

# The New York State Cost of Financial Exploitation Study



Office of Children  
and Family Services

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# **The New York State Cost of Financial Exploitation Study**

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## **Executive Summary**

*The New York State Cost of Financial Exploitation Study is one of the most comprehensive studies to quantify both the financial and the non-financial costs of financial exploitation of vulnerable adults. This study includes the largest number of Adult Protective Services (APS) financial exploitation cases to date in any single state. In New York State, APS provides protective services to adults 18 and older who, because of physical or mental impairment, are unable to protect themselves from abuse, neglect, financial exploitation or other harm, and have no one else willing and able to assist responsibly.*

*This study was conducted by the OCFS Bureau of Adult Services and the Bureau of Research Evaluation and Performance Analytics. The study included 928 APS cases from 31 social services districts and cases from Lifespan of Greater Rochester, Inc. (Lifespan), a non-profit provider of services to the elderly.*

*We at OCFS knew, from our review of APS data over the past several years, that the number of reported cases of financial exploitation of vulnerable clients had been increasing significantly – by more than 35% from 2010 to 2014. We could see, on a case by case basis, how financial exploitation devastates so many of its victims, both financially and emotionally.*

*What we did not know - because we had not collected such information - was how much financial exploitation is costing victims, government agencies, service providers and society as a whole.*

*We also wanted to learn more about the characteristics of victims and perpetrators and about victims' outcomes following a referral to APS.*

Financial exploitation occurs when individuals steal and/or misuse a vulnerable adult's financial assets and property for their own personal gain, often without the informed consent or knowledge of their victim. When financial exploitation occurs, individuals, families and communities may all be adversely affected. The vulnerable adult may lose his/her capacity to pay for rent, food, and medicines and may become ill, fearful or depressed. Families may find it necessary to step in and provide care and housing for relatives who were once financially independent. At the community level, APS may be called in to investigate, and government benefits and agency services, including food, housing, and health care assistance, may be needed to compensate for stolen assets.

Approximately five million older Americans are financially exploited each year (Eldercare Locator, n.d.). In New York State alone, the number of APS referrals involving financial exploitation allegations increased more than 35 percent between 2010 and 2014. Prevalence studies suggest only a small proportion of financial

exploitation cases are ever brought to the attention of local authorities. For every financial exploitation case referred to authorities, experts estimate an additional 10 to 44 cases go undetected (Lifespan, Weill Cornell Medical Center, New York City Department of Aging, 2011; National Center on Elder Abuse, 1998).

While a substantial number of vulnerable adults are believed to experience financial exploitation each year, research on the impacts of financial exploitation is remarkably sparse. Drawing on accounts of financial exploitation reported in the media, one frequently cited study estimated victim losses nationwide to be around \$2.9 billion (The MetLife Mature Market Institute, 2011). At the state level, Utah (Gunther, 2011) used data taken from a small sample of APS referrals to estimate both public benefit costs and victim losses, and concluded that statewide impacts ranged between \$48 and \$209 million.

The New York State Cost of Financial Exploitation Study sought to expand this literature in several significant ways. First, unlike earlier studies relying on modest sample sizes and/or senior-only samples, the New York State Cost of Financial Exploitation Study identified and coded over 900 APS financial exploitation referrals involving vulnerable adults of all ages. Second, the study was specifically designed to generate a rich array of information on multiple types of fiscal impacts, including service agency costs, public benefits, and victim losses. The purpose of the study was threefold:

1. Provide a descriptive, baseline picture of the types of financial exploitation cases being reported to APS offices within New York State, including referral sources, client health and daily living needs, perpetrator characteristics, exploitation methods, APS outcomes, and victim impacts.
2. Estimate costs incurred by service agencies and public benefit programs in response to financial exploitation referrals.
3. Estimate losses experienced by New York State financial exploitation victims.

## **Methodology**

Thirty-one local APS offices and one voluntary agency participated in the study and completed 928 case reviews of APS referrals involving allegations of financial exploitation. Most districts submitted case reviews for all referrals received during the study window; others reviewed a randomly selected subset. All cases were coded using a 24-item case review document created specifically for the present study.

*Full Referral Sample:* For all referrals included in the case review, local APS workers provided basic case information, including client demographics and perceptions of the client's overall health, vulnerabilities, and daily functioning. To assess the fiscal impacts associated with serving each referral, workers also answered a series of questions about the types of agencies, including APS and other community-based providers involved in the investigation, assessment, and management of the client's needs. The



personnel hours associated with providing these services were defined as service agency costs. Public benefit costs were tracked by asking APS workers to identify new or additional public benefits (e.g., Medicaid, Medicare, public assistance, etc.) provided to clients following an APS investigation.

*Verified Case Sample:* Evidence supporting the alleged exploitation was found in 479, or 52 percent, of coded referrals. For these cases, workers provided additional information on the identity of the perpetrator, the methods used to exploit the victim, and the nature and value of the assets taken (victim losses).

## Findings

### Referral source:

- The most common sources for financial exploitation referrals were family members (23 percent) and banks or other fiduciaries (21 percent).
- Only two percent of financial exploitation referrals were initiated by the alleged victim.

### Alleged victims:

- Clients named in financial exploitation referrals tended to be over the age of 60, female and white.
- Nineteen percent of alleged victims were between the ages of 18 and 59.
- Seventy-six percent of referrals involved clients with at least one serious health impairment, including physical or mental impairment, dementia, and drug/substance abuse.
- Fifty-eight percent of referrals involved clients who routinely required assistance in at least one daily activity.
- In 35 percent of cases, victims lived with the perpetrators.

### Legal outcome:

- Twenty-six percent of APS referrals were referred on to law enforcement officials.
- Criminal action was initiated in 24 percent of referrals.
- Civil action was taken in seven percent of referrals.

### Verified Cases:

Clients in verified cases were more likely than clients in non-verified cases to:

- Be older (average age 73 vs. 70)
- Be black (19 percent vs. 11 percent);
- Have physical impairment;
- Have dementia;
- Be unable to manage finances due to dementia;

- Be neglected by others;
- Need daily living assistance such as shopping, transportation, laundry, and meal preparation.

#### Perpetrators:

- Family members were identified as perpetrators in 67 percent of verified cases.
- In 16 percent of verified cases, more than one perpetrator was identified.

#### Financial Exploitation Method:

- In 33 percent of verified cases, multiple methods were used.
- Misappropriation of funds (use of funds or property for unauthorized purposes) was the most common method and was documented in 26 percent of verified cases.

#### Victim impact:

- Many victims (50 percent) in verified cases were perceived by their caseworkers as being largely unaware of their mistreatment.
- Financial exploitation was associated with a wide range of negative outcomes for the victims, including emotional pain, financial impoverishment, guardianship, and health concerns.

### **Fiscal Costs**

To provide a comprehensive picture of fiscal impacts associated with financial exploitation, the monetary value of service agency costs, public benefits and victim losses were calculated for three samples.

- Documented costs/losses represent the costs/losses reported in the study sample, and are limited to the 928 cases received from the 31 participating districts.
- Adjusted costs/losses inflate the documented costs/losses observed in the 31 participating districts to arrive at an estimate of what costs/losses would have looked like in those districts had every APS referral received during the study window been included in the case review process.
- Statewide estimates provide insight into what costs/losses would have been for all of New York State had all 58 districts<sup>1</sup> participated in the study. To arrive at these estimates, non-participating districts were assigned a cost/loss profile similar to that of a demographically comparable, participating district.

#### Service agency costs:

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<sup>1</sup> There are 58 social service districts in New York State; the five boroughs in NYC make up one social service district; see map on page 24 for details.

Service agency expenditures were high, with nearly \$1.2 million devoted to investigation, assessment, and other related activities within the case review sample. At \$541,854, APS costs accounted for approximately 46 percent of all documented agency expenditures. The remaining \$641,810 was divided across multiple agencies, with medical- and health-related services accounting for a substantial proportion of service agency costs. Adjusting for missing cases increased the total service agency cost within the 31 participating districts to an estimated \$5,078,154. Finally, had data been collected on all referrals across the state for the 12-month observation period, our estimates suggest that over \$6.2 million in new agency expenses would have been incurred as a result of financial exploitation referrals.

Public benefit costs:

In addition to agency services, 117, or 13 percent, of the 928 referrals included in the case review study received new or additional public benefits following their referral to APS. As shown in Table 11 (page 39) food stamps or Supplemental Nutrition Assistance Program benefits (SNAP) and Medicaid/Medicare coverage were the most common type of benefits received, while health and housing-related benefits were some of the most costly. The overall cost of these additional benefits was comparable in magnitude to documented service agency costs, with nearly \$1.2 million accrued across the 928 referrals. The adjusted costs were approximate \$7.5 million and the statewide estimate was \$8.3 million.

