Senior Protection Program
&
Financial Abuse Specialist Team
(FAST)

Council on Aging
Southern California

Promoting the independence, health and dignity of adults through compassion, education and advocacy.

Council on Aging - Southern California is a nonprofit 501(c)(3) corporation
BETTER WITH AGE

45 YEARS

1973–2018

Council on Aging
Southern California
The Facts:

• 290,000 Seniors Served Annually

• 80 Employees

• $4,600,000 in Revenue

• 77% from Government Funding

• Balance from Individuals, Foundations and Corporations
Council on Aging Programs
Helping Seniors Remain Healthy, Connected & Protected

Promoting the independence, health and dignity of adults through compassion, education and advocacy.

88% OF EVERY DOLLAR SPENT DIRECTLY SUPPORTS OUR PROGRAMS & SERVICES

We are funded by individuals, businesses, grants, and government programs.
VOLUNTEER AND LEARN MORE AT WWW.COASC.ORG

Council on Aging Southern California
2 Executive Circle, Suite 175
Irvine, CA 92614
(714) 479-0107
www.coasc.org

HICAP Inland Empire
9121 Haven Avenue, Suite 220
Rancho Cucamonga, CA 91730
(909) 256-8369

HICAP Inyo and Mono Counties
119 Mac Iver Street, Suite B
Bishop, CA 93514
(760) 872-2043

Council on Aging - Southern California is a nonprofit 501(c)(3) corporation
400+ Volunteers
Advocacy & Protection
- Ombudsman
  a Program of Council on Aging
- HICAP
  a Program of Council on Aging
- Senior Protection & FAST
  a Program of Council on Aging

Socialization & Wellness
- Friendly Visitor
  a Program of Council on Aging
- ReConnect
  a Program of Council on Aging

Education & Outreach
- SmileMakers
  a Program of Council on Aging
- Answers
  a Program of Council on Aging
Orange County Seniors

397,738+
Inland Empire Seniors

519,520
2050

Population Aged 65 and Over: 1900 to 2050

83.7 million, almost 2X the estimate of 43.1 million in 2012

Projected to reach 18 million, almost 3X the 2012 estimate of 5.9 million
Growth in Population = More Opportunity
Laws to Protect Seniors and Dependent Adults

Criminal: Penal Code 368

“crimes against elders and dependent adults are deserving of special consideration and protection, not unlike the special protections provided for minor children, because elders and dependent adults may be confused, on various medications, mentally or physically impaired, or incompetent, and therefore less able to protect themselves, to understand or report criminal conduct, or to testify in court proceedings on their own behalf”
"Abuse of an elder or a dependent adult" means any of the following:

1. Physical abuse, neglect, abandonment, isolation, abduction, or other treatment with resulting physical harm or pain or mental suffering.

2. The deprivation by a care custodian of goods or services that are necessary to avoid physical harm or mental suffering.

3. Financial abuse, as defined in § 15610.30".
Financial Abuse
Financial Abuse

Improper use of another person’s money or property

• Not for their benefit
• Financial abuse is the largest growing and the most under reported form of abuse.

• Seniors are particularly vulnerable to scams and cons

• According to the National Center on Elder Abuse, 11% percent of ALL elder abuse cases occur in California.
Annual financial loss by victims of elder financial exploitation

- $2.9 billion in 2009
- 12% increase from 2008

Many studies show:
- Only 1 in 14 cases of elder abuse is reported to authorities.

A more recent study indicates an even larger problem:
- For every case known to programs and agencies, 24 are unknown.*

Tough Cases #1
Tough Cases

• #1: FAMILY FEUD

  Abuser Profile

  1. Family members (57.9%)
  2. Friends and neighbors (16.9%)
  3. Home care aides (14.9%)

Tough Cases

• #1: FAMILY FEUD

  • High conflict personalities

  • Driven by:
    • Underlying emotional issues
    • Long standing grudges

  • Relationships may be unsalvageable

  • Family conflict hard on older adults
Tough Cases #2

JEOPARDY!
#2: CAN STILL PLAY JEOPARDY!

PROBATE CODE § 810-813

Legal Capacity

(a) For purposes of this part, there shall exist a rebuttable presumption affecting the burden of proof that all persons have the capacity to make decisions and to be responsible for their acts or decisions.

(b) A person who has a mental or physical disorder may still be capable of contracting, conveying, marrying, making medical decisions, executing wills or trusts, and performing other actions.

(c) A “judicial determination” that an individual lacks “the legal capacity to perform a specific act, should be based on evidence of a deficit in one or more of the person's mental functions rather than on a diagnosis of a person's mental or physical disorder.
Tough Cases

• #2: CAN STILL PLAY JEOPARDY!

• CAPACITY DETERMINATION
  
  • Medical
    • Medical Professional Opinion
    • PERSUASIVE EVIDENCE ONLY
  
  • Legal
    • PRESUMED
    • Trumps Medical Capacity
  
  • Autonomy
  • RIGHT TO MAKE DECISIONS EVEN IF THEY ARE
    • Not in best interest
    • Not sensible
    • Harmful
Report
It!
SCAMS:

- All: Federal Trade Commission (FTC)
  
  https://www.ftccomplaintassistant.gov
  877-382-4357

- IRS scams: Treasury Inspector General
  
  800-366-4484

- Jury Duty: FBI
  
  www.fbi.gov
  714-939-8699

- Lottery: State Attorney General
  
  http://oag.ca.gov/contact/
  consumer-complaint-against-business-or-company
  916-322-3360
Medicare Fraud:
• Senior MediCare Patrol (SMP)
  855-613-7080

Charity Fraud:
• Check the validity of charitable organizations
  • INDEPENDENT charity evaluators
    • charitynavigator.org
    • www.give.org
  • Better Business Bureau
    • www.bbb.org
    • 703-276-0100
If the person lives in their own home:

Contact, Adult Protective Services (APS) at 800-451-5155. Calls can be made anonymously.
If the person lives in a long term care or nursing facility:

Contact, the Council on Aging’s Long Term Care Ombudsman Program at (714) 479-0107
Finally, report suspected financial abuse to your local police or sheriff: 

IT IS A CRIME.... punishable by both fine & imprisonment
Recover
BE PROACTIVE:

Phone:

- Change your phone number
- Get free protection:
  - Cell Phones
    - Download an app to identify unknown numbers
    - Truecaller
    - Hiya
    - Robokiller
    - Call Control - Call Blocker
  - Land line:
    - Activate your service provider’s protection
BE PROACTIVE:

Accounts:
- Close all affected
  - Bank
  - Credit card
  - Line of Credit

Secure your credit:
- Consider a Credit Freeze
  - Prohibits any new credit
  - No affect on current accounts
- Check your credit report regularly
  - Experian
  - Equifax
  - Transunion
BE PROACTIVE:

Computer:

• Stop using immediately
  • Replace your hard drive
  • Save affected hard drive for forensics analysis

• Passwords:
  • Password Manager:
    • Generates random passwords
    • Stores them in an encrypted “vault”
    • Automatically inserts them
  • Fee for Service:
    • Keeper, 1Password
  • Free:
    • Blur, Password Boss, Last Pass, Sticky Password, Dashlane, EnPass
BE PROACTIVE:

Self Care:

• Fear
• Home safety
• Nightmares
• Anxiety
• Paranoia
• Loss of confidence

Talk to someone:

• Family
• Friends
• Professional
• Victim Services
Questions?