, and accuse elder of hit & run, pointing to tar as evidence of "damage". Suspect accepts cash to refrain from calling "police" on elder.
- *"Help Me Collect My Lottery Winnings"*: Elder is approached by person claiming to be an "illegal alien" who needs help to redeem their "winning" lottery ticket.
- *Gold Bar or Diamond Scam*: Elder is sold fake gold bar or diamond at "discount" by foreigner needing cash for "family emergency" back home.
- *Water Inspector Scam*: Elder is told to bang on pipes in basement while phony "water inspector" burglarizes the rest of the house.
- *Bank Examiner Scam*: Elder is asked to help "police" catch a bank thief, by giving cash to a "bank detective" who will use as bait in a sting operation at the bank.

For more information on these scams, call SFPD Fraud, Tel. 553-1521