Victim losses:

Across the 479 verified cases, over \$24 million was reported in lost assets. The most common loss was monetary, with 42 percent of verified cases reporting cash losses of nearly \$8 million. The adjusted losses were approximately \$91 million and the statewide estimate was about \$109 million.

Total costs/losses:

Within a single 12-month period, known incidents of financial exploitation cost New York State citizens and communities somewhere between \$27 and \$124 million in personal losses and public expenditures. The summary of costs/losses is shown in the table below:

Table 1. Costs of financial exploitation referrals received by APS.

	<b>Documented Costs</b>	<b>Adjusted Costs</b>	<b>Statewide Estimate</b>
Service agency costs	\$1,183,664	\$5,078,154	\$6,280,230
Public benefit costs	\$1,198,266	\$7,549,976	\$8,272,554
Victim losses	\$24,909,287	\$90,929,817	\$109,048,214
<b>Total Costs/Losses</b>	<b>\$27,291,217</b>	<b>\$103,557,947</b>	<b>\$123,600,998</b>

Adjusting victim losses to account for unreported cases:

Research has repeatedly shown that incidents of financial exploitation frequently go unreported to APS and other authorities. A series of projection exercises were therefore undertaken to estimate what the total magnitude of victim losses might be if information on losses were captured for both reported and unreported cases. Low and high end estimates were generated based on previous research which found that for every one reported financial exploitation case, somewhere between 10 to 44 cases went unreported (National Center on Elder Abuse, 1998; Lifespan, Weill Cornell Medical Center, New York City Department of Aging, 2011). Estimates indicate that, within our 31 participating districts, the total monetary value of assets taken from seniors within the 12-month period may have ranged from a low of \$352 million to a high of \$1.5 billion. Such findings suggest that prior efforts to quantify victim losses may have grossly underestimated the magnitude of losses experienced by financial exploitation victims.

### **Recommendations for Next Steps**

*1. Additional research studies on the fiscal impacts of financial exploitation in New York State and nationwide are needed.*

Many of the fiscal impacts presented in the current study are exploratory estimates that merit further testing. Statewide estimates assume that the county matching criteria used were sufficient to identify districts with similar types of financial exploitation incidents and system responses. However, districts were not matched on several potentially influential variables, such as size and nature of the vulnerable adult population, community culture, and service infrastructure. It is therefore likely that the prevalence and magnitude of financial exploitation incidents may have differed substantially across matched counties, altering costs. Future research should seek to address these limitations.

*2. Existing state data collection systems should be expanded to include standardized fields for reporting financial exploitation elements and costs.*

It is important that the types of information collected for this study on the costs of financial exploitation, demographic characteristics, and outcomes not be a one-time-only event, but a baseline for future reporting. It is important to look for ways to incorporate this type of reporting into existing APS systems and to encourage other systems to collect similar information. To do this, APS and its partners need access to better tools to help organize the collection and review of financial documents.

*3. Training opportunities for APS workers should be expanded.*

The fact that 49 percent of study referrals included clients with physical impairments and 54 percent of referrals included clients with mental impairments and/or dementia points out the need for continued and enhanced training for APS workers and other investigators on the characteristics of these populations and how best to interview and serve such persons. Similarly, the fact that at least 20 percent of referrals included clients identified as black or Hispanic indicates a need for APS workers and other service providers to have additional training on diversity/cultural competency issues.

#### *4. Expand the use of Multidisciplinary teams.*

As study findings demonstrate, financial exploitation has devastating effects on individuals and communities. New approaches to preventing, assessing, and serving vulnerable adults are needed to decrease incidents and improve service delivery for those impacted. A multidisciplinary team approach has been shown to result in better protection of vulnerable adults, more prosecutions, and more civil actions (Navarro, Gassoumis, & Wilber, 2013; Hafford, Nguyen, & Henning, 2015).

#### *5. Encourage victims to seek help*

Because family members and spouses/partners were named as perpetrators in over 60 percent of APS referrals, and since so many victims refuse to press charges, there is a need for creative approaches to stopping the financial exploitation (and other abuse or neglect that may be co-occurring) while providing alternatives to incarceration that may encourage victims to simultaneously seek help for family perpetrators and stop the financial exploitation and other abuse.

#### *6. Encourage additional training resources for law enforcement*

Many of the cases referred by APS to law enforcement do not result in arrest or prosecution, pointing out the need for additional training and resources to be available for police, sheriffs and prosecutors on financial crimes against vulnerable adults.

#### *7. Encourage additional training resources for financial institutions and fiduciaries.*

The OCFS Bureau of Adult Services has developed, arranged and presented, often with other state and local partners, and in conjunction with associations of financial professionals, several trainings of financial professionals on the topic of recognition, prevention and reporting of financial exploitation of vulnerable adults (see Appendix A). However, more needs to be done to provide trainings to both financial institutions and fiduciaries who are responsible for managing funds on behalf of their clients.

## Introduction

*After her home was damaged during Hurricane Sandy, Lisa,<sup>2</sup> a 79 year-old woman with possible dementia, was provided with emergency housing at a local nursing home. While there, she became friendly with a member of the nursing home staff named Shirley. Shirley invited Lisa to move in with her and began helping Lisa to manage her affairs. Since granting Shirley power of attorney, Lisa's savings account was depleted by several thousand dollars and a property she owned was put up for sale. Stating Shirley has only her best interests at heart, Lisa refused to speak with the Adult Protective Services worker alerted to her situation by a concerned family member.*

Lisa's story is just one example of the types of cases brought to the attention of local Adult Protective Services (APS) offices in New York State each year. In New York, APS serves adults age 18 or older who, due to physical or mental impairments, are unable to protect themselves from abuse, neglect, financial exploitation or other harm and have no one available who is willing and able to assist responsibly. APS clients are often referred to as vulnerable adults.<sup>3</sup>

Like Lisa, many vulnerable adults become targets for a form of adult abuse known as financial exploitation. Financial exploitation occurs when individuals steal and/or misuse a vulnerable adult's financial assets and property for their own personal gain, often without the informed consent or knowledge of their victim. When financial exploitation occurs, individuals, families and communities are all adversely affected. The vulnerable adult may lose his/her capacity to pay for rent, food, and medicines and may become ill, fearful or depressed. Families may find it necessary to step in and provide care and housing for relatives who were once financially independent. At the community level, adult protective services may be called in to investigate, and government benefits and agency services, including food, housing, and health care assistance, may be needed to compensate for stolen assets.

While the potential consequences of financial exploitation are devastatingly clear, research on financial exploitation is remarkably sparse. What we do know suggests the problem is widespread. Each year, approximately five million Americans aged 60 or older are estimated to be financially exploited (Eldercare Locator, n.d.). In New York State alone, the number of APS referrals involving financial exploitation allegations increased more than 35 percent growing from 4,204 reports in 2010 to 5,671 in 2014. In addition, prevalence studies suggest that only a small proportion of financial exploitation cases are ever brought to the attention of local authorities. For every financial exploitation case referred to authorities, experts estimate an additional 10 to 44 cases go undetected (Lifespan, Weill Cornell Medical Center, New York City Department of Aging, 2011; National Center on Elder Abuse, 1998).

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<sup>2</sup> To protect individual privacy, all names used in this and subsequent synopses of case studies have been changed.

<sup>3</sup> For a more detailed description of APS in New York State, see Appendix A.

The magnitude of the societal costs and personal losses associated with financial exploitation, however, are largely unknown. Verifying exploitation in referrals made to APS can be complicated, as the vulnerable adult involved may be unaware, unable, or unwilling to discuss the allegations surrounding their case. Similarly, even when an APS worker's investigation leaves them feeling confident that financial exploitation has occurred, victims' vulnerabilities and the nature of the exploitation itself may make it difficult to ascertain the exact value of the items lost.

Nationwide, only a handful of studies have attempted to attach a price tag to financial exploitation. Using a unique approach built around examples of financial exploitation reported in the media, MetLife estimated national losses experienced by seniors each year to be in the billions (The MetLife Mature Market Institute, 2009; 2011). At the state level, Utah used data taken from a small sample of APS referrals to estimate statewide impacts (Gunther, 2011). Findings suggested statewide losses ranged between \$48 and \$209 million.

To learn more about incidents of financial exploitation in New York State and the fiscal impacts associated with these cases, the New York State Office of Children and Family Services (OCFS) conducted a groundbreaking study of financial exploitation in New York State in 2013. As described in the current report, the purpose of the study was threefold:

1. ***To provide a descriptive, baseline picture of the types of financial exploitation cases being reported to APS offices within New York State.***

To provide a comprehensive view of financial exploitation in New York State, the present study examined over 900 APS referrals made within a 12-month period across 31 local social services districts. Collected information included data on referral sources, client health and daily living needs, perpetrator characteristics, exploitation methods, APS outcomes, and victim impacts.

