

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 CDs 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 and Wills

- Recent change in elder's Power of Attorney.
- 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".

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 his/her physician, lawyer or accountant?

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, or more 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?

Where to Get Help

Adult Protective Services

Santa Barbara (805) 681-4550
Santa Maria/Lompoc (805) 346-8303
Santa Ynez (805) 737-6020

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

Public Guardian (805) 568-2790

- Assesses physical, mental and financial needs of elders and dependent adults.
- **Estate Investigators** secure assets and provide financial management.
- **Representative Payee Program** provides financial management of income payments.

Ombudsman (805) 922-1236

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

Veterans Services Office (805) 681-4500

- Assists veterans and dependents in obtaining benefits.
- Includes homeless veteran outreach.

Law Enforcement

Santa Barbara Police (805) 897-2300
Santa Barbara Sheriff (805) 681-4100

Santa Maria Police (805) 928-3781
Santa Maria Sheriff (805) 934-6150

Lompoc Police (805) 736-2341

Emergency 911

- Investigates reports of crimes against elders and dependent adults.

District Attorney Elder Abuse Unit

South County (805) 568-2442
North County (805) 346-7518

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

Help Put a Stop to Elder Financial Abuse

Our elders and dependents are being abused at an alarming rate. In the following sections, you will learn the following:

- *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 elders 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.
- Misusing the elder's power of attorney.

Examples of Financial Abuse

- Selling an elder an inappropriate insurance product.
- Using the elder's credit card for unauthorized purchases.
- 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 or dependent adult 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 him/her for the rest of the elder's life.
- By lying to the elder and telling the elder that no one else cares about him/her.
- By isolating the elder from social contact with other family members, friends and society.
- By intercepting the elder's mail, phone calls and visitors.
- By worrying the elder about losing his/her house and being placed in a nursing home.
- By threatening the elder with harm, neglect or abandonment if he/she does obey the abuser.

- By manipulating the elder's food intake or medication so that he/she becomes weak and compliant.

Who Can Be an Abuser?

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

Making the Elder Less of a Target

Be aware of risks faced by elderly relatives:

- Does the elder live alone?
- Does the elder still drive? If so, he/she 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, he/she may be targeted by exploiters who frequent banks, stores, parks, malls, libraries, etc.
- 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 financial and medical advice?
- Is the elder aware of the popular scams that target the elderly? (See following section.)
- Does the elder seek advice from 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 his/her references and criminal background? Do you know how?
- Is there a written service agreement for care, signed by both 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 he/she has just won a prize, but must send money first to pay taxes or fees before the prize can be awarded.
- **Bank examiner scam**: Elder is asked to help "police" catch a bank thief by giving cash to a "bank detective", who will use it as bait in a sting operation at the bank.
- **"I'll fix your roof cheap"**: Elder pays cash for shoddy or non-existent work to door-to-door solicitor with "leftover" materials from a previous job.
- **"Help me collect my lottery winnings"**: Elder is approached by person claiming to be an illegal alien who needs help redeeming winning lottery tickets.

- **"Let's share this found cash"**: Stranger approaches elder with offer to share "found" cash. Elder is told to get "good faith" cash of his/her 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 his/her 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 accuse elder of hit and run, pointing to tar as evidence of "damage". Suspect accepts cash to refrain from calling police.
- **Gold bar or diamond scam**: Elder is sold fake gold bar or diamond at "discount" by foreigner needing cash for "family emergency" back home.
- **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 as sleight-of-hand tricks to prove authenticity of the curse.
- **"Free lunch" seminar**: Elder receives an invitation to a free financial seminar offering free financial advice and a free lunch. Elder is pressured into purchasing an insurance product (i.e. an annuity), which is unsuitable for the elder's needs. The product may have a payout date 15 to 30 years after the purchase, and may have costly administrative fees and a large penalty for early withdrawal of funds.
- **Water inspection scam**: Elder is told to bang on pipes in basement while phony "water inspector" burglarizes the rest of the house.