2. ***To estimate the fiscal impacts associated with financial exploitation referrals in New York State at the county and statewide level.***

Individuals, communities, and government programs are all negatively impacted when financial exploitation occurs. When a referral is received, APS and other agencies provide investigation, assessment, and case management services to alleged victims (aka clients). In addition, APS workers connect clients to programs and services that support their health, well-being, and independence. In cases of financial exploitation, this often means helping the vulnerable adult obtain resources (food, housing, health care, etc.) and/or public benefits to compensate for lost financial assets. As part of the present study, APS workers were asked to document the value of investigative, support, and public benefit services incurred for all referrals involving allegations of financial exploitation. Data were then used to calculate the service agency and benefit costs incurred across participating districts for all referrals, and to estimate these costs statewide.

**3. *To estimate the fiscal impact of financial exploitation on New York State victims.***

Loss of individual assets and property and the negative health and lifestyle effects triggered by these losses represent the most devastating aspects of financial exploitation. However, these losses can also be the most challenging to quantify. Inspired by the promising work conducted in Utah, the OCFS research team worked with local APS workers to collect specific, quantifiable information on the value of assets taken in verified cases of financial exploitation across the 31 participating districts. These documented losses were then used to estimate district and statewide losses, as well as the potential magnitude of victim losses if both reported and unreported cases of financial exploitation were taken into account.

The ultimate objective was to gather key baseline data regarding the financial and the non-financial costs of financial exploitation, data not previously collected in New York State on a systematic basis statewide. It is hoped that the collection of this data will assist in the development of policy and practice recommendations and to inform future decisions regarding allocating resources for prevention and intervention to protect vulnerable adults.

This report describes the context and findings behind the New York State Cost of Financial Exploitation Study. Background information on financial exploitation is provided in Chapter 1, with particular attention paid to those studies that laid the foundation for the research design and estimation approaches used in the current report. Chapter 2 describes the research design and data collection tools developed to address each of the study objectives listed above, while specific findings are shared in Chapters 3 and 4. Finally, Chapter 5 considers the implications of these findings for adult protective services and offers data-driven recommendations for enhancing both research and practice.



## **Chapter 1: Financial Exploitation**

While media stories tend to focus on the dangers faced by elderly adults living alone, financial exploitation can affect anyone, regardless of age, gender, race/ethnicity, living situation, or socio-economic status. Who perpetrates the abuse, the tactics used to deprive victims of their resources, and the financial costs associated with these acts can also vary considerably.

### **What is financial exploitation?**

Definitions of financial exploitation differ from jurisdiction to jurisdiction, but generally share a core set of characteristics. The first of these pertain to who experiences financial exploitation. Victims of financial exploitation are typically identified as having one or more vulnerabilities, such as advanced age or disability, which impede their ability to protect themselves from harm. Second, financial exploitation occurs when an individual behaves in a fraudulent, unauthorized, or otherwise improper manner that serves to deprive another of his/her financial assets and property. New York State's approach encompasses both of these aspects, defining financial exploitation as the "improper use of an adult's funds, property, and/or resources by another individual" (Social Services Law, Section 473 (6) (g)), and authorizing adult protective services for vulnerable adults over the age of 18 who are "unable to protect themselves from abuse, neglect, financial exploitation, or other harm."

Commonly reported acts of financial exploitation include:

- Theft
- Fraud
- Embezzlement
- Coerced or unauthorized property transfers
- Unauthorized check writing and cash withdrawals
- Misuse of power of attorney
- Falsification of records
- Forgery
- Denial of access to funds and resources
- Scams

(National Adult Protective Services Association, n.d.)

## **MARY**

Mary, an elderly woman with possible cognitive impairments, was referred to APS by her daughter Nancy. Several withdrawals had been made from Mary's bank accounts that Mary could not explain.

APS investigated and determined that Mary's accounts were jointly held with her son Sam. Sam admitted to withdrawing over \$13,000 from the shared account for his own personal use, stating that he needed the cash to cover his living expenses.

Mary ultimately removed Sam from her accounts, but refused to press charges against her son.

### **Who is at risk of financial exploitation?**

While financial exploitation can happen to anyone, certain groups are at greater risk. Media accounts, national awareness campaigns, and scholarly research all highlight the vulnerabilities of seniors (Choi, Kulick, & Mayer 1999; Coker & Little, 1997; Cooper, Selwood, Blanchard, Walker, Blizard, & Livingston, 2009). Having had a lifetime to acquire and save, older adults tend to possess more financial assets and property than younger age groups, making them attractive targets for financial exploitation (U.S. Government Accountability Office, 2011). They are also more likely to have characteristics that make it easier for perpetrators to coerce and/or deceive them. Many seniors depend on others for health care and daily living support, circumstances which can diminish an individual's capacity and/or willingness to report misbehavior. The presence of cognitive deficits, such as memory loss, Alzheimer's, and dementia may also embolden would-be perpetrators.

It is important to note, however, that not all victims of financial exploitation are elderly. The presence of cognitive impairments and other disabilities can also place younger adults at risk. Between 2011 and 2014, nearly one-quarter of all New York State APS reports, including allegations of financial exploitation, involved an alleged victim who was between the ages of 18 and 59. Other states report similar findings, with between one-quarter to one-third of recent APS referrals involving younger adults (Missouri DOH, 2011; New Mexico, 2014).

## TOM

Every month, Susan, a bank teller, would assist Tom, age 26, in cashing his Supplemental Security Income (SSI) check. Susan noticed that while Tom came to her window alone, there was always a group of people who followed him to the bank. As soon as Tom got his cash, the group would approach him and follow him out. Concerned that something wasn't right, Susan made a referral to APS.

APS investigated and found that Tom frequently experienced delusions as a result of his mental illness. Thinking he was a wealthy NBA player with money to spare, Tom would willingly hand out his SSI cash to others when asked. APS stepped in and became the payee for Tom. Tom's followers have since disappeared.

### Who are the perpetrators?

Incidents of financial abuse frequently involve individuals who play a significant, trusted, role in vulnerable adults' lives (Broken Trust, n.d.; National Center on Elder Abuse, 1996; Quinn, 2000). Several reasons for this have been hypothesized. The need for assistance with daily living tasks may open the door to financial exploitation by creating circumstances in which caregivers and other helpers are given access to and oversight of a vulnerable adult's resources. Emotional ties may also make victims more susceptible to the influence of family members and other relatives. However, as Anna's case (see page 20) demonstrates, perpetrators can also be strangers who use techniques like sweepstakes and home repair scams to con victims into parting with their resources.

According to the National Adult Protective Services Association, perpetrators of financial exploitation often include:

- Adult children and other family members
- Caretakers
- Neighbors
- Friends
- Attorneys
- Bank Employees
- Pastors
- Health care providers

## **Anna**

Anna, aged 65, was excited when she received the phone call telling her she was the grand prize winner in a national sweepstakes. The sweepstakes worker told Anna that once her information had been verified, she would be able to claim her \$4 million prize. To make that happen, Anna would need to pay a small processing fee. Following the instructions given to her by the sweepstake worker, Anna wired \$40,000 to the location specified. Anna never heard from the sweepstakes company again, and eventually contacted her local APS office for help. APS investigated and referred the case to both the District Attorney's and New York State Attorney General's offices. However, APS was informed that prosecution was unlikely, as county and state officials would not be able to criminally prosecute if the scammers were from another county or out of state.

### **How often do incidents of financial exploitation occur?**

While available data on financial exploitation suggest the problem is widespread, the United States does not have a national system for tracking and reporting on cases of financial exploitation (National Institute of Justice, 2015). Consequently, there are no national statistics on the prevalence of financial exploitation among vulnerable adults. Rather, estimates of the size of the problem are typically derived from research conducted on elderly populations. For example:

- The National Center on Elder Abuse (1998) estimated that approximately 500,000 seniors over the age of 60 experienced abuse and/or mistreatment during the year, with nearly one-third of these cases involving some form of financial exploitation.
- A 2010 survey of seniors found that 6.5 percent of interviewees had been financially exploited by a stranger and 5.2 percent had been exploited by a family member (Acierno, Hernandez-Tejada, Muzzy, & Steve, 2010).

### **How often do incidents of financial exploitation go unreported?**

These studies likely underestimate the true scope of financial exploitation. The same vulnerabilities that make individuals attractive targets for abuse can also make it difficult to detect incidents when they occur. Some victims, like Tom, may simply be unaware that their resources have been misappropriated. Others, like John and Jay (see page 21), may be isolated and unable to report their abuse. Shame, dependency, and loyalty toward perpetrating friends and family members may also discourage victims from seeking help (Brookdale Center for Healthy Aging, n.d.). Indeed, past research on elder abuse indicates that victims rarely report their abuse, with most referrals coming from third party sources such as hospitals, health care providers, and other concerned citizens (Hafemeister, 2003).

## **John & Jay**

After spending years in foster care, three developmentally disabled brothers, John (18), Mike (19), and Jay (23), were adopted. APS and law enforcement were called in when one brother, Mike, died at home under suspicious circumstances. An investigation revealed that the surviving brothers lived in crowded and inappropriate conditions, as well as appearing undernourished. The adoptive parents were suspected of exploiting the brothers for their adoption subsidies, SSI/Social Security Administration (SSA) incomes, and money from lawsuits about blood lead levels. APS immediately removed John and Jay from the home, and worked with the New York State Office for People With Developmental Disabilities (OPWDD) to place them in a group home. The brothers did not want to return to their adoptive home, and guardians were appointed.

Aware of these dynamics, several parties have attempted to quantify the magnitude of the under-reporting problem.

- The National Elder Abuse Incidence Study (National Center on Elder Abuse, 1998) compared adult abuse referrals made to local APS to incidents brought to the attention of other sentinel agencies (e.g., law enforcement, financial institutions, hospitals, and elder care providers). Findings suggested that only one out of every 10 elder abuse cases (including physical, emotional, and financial abuse) was referred to APS.
- Similarly, a 1998 study of elder abuse in domestic settings estimated that only one in every 14 incidents of elder abuse was reported (Pillemer & Finkelhor, 1998).

As alarming as these numbers are, recent research from New York State suggests that the gap between reported and unreported incidents of financial exploitation may be considerably larger. In a one-of-a-kind study funded by OCFS, researchers compared incidents of financial exploitation referred to APS, law enforcement, and other authorities to survey responses gathered from New York State seniors (age 60 and older). Survey responses indicated a much higher rate of financial exploitation than official records, with self-reported cases outnumbering formal referrals by approximately 44 to one (Lifespan, et al., 2011). Moreover, the researchers concluded that this estimate likely undercounted the number of undetected incidents occurring in the real world, as only seniors capable of participating in the phone survey were included in the self-report study.

Consequently, the experiences of seniors with serious cognitive and or physical impairments were likely missed in the data collection process, even though these

groups may be particularly vulnerable to financial exploitation. Despite this limitation, based on reports of seniors who participated in the study, researchers deemed financial exploitation to be the most prevalent form of elder mistreatment in New York State, affecting approximately 42 out of every 1,000 older New Yorkers in the one year period of the study.

### **What are the consequences of financial exploitation?**

The consequences of financial exploitation can be far-reaching, impacting individuals, families, and communities. On an individual level, victims may experience a range of negative psychological, physical, and fiscal outcomes. Exploited individuals may become fearful, depressed, and anxious. Relationships with family members and trusted others may be damaged or lost. Victims' health and independence may also be compromised when depleted resources make it difficult for victims to pay for basic needs such as housing, food, and medical supplies. On a family level, relatives may be forced to take on new financial burdens in order to care for an exploited loved one, and inheritances may be diminished or lost.

Public expenditures may also be incurred, as social programs and health care services are accessed to supplement and/or replace lost assets. Many of these impacts are long lasting, as victim losses are rarely recouped (U.S. Government Accountability Office, 2012) and replacement services may be needed for years after the financial exploitation has ended.

### **How much does financial exploitation cost?**

Despite widespread recognition of the negative fiscal consequences of financial exploitation, only a handful of studies have attempted to attach a price tag to such cases. Using a unique approach built around cases reported in the media, MetLife (The MetLife Mature Market Institute, 2009; 2011) estimated national losses to seniors each year are in the billions. To arrive at this number, the research team collected and reviewed incidents of financial exploitation appearing in scholarly articles and media accounts between April and June 2008, and again between April and June 2010.

In both studies, cases were identified using the U.S. Administration on Aging's National Center on Elder Abuse newsfeed, which uses Google and Yahoo alerts to track daily media reports of elder abuse. Of the 357 unduplicated cases identified in the first study, 60 percent included information on the amount of monies and resources allegedly taken. When added together, these losses produced a combined total of approximately \$400 million. In the 2010 sample, about two-thirds of the 389 unique cases included financial information, placing victim losses in the vicinity of \$530 million. Operating under the assumption that observed cases were representative of financial exploitation cases across the year, the researchers multiplied observed totals by four to arrive at a total victim loss of \$2.6 billion in 2008 and \$2.9 billion in 2010.

In another set of groundbreaking studies, the state of Utah used APS reports to estimate both victim losses and system costs (Gunther, 2011; 2012). In these studies,

APS workers were asked to provide costs and other relevant information for all substantiated financial exploitation reports involving adults aged 60 or older. Based on the 80 cases reviewed in the 2011 study, the impact statewide was close to \$7.7 million, with \$6.8 million taken directly from the seniors and the remaining \$900,000 accrued in the form of additional Medicaid costs. Estimates in the 2012 study were slightly lower at \$4.8 million, but were based on only 52 case reviews.

Noting that many cases of financial exploitation go unreported, the research team multiplied case review costs by a range of magnitudes to generate lower and higher end estimates of potential losses, had all incidents been observable. Ranges were selected based on previously cited research that placed the ratio of reported to unreported financial exploitation cases somewhere in the one to 10 or one to 44 range. Based on this method, total losses attributed to financial exploitation within Utah were estimated to be between \$77 million and \$339 million in 2010, and between \$48 million to \$209 million in 2011.

### **The value of a multidisciplinary response to financial exploitation of vulnerable adults**

Not every case of abuse, neglect or even financial exploitation will require the involvement of a multidisciplinary team (MDT). However, an MDT can be of great benefit where there is a complex case that will require expertise and coordinated action from professionals in such fields as: adult protective services, aging, health, mental health, developmental disability, alcohol/substance abuse, social services, governmental benefits/services, emergency housing, police/sheriff, district attorney, civil attorneys, financial institutions, forensic accountants, etc. Many of the financial exploitation cases referred to APS and other providers involve the need for expertise and coordinated response from such professionals.

### **Need for further research**

Given the number of vulnerable adults estimated to be impacted by financial exploitation each year and the potential magnitude of the accompanying fiscal impacts, it is not surprising that advocacy groups have called for making efforts to quantify the costs and consequences of financial exploitation a national priority. The Elder Justice Roadmap (2014) has urged researchers to conduct additional cost studies and has cited the need for development of validated tools and methods capable of collecting cost-related data from key systems such as APS, criminal justice, financial services, Family Court, health care, law enforcement, ombudsman, and Social Security.

As described in the following chapter, the New York State Cost of Financial Exploitation Study is responsive to this call, and uses a specially developed case review instrument and promising estimation approaches to explore the fiscal impacts of financial exploitation in New York State.

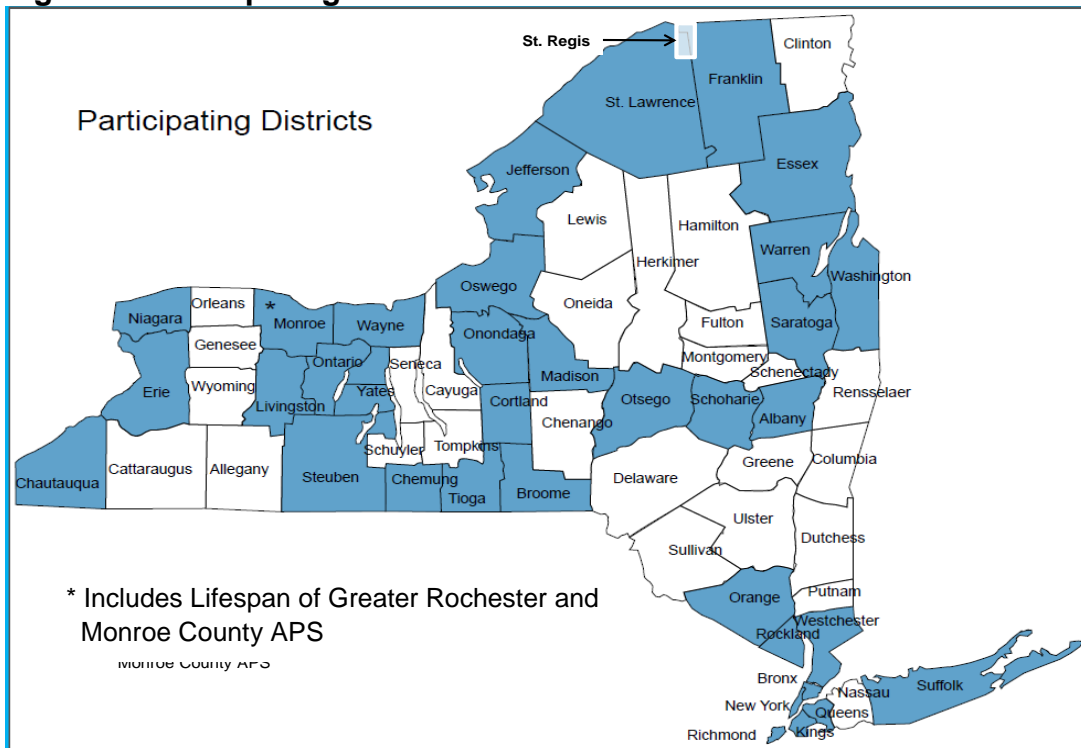
## Chapter 2: The New York State Cost of Financial Exploitation Study: Methodology

To learn more about financial exploitation in New York State, the OCFS Bureau of Adult Services partnered with the OCFS Bureau of Research, Evaluation and Performance Analytics to conduct a comprehensive review of financial exploitation referrals received by local adult protective services offices across New York State.

### Participating Districts<sup>4</sup>

Local APS offices were invited to participate in the study through a formal letter issued by the OCFS Commissioner. As shown in Figure 1, 31 of the 58 local social services districts agreed to work with the OCFS research team. Participating districts encompassed both urban and rural areas and included most of the state's most populous cities. In addition, OCFS invited the participation of one non-profit agency, Lifespan of Greater Rochester, Inc. (Lifespan). Lifespan is a well-regarded and experienced provider of services to vulnerable elderly across the state, and is particularly active in the Finger Lakes Region.

**Figure 1. Participating Districts**



<sup>4</sup> In New York State, adult protective services (APS) are a mandated service provided in each county by the local department of social services (LDSS), with one exception. In New York City (NYC), the New York City Human Resources Administration (HRA) serves in the role of the LDSS and provides APS services for all five NYC boroughs. With this in mind, the term “district” is used to refer to the local entities responsible for service provision.



## Sampling Plan

To maximize participation and reduce local burden, OCFS worked with local districts to develop an individualized sampling plan. Lifespan and 19 participating districts agreed to code all referrals involving allegations of financial exploitation received during the study window. For the remaining 12 districts, individualized, random sampling schemes were used to select a representative subset of eligible APS referrals. A complete listing of participating districts and their sampling plan can be found in Table 1.

**Table 1. Participating Districts by Sampling Plan**

	Participating Districts
Full Case Review	Albany, Broome, Chautauqua, Chemung, Cortland, Essex, Livingston, Onondaga, Otsego, Rockland, Saratoga, Schoharie, St Lawrence, Steuben, Tioga, Warren, Wayne, Westchester, Yates, Lifespan of Greater Rochester Inc.
Random Sample	Erie, Franklin, Jefferson, Madison, Monroe, Niagara, NYC, Ontario, Orange, Oswego, Suffolk, Washington

## Observation Period

All districts identified and coded qualifying APS referrals received between January 1, 2013 and September 30, 2013. In addition, 28 districts expanded their data collection window and conducted historical case reviews on eligible referrals received in the last quarter of 2012.

## Data Collection

While New York State APS case recording and reporting systems document the number and types of APS referrals and contain valuable information on client assessment and service plans, these systems are not currently designed to collect in-depth, reportable elements specific to financial exploitation cases and associated costs. APS workers were therefore asked to complete a comprehensive case review instrument for all cases included in the study sample (see Appendix B). Created in partnership with the local districts, the instrument included 24 questions designed to elicit detailed information on financial exploitation incidents, case characteristics and outcomes, and fiscal impacts. As shown in Table 2, the extent of information gathered on each case varied by case status.

*Full Referral Sample:* For all referrals included in the case review component, workers identified referral source(s) and provided basic information on the alleged victim (referred to here as the client). This included demographic information, as well as the worker's perceptions of the client's overall health, vulnerabilities, and daily functioning. To assess the fiscal impacts associated with serving each referral, workers answered a series of questions about the types of agencies, including APS and other community-based providers, involved in the investigation, assessment, and management of the client's needs. Workers also documented whether clients were connected to public

benefits. Costs were documented for all cases, regardless of verification status (see definition below), as service provision was based on need, not cause.

*Verified Case Sample:* While all cases in the case review component included allegations of financial exploitation at APS intake, evidence supporting the alleged exploitation may or may not have been found during the investigation process. Consequently, workers were only asked to provide specific information regarding the nature of the alleged exploitation, the identity of the perpetrator, and the nature and value of the assets taken when sufficient evidence existed that the alleged exploitation had indeed occurred. Unlike other states, New York State does not make a formal determination of the allegations included in an adult protective investigation.

Thus, for the purposes of the current study, a financial exploitation case was labeled as “verified” when a worker concluded, based on his/her professional expertise that exploitation had occurred. For verified cases, workers also indicated whether or not the client appeared to understand what had happened to him/her and whether the exploitation had resulted in a set list of individual (e.g., bankruptcy, eviction) and system level (e.g., guardianship referral to law enforcement, civil suit, etc.) outcomes.

**Table 2. Data Elements Collected from Case File Reviews**

	All Cases	Verified Cases Only
Case Characteristics		
Referral source	√	
Client demographics	√	
Client health and daily living needs	√	
Alleged perpetrator		√
Exploitation method		√
Type of assets taken		√
Case Outcomes		
Victim Impact		√
Legal Action	√	
Fiscal Impacts		
Service agency costs related to investigation, assessment, and case management	√	
New or additional public benefits	√	
Victim losses/ value of stolen assets		√

### Measuring Costs and Victim Losses

In keeping with the Elder Justice Roadmap’s call for better data collection tools specific to financial exploitation, case review items were specifically designed to capture detailed information on fiscal costs. Noting that prior research has tended to lump all types of fiscal impacts into a single cost figure, workers were asked to break out

costs/losses associated with financial exploitation in relation to three distinct categories: service agency costs, public benefit costs, and victim losses.

*Service Agency Costs:* In New York State, APS staff are responsible for receiving and investigating referrals, interviewing clients and collaterals to determine eligibility for services, and assessing client risks. If necessary, APS must develop service plans to address identified risks. Services may be provided directly by APS or other community-based agencies and often include the following:

- Referral for medical and/or mental health examination and the provision of ongoing care;
- Assistance in obtaining benefits, such as Medicaid;
- Assistance in obtaining safety net benefits, food stamps, Home Energy Assistance Program (HEAP) and other utility benefits, Supplemental Security Income (SSI) or Social Security Disability Benefits;
- Assistance with applications for payment of rental and utility arrears;
- Identification and provision of alternative living arrangements and/or emergency APS temporary housing placements;
- Provision of homemaker, housekeeper/chore and/or heavy duty cleaning services;
- Informal financial management (assistance with bill payment, check writing) or formal financial management of SSI or Social Security Benefits;
- Filing of court petition for appointment of guardian to manage personal and/or financial/property affairs;
- Advocacy and assistance in arranging for legal services to assure access to rights and entitlements; and
- Referral to police/sheriff/district attorney.

To document the costs incurred as a result of investigation, assessment and/or service plan activities, APS offices relied on both APS case records and documentation obtained from other involved agencies. Partnering agencies were asked to provide detailed accountings of staff hours and hourly wages. To promote sharing of cost information across agencies, the OCFS research team sent letters explaining the study to the Elder Abuse subcommittee of the District Attorneys Association of the State of New York, the New York State Police, the New York State Department of Health, the New York State Office for the Aging, and the New York State Office of Temporary and Disability Services. In 97 percent of referrals, partnering agencies were able to provide a detailed accounting of the costs incurred.

Table 3 provides an example of how service agency costs were determined in a sample case involving the misuse of power of attorney. As shown below, APS, law enforcement, the District Attorney's Office, and Legal Aid Services were all involved in the investigation and assessment of the case. APS estimated that approximately 100 hours were devoted to the case at an agency cost of \$26 per hour, for a total APS price

tag of \$2,600. Similar calculations were then done based on information shared by each of the three remaining agencies, resulting in a total agency cost of \$11,550.

**Table 3. Sample calculation for determining service agency costs**

Agency	Estimated Worker Hours	Hourly Rate	Agency Cost
APS	100	\$26	\$2,600
Law Enforcement	100	\$40	\$4,000
District Attorney's Office	30	\$40	\$1,200
Legal Aid Services	50	\$75	\$3,750
<b>Total</b>			<b>\$11,550</b>

*Public Benefit Costs:* In addition to service agency costs, APS workers were asked to track how often clients were connected to new or additional public benefits (e.g., Medicaid, Medicare, public assistance, etc.). If new or additional benefits were received, workers were asked to record the benefit type and monthly value. Valuation of these costs was limited to the benefit received by the client, as staff time devoted to assisting clients with application paperwork was captured under service agency costs.

For example, a woman in her 80s who previously had sufficient funds to pay for round-the-clock aides at home, became impoverished after her daughter took more than \$160,000 from her accounts. Unable to continue to pay for her care, the woman was moved to a nursing home and enrolled in Medicaid. Her monthly Medicaid benefit was \$3,200 a month and was recorded as a public benefit expense.

*Victim Losses:* The third and final category of fiscal information gathered focused on the items and assets taken from verified victims. Here the word 'loss', rather than 'cost', is deliberately used to emphasize that these figures refer to resources taken directly from the vulnerable adult. As noted above, workers only provided victim losses for verified cases. When the value of a given item was not readily known, workers were asked to provide a detailed description of the stolen item, such as the make and model of a vehicle or the address of the property signed over. The value of these items was then estimated, using reliable websites such as Kelly Blue Book, Property Assessment Directory and Zillow.

## **Analytical Approach**

In addition to documenting the actual costs/losses reported in the case review component, several steps were taken to estimate the magnitude of fiscal impacts on a broader scale. As described in detail in the upcoming results chapters, case review records were used to extrapolate both district and statewide impacts. In the absence of comprehensive records detailing every APS referral and verified financial exploitation case served across the state, these exploratory analyses provide insight to how large the price tag surrounding financial exploitation in New York State may be.

## **Chapter 3: The New York State Cost of Financial Exploitation Study: Case Characteristics**

Study results are presented in two chapters. This chapter describes types of financial exploitation cases referred to APS offices, as well as the characteristics of verified cases. Fiscal impacts documented as part of the case study review and the statewide estimates generated from these findings are described in Chapter 4.

### **Sample**

Participating districts identified and coded a total of 928 APS referrals involving allegations of financial exploitation during the 12-month study. Prior case review studies, like those conducted in Utah, included a substantially smaller number of APS referrals. Thus, the current study marks a notable contribution to the financial exploitation literature and provides a more comprehensive base for exploring costs than available in the past. A table detailing the number of cases coded by each individual district can be found in Appendix C.

### **Referral Sources**

The most common sources for financial exploitation referrals were family members (23 percent) and banks or other fiduciaries (21 percent). In addition, 18 percent of referred cases came from health providers, including home care agencies, hospitals, mental health agencies, and others. Consistent with past research on elder abuse that found elders rarely report their own victimization (Hafemeister, 2003), only two percent of financial exploitation referrals were initiated by the client. While the majority of referrals were initiated by a single source, 42 cases (4.5 percent) were brought to the attention of APS by multiple sources.

**Table 4. Sources of APS referrals\***

	#	%
Family member	212	23%
Bank/Fiduciary	193	21%
Social service agency	72	8%
Home care agency	57	6%
Other health care provider	50	5%
Friend/non-relative	46	5%
Hospital	40	4%
Law enforcement	40	4%
Anonymous	33	4%
Aging network	32	3%
Mental health agency	29	3%
Self-referral	23	2%
LDSS	19	2%
Neighbor	16	2%
Caregiver, non-agency	4	0.4%
Other	103	11%
Unknown	4	0.4%

\* Total percentage adds to more than 100% as more than one source may have been coded for each referral.

### Client Age, Sex, and Race/Ethnicity

As shown in Table 5, clients named in financial exploitation referrals tended to be over age 60, female and white. Nineteen percent of alleged victims were between the ages of 18 and 59.

**Table 5. Demographic characteristics of clients named in financial exploitation referrals**

	#	%
<b>Age at referral</b>		
18-59	180	19%
60 to 69	125	14%
70 to 79	198	21%
80 to 89	270	29%
90 or above	101	11%
Unknown	54	6%
Mean / median		72 / 76
<b>Gender</b>		
Female	568	61%
Male	360	39%
<b>Race/Ethnicity</b>		
White	609	66%
Black	139	15%
Hispanic	44	5%

Other	12	1%
Unknown	124	13%

### Client Health and Functioning

In 76 percent of referrals received, APS workers reported that the client had at least one serious health impairment. The most frequent health concern noted was a physical impairment (49 percent), followed by mental impairment (36 percent) and dementia (30 percent). A modest percentage of referrals (11 percent) involved clients with signs of both mental impairment and dementia, bringing the total percentage of referrals involving any type of cognitive concern to 54 percent.

At the time of APS intake, clients were also experiencing a range of co-occurring problems that supported the need for APS involvement. An inability to manage personal finances (32 percent) was most common, followed by neglect by others (14 percent) or self (11 percent).

**Table 6. Health status and daily functioning of clients named in financial exploitation referrals**

	#	%
Health concerns*		
Physical impairment	451	49%
Mental impairment	329	36%
Signs of dementia	274	30%
Drug or other substance abuse	66	7%
Had one or more of the four concerns above	705	76%
Had mental impairment and/or dementia	501	54%
Co-occurring problems*		
Unable to manage finances	301	32%



Neglect by others	128	14%
Neglect own basic needs	100	11%
Environmental hazards	77	8%
Self-endangering behaviors	74	8%
Psychological abuse	65	7%
Untreated medical conditions	58	6%
Physical abuse	37	4%
Sexual abuse	1	0.1%
Other	34	4%

\* Total percentage adds to more than 100% as more than one issue may have been coded for each referral.

In addition, 58 percent of referrals involved a client who routinely required assistance in at least one daily activity.

**Table 7. Daily activity assistance needs\***

Needs	#	%
Shopping	394	42%
Transportation	382	41%
Laundry	351	38%
Prepare meals	338	36%
Medication management	305	33%
Toileting	125	13%
Transferring from/to bed or chair	113	12%
Other (e.g., clients in 24-hr facility)	88	9%

\* Total percentage adds to more than 100% as more than one need may have been coded for each referral.

### Verified Cases

Consistent with substantiation rates reported in other states that utilize a formal determination process (Teaster et al., 2007), workers verified the occurrence of the alleged exploitation in 479, or 52 percent, of received referrals. Verified cases differed significantly from unverified cases on several client characteristics and risks, including:

- Client age (73 years vs. 70 years)
- Client race (19 percent Black vs. 11 percent Black)
- Physical impairments (54 percent vs. 43 percent)
- Dementia (34 percent vs. 24 percent)
- Inability to manage finances (36 percent vs. 29 percent)
- Neglect by others (17 percent vs. 10 percent)

In addition, verified referrals were more likely than unverified referrals to include clients with daily living assistance needs, such as:

- Shopping (47 percent vs. 38 percent)
- Transportation (44 percent vs. 38 percent)
- Laundry (43 percent vs. 33 percent)
- Meal preparation (41 percent vs. 31 percent)

### Perpetrators

Consistent with past research, victims often had a close relationship with their perpetrator. Family members were identified as perpetrators in 67 percent of verified cases, and perpetrators were reported to be living with their victim in 35 percent of cases. Approximately 18 percent of verified cases had perpetrators who fell in the “other” category, which included such roles as bank manager, handyman, phone/email

scammer, and neighbors. In 16 percent of verified cases, more than one perpetrator was identified.

**Table 8. Relationship of perpetrator to client in verified cases**

	#	%
Family member	321	67%
Adult child	172	36%
Other family member	89	19%
Adult grandchild	34	7%
Spouse/partner	21	4%
Child under age 18	5	1%
Friend/non-relative	95	20%
Home health or personal care aide	18	4%
Other	85	18%
Unknown	25	5%

\* Total percentage adds to more than 100% as more than one perpetrator may have been coded for each referral.

Perpetrators did not fit into any single demographic category, with age and gender varying across verified cases. Relatively few cases had perpetrators who were known to have a drug abuse problem (15 percent), alcohol abuse problem (10 percent), or mental illness (10 percent).

### Financial Exploitation Method

A wide variety of methods were used to exploit victims, and in 33 percent of verified cases multiple methods were used. Misappropriation of funds (use of funds or property for unauthorized purposes) was documented in 26 percent of verified cases, followed by larceny, coercion, power of attorney abuse, and false pretenses in 14 percent to 16 percent of cases.

**Table 9. Method of exploitation**

	#	%
Misappropriated funds	124	26%
Larceny	79	16%
Coercion	73	15%
Power of attorney abuse	72	15%
False pretense	69	14%
Forgery	42	9%
Scam	38	8%
Fraud	29	6%
Denial of access to assets	21	4%
Embezzlement	19	4%
Extortion	16	3%
Falsifying records	14	3%
Coerced property transfer	11	2%
Identity fraud	9	2%
Conspiracy	4	1%
Other (e.g., non-payment of money owed, took without permission)	86	18%

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\* Total adds to more than 100% because multiple methods were used in 33% of cases.

## **Victim Impacts**

Many victims in verified cases were perceived by their caseworkers as being largely unaware of their mistreatment. Victims were rated as having no understanding in 21 percent of referrals and partial understanding in 29 percent. In addition, financial exploitation was associated with a wide range of negative outcomes for the victims, including emotional pain (29 percent), financial impoverishment (19 percent), guardianship (nine percent), and health concerns (six percent) and eviction (four percent). Only five percent of victims had stolen items or funds partially or fully returned to them.

## **Legal Outcomes**

Caseworkers also reported on whether clients were referred to law enforcement and if subsequent criminal or civil legal actions were taken. Twenty-six percent of all APS referrals were referred to law enforcement officials. In 24 percent of referrals, caseworkers were aware that criminal action was initiated, and in seven percent of referrals they indicated that civil action had been taken. Outcomes of these referrals were generally unknown but in three percent of referrals (n=23) workers indicated that the perpetrator had been prosecuted or convicted. In only one percent of referrals (n=7) were workers aware of a favorable finding as a result of civil action.

## **Status of Case**

Districts were asked to briefly describe the current status of the case at the time of submittal. This was a narrative response rather than a selection among predetermined responses. While this makes the reporting of the collective responses somewhat more challenging, the intention was to provide an opportunity for an open-ended response by the districts. The responses provide important information about the cases submitted under this study.

Some clear categories of responses were:

- Financial exploitation verified, but victim refused to press charges;
- Case remains open for investigation/services;
- Financial exploitation not verified, no other abuse/neglect found; APS case closed;
- Guardian appointed or in process;
- Order of protection issued against perpetrator;
- Representative payee appointed or in process;
- Perpetrator arrested and/or convicted;
- Restitution/reimbursement made to victim or in process;

- Financial exploitation verified by APS and referral made to law enforcement, but no arrest/prosecution.<sup>5</sup>

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<sup>5</sup> See Appendix J for cases from this study illustrating these categories of responses.

## **Chapter 4: The New York State Cost of Financial Exploitation Study: Fiscal Costs**

The fiscal impacts associated with financial exploitation referrals and verified cases are displayed in the sections that follow. Detailed information on individual districts' costs/losses can be found in the technical appendices (Appendices D to I).

### **Levels of Fiscal Analysis**

To provide a comprehensive picture of fiscal impacts associated with financial exploitation, information on the monetary value of service agency costs, public benefits and victim losses are presented at three levels. The methods used to determine costs occurring at each level are described below.

*Documented Costs/Losses:* At the lowest level, service agency costs, public benefits, and victim losses were calculated using the information recorded in the case review. For ease of presentation, these figures are labeled “documented” costs/losses, as they represent actual, reported fiscal consequences.

*Adjusted Costs/Losses:* Eleven of the 31 participating districts lacked the resources to complete case review instruments on every financial exploitation referral received during the study period. Thus, documented costs capture only a portion of the expenditures triggered by financial exploitation referrals in these areas. To address this gap, an adjusted cost/loss estimate was calculated to reflect the full 31-county picture. This was achieved by adjusting a district's documented costs to capture the proportion of cases omitted during the sampling process. For example, Erie County coded one out of every 10 financial exploitation referrals received. Erie's documented costs were therefore multiplied by 10 to estimate the total public expenditure bill. The adjusted estimates for the 12 districts employing sampling procedures were added to the documented costs in the remaining 20 participating districts to create an adjusted cost/loss estimate for the 31-district sample.

*Statewide Estimates:* Twenty-six of the 58 New York State districts did not participate in the OCFS study. Estimates of the potential costs incurred as a result of financial exploitation referrals in these districts were therefore generated using a matching process. Using Census Bureau data (U.S. Census Bureau: State and County QuickFacts 2013 estimate), each non-participating county was matched to a participating county based on four factors:

- Total number of county residents
- Population age
- Population race/ethnicity
- Median household income.

The costs/losses in each non-participating county (NPC) were then set to mirror the costs/losses documented in the participating county (PC) they most resembled, using the following formula.

$$\text{PC Costs} * (\# \text{ NPC Referrals} / \# \text{ of PC Referrals}) = \text{NPC Costs}$$

For example, Allegany had 10 financial exploitation referrals during the study window, but provided no data. A review of the county-level profiles suggested that the demographics of Allegany County were similar to those of Cortland County. Cortland County did participate in the case review and had documented service agency costs of \$3,059 spread across 21 APS referrals. Plugging these numbers into the formula above produced an estimate of \$1,457 in service agency costs for Allegany County.

### **Service Agency Costs**

APS workers investigated each of the 928 referrals included in the study sample, and were able to provide monetary estimates of the service agency costs accrued by APS and other responding agencies in 844, or 91 percent, of all referrals. In addition to APS services, 33 percent (n=306) of referrals had involvement with other governmental agencies and community-based service programs. As shown in Table 10, referrals touched many types of agencies, with no one additional service type predominating. After APS, involvement with law enforcement agencies was most common at 21 percent of referrals, followed by legal services (seven percent) and district attorney's offices (six percent). Medical, mental health and financial service providers were involved in less than five percent of referrals.

As anticipated, service agency expenditures were high, with nearly \$1.2 million devoted to investigation, assessment, and other related activities within the case review sample. At \$541,854, APS costs accounted for approximately 46 percent of all documented agency expenditures. The remaining \$641,810 was divided across multiple agencies, with medical and health-related services accounting for a substantial proportion of service agency costs, despite the relatively modest percentage of referrals involved with these agencies. Adjusting for missing cases increased the total service agency cost within the 31 participating districts to an estimated \$5,078,154. Finally, had data been collected on all referrals across the state for the 12-month observation period, our estimates suggest that over \$6.2 million in new agency expenses would have been incurred as a result of financial exploitation referrals.

**Table 10. Documented, adjusted and statewide estimates of agency-related costs by service category**

Local agencies	Case Review Sample n=928		Documented Sample Costs	Adjusted Sample Costs	Statewide Estimate
	# Referrals Served	%			
Adults Protective Services	841	91%	\$541,854	\$2,767,698	\$2,966,272
Law Enforcement	199	21%	\$50,371	\$94,477	\$115,727
Legal Intervention (incl. DSS/County Legal staff)	65	7%	\$47,407	\$144,687	\$154,895
District Attorney	59	6%	\$37,843	\$183,543	\$187,259
Mental Health Services	35	4%	\$42,487	\$360,390	\$384,522
Medical Services (hospital, physician, etc.)	32	3%	\$159,631	\$387,465	\$661,560
Financial Management (non APS)	24	3%	\$18,012	\$52,829	\$62,183
Home Health or Personal Care Aide	16	2%	\$70,718	\$280,088	\$304,675
Shelter/Housing for perpetrator	10	1%	\$16,672	\$52,520	\$65,465
Local Office for the Aging	9	1%	\$1,610	\$2,730	\$4,054
Other Title XX Services	8	1%	\$3,920	\$3,920	\$3,920
Department of Correction – Cost of Incarcerating Perpetrator	7	1%	\$36,587	\$36,857	\$36,857
Homemaker	4	0.4%	\$15,918	\$15,918	\$16,539
Shelter/Housing for client	2	0.2%	\$4,000	\$22,000	\$22,000
Other (e.g., aid in accessing IRA money, bank, etc.)	92	10%	\$136,635	\$673,032	\$1,294,301
<b>All Agency Services</b>			<b>\$1,183,664</b>	<b>\$5,078,154</b>	<b>\$6,280,229</b>

**Public Benefit Costs**

In addition to agency services, 117, or 13 percent, of the 928 referrals included in the case review study received new or additional public benefits following their referral to APS. As shown in Table 11, food stamps or Supplemental Nutrition Assistance Program (SNAP) benefits and Medicaid/Medicare coverage were the most common types of benefits received, while health and housing-related benefits were some of the most costly. The overall cost of these additional benefits was comparable to documented service agency costs, with nearly \$1.2 million accrued across the 928 referrals.



Although not shown in Table 11, verified cases were associated with the greatest public burden, accounting for \$1,067,391, or 89 percent, of all documented costs. When missing referrals were taken into account, the adjusted costs incurred within the 31 participating counties rose substantially to \$7,549,976. Finally, extrapolating costs to the statewide level brought the cost of additional public benefits to an estimated \$8,272,554.

**Table 11. Documented, adjusted & statewide estimates of public benefit costs by category**

Benefits / Services	Case Review Sample n=928		Documented Sample Costs	Adjusted Sample Costs	Statewide Estimate
	# Referrals Served	%			
Medicare (Parts A, B, C, & D)	35	3.7%	\$12,252	\$122,520	\$122,520
SNAP (food stamps)	31	3.3%	\$35,318	\$60,896	\$118,009
Medicaid	27	2.9%	\$270,495	\$350,695	\$688,922
HEAP	16	1.7%	\$13,600	\$32,125	\$41,896
Rent Subsidy	16	1.7%	\$43,508	\$365,672	\$375,332
Public assistance	15	1.6%	\$575,652	\$5,353,390	\$5,359,405
Placement in Residential Facility/Shelter	15	1.6%	\$133,160	\$339,080	\$531,253
Home Delivered Meals (e.g., meals on wheels)	8	0.9%	\$12,138	\$48,714	\$97,191
Other (e.g., adult service fund, fuel fund, etc.)	28	3.1%	\$102,143	\$876,884	\$938,025
<b>All Benefit Programs</b>			<b>\$1,198,266</b>	<b>\$7,549,976</b>	<b>\$8,272,554</b>

### Victim Losses

Twenty-seven percent of verified cases involved repeated incidents of exploitation, and in 16 percent of cases multiple items were taken. As seen in Table 12, victim losses far outpaced service agency and public benefit costs. Across the 479 verified cases, over \$24 million was reported in lost assets. The most common loss was monetary, with 42 percent of verified cases reporting cash losses of nearly \$8 million. Misuse of personal checks, ATM transactions, and credit cards were also common and expensive, resulting in combined losses of over \$6.5 million. Theft of real estate occurred in only seven percent of verified cases but represented a substantial fiscal loss at \$5.6 million. Adjusting these figures produced a loss of over \$90 million dollars for participating districts and a statewide estimate of \$109,048,214.

**Table 12. Documented, adjusted & statewide estimates of victim losses by asset type**

Asset Type	Case Review Sample n=479		Documented Sample Losses	Adjusted Sample Losses	Statewide Estimate
	# Referrals Involved	%			
Cash	202	42%	\$7,784,823	\$25,306,249	\$27,855,204
Misuse of personal checks	113	24%	\$3,327,816	\$13,874,939	\$15,498,790
Bank ATM Transaction	98	20%	\$2,445,950	\$10,245,549	\$11,237,150
Benefit check	84	18%	\$504,025	\$3,873,925	\$4,024,035
Credit card	44	9%	\$765,715	\$2,990,849	\$3,094,354
Real estate	32	7%	\$5,660,112	\$15,914,612	\$23,987,977
Automobile / boat	28	6%	\$370,611	\$997,977	\$1,102,609
Personal property (i.e., jewelry, etc.)	13	3%	\$252,300	\$1,157,800	\$1,163,313
Stocks, bonds	12	3%	\$1,291,782	\$6,885,782	\$7,865,175
Document (i.e., deed, last will/testament)	8	2%	\$483,135	\$3,621,170	\$4,337,299
Other (i.e., not making payment, utility, household item, etc.)	66	14%	\$2,023,018	\$6,060,965	\$8,882,307
<b>Total</b>			<b>\$24,909,287</b>	<b>\$90,929,817</b>	<b>\$109,048,214</b>

### Adjusting Victim Losses to Account for Unreported Cases

Research has repeatedly shown that incidents of financial exploitation frequently go unreported to APS and other authorities. While these incidents may not elicit a system response (and all service agency and public benefit costs associated with APS referrals), they can have very real, financially debilitating consequences for the vulnerable adults involved. To obtain an estimate of victim losses due to financial exploitation that are not reported to authorities, additional projections were made by applying the unreported rates to current research findings in participating study districts.

To estimate victim losses, a series of projection exercises similar to those used in the Utah case studies was undertaken. As noted previously, the financial exploitation literature has focused predominately on senior populations. Estimation analyses were therefore limited to financial exploitation referrals involving clients aged 60 and older. As shown in Table 13, a total of 1,628 financial exploitation cases involving clients over the age of 60 were brought to the attention of APS in the 31 participating counties. This number included referrals received by APS but not included as part of the case review study.

This baseline number was then multiplied by either 10 or 44 to estimate the full universe of both reported and unreported financial exploitation incidents. The selection of 10 and 44 as low and high-end multipliers mirrors the work done in Utah. The National Center on Elder Abuse (1998) estimated that only one out of every 10 financial exploitation incidents results in a referral to APS. Conversely, a 2011 study conducted in New York State (Lifespan et al., 2011) placed this ratio at closer to one in 44. Multiplying by these low- and high-end estimates suggests that somewhere between 16,280 and 71,632 financial exploitation cases involving seniors occurred within our 31 participating districts during the case review period.

**Table 13. Estimated number of financial exploitation cases in participating counties if both reported and unreported incidents were detected**

	<b>APS Reports</b>	<b>Estimated ratio of reported to unreported cases</b>	<b>Estimated universe of all financial exploitation cases</b>
Low-End Estimate	1,628	1 to 10	16,280
High-End Estimate	1,628	1 to 44	71,632

Next, the research team estimated how many of these cases would have incurred verifiable victim losses. In the case review study, 54 percent of APS referrals involving seniors had acts of financial exploitation verified by the caseworker. Consequently, it was assumed that 54 percent of full universe cases would also result in verified victim losses. Each verified case was then assigned a fiscal value. Close examination of documented losses in the case review sample revealed considerable variability in the magnitude of the money/assets taken, with losses ranging from \$17 to \$1 million.

To create a balanced picture of how costs might be distributed in the full universe of reported and unreported cases, verified cases were ranked from lowest to highest on documented losses and then divided into four equally-sized groups, or quartiles. The average loss observed within each quartile was then calculated. Full universe cases were then distributed equally across these quartiles and assigned a value equal to the average loss for that quartile. Estimated victim losses were then calculated using the following formula: Estimated Incidents x Verification Rate x Average Loss.

As shown in Table 14, findings suggest that within the 31 participating districts the total monetary value of assets taken from seniors within a single 12-month period may have ranged from a low of \$352 million to a high of \$1.5 billion.

**Table 14: Low and high end estimates of victim losses in participating districts assuming 100% reporting**

	<b>Estimated # of Incidents</b>	<b>Verification Rate</b>	<b>Average Loss</b>	<b>Estimated Victim Losses</b>
<b>Low End Estimate (n=16,280)</b>				
Quartile 1	4,070	54%	\$307	\$674,724.60
Quartile 2	4,070	54%	\$3,034	\$6,668,125.20
Quartile 3	4,070	54%	\$17,341	\$38,112,049.80
Quartile 4	4,070	54%	\$139,306	\$306,166,726.80
<b>Total Cost</b>				<b>\$351,621,626.40</b>
<b>High End Estimate (n=71,632)</b>				
Quartile 1	17,908	54%	\$307	\$2,968,788.24
Quartile 2	17,908	54%	\$3,034	\$29,339,750.88
Quartile 3	17,908	54%	\$17,341	\$167,693,019.12
Quartile 4	17,908	54%	\$139,306	\$1,347,133,597.92
<b>Total Cost</b>				<b>\$1,547,135,156.16</b>

## Summary

The current study makes several significant contributions to the existing financial exploitation literature. First, unlike earlier studies relying on modest sample sizes, the New York State Cost of Financial Exploitation Study identified and coded over 900 APS financial exploitation referrals to generate a rich array of information on multiple types of fiscal impacts. These referrals provide a solid base for exploring individual and community losses. As shown in the summary table above, incidents of financial exploitation represent a substantial personal and public burden. Within a single 12-month period, known incidents of financial exploitation cost New York State citizens and communities between \$27.3 and \$124 million in personal losses and public expenditures. Moreover, exploratory analyses aimed at capturing unreported cases suggest that prior efforts to quantify victim losses may have grossly underestimated the magnitude of losses experienced by financial exploitation victims.

As noted previously, MetLife (The MetLife Mature Market Institute, 2009; 2011) estimated victim losses nationwide to be around \$2.9 billion. In the current study, estimated annual losses for seniors in a subsample of New York State districts fell between \$352 million to \$1.5 billion, suggesting the national total may be substantially higher than previously estimated.

**Table 15: Documented and estimated fiscal impacts of financial exploitation in New York State**

	<b>Documented Costs</b>	<b>Adjusted Costs</b>	<b>Statewide Estimate</b>
Financial exploitation referrals received by APS			
Service agency costs	\$1,183,664	\$5,078,154	\$6,280,230
Public benefit costs	\$1,198,266	\$7,549,976	\$8,272,554
Victim losses	\$24,909,287	\$90,929,817	\$109,048,214
<b>Total Costs/Losses</b>	<b>\$27,291,217</b>	<b>\$103,557,947</b>	<b>\$123,600,998</b>
Victim losses in financial exploitation events involving seniors (including reported & unreported cases)			
Low-end estimate		\$351,621,626	
High-end estimate		\$1,547,135,156	

## Chapter 5: Conclusions and Recommendations

This study, based upon a review of 928 APS cases in New York State, has provided important new baseline data about the costs of financial exploitation of vulnerable adults including:

- The cost to APS and other agencies of investigation, assessment and other activities resulting from financial exploitation;
- The cost of providing new and additional public benefits and services to APS victims as a result of financial exploitation;
- The cost of funds and other property stolen.

The study's estimate of costs of victim losses (as much as \$1.5 billion annually in New York State alone) is significant because it strongly suggests that the national cost of financial exploitation of vulnerable adults is much higher than estimated in most previous reports.

In 2008, the *MetLife Study of Elder Financial Abuse* estimated (through a media and literature review) that the annual financial loss by victims of elder financial abuse nationally was at least \$2.6 billion annually. In 2011, MetLife updated its estimate to a national cost of at least \$2.9 billion. This estimate of \$2.9 billion as the national cost of financial exploitation is still widely cited by the media, as well as by the National Center on Elder Abuse and the U.S. Department of Justice. The New York State Cost of Financial Exploitation Study, based on a review of actual APS cases rather than a media and literature review, strongly suggests that the national annual cost of financial exploitation of vulnerable adults is far greater than previously reported.

This study has also provided key new baseline information about the characteristics of victims and perpetrators of financial exploitation of vulnerable adults, and about outcomes following a referral to APS.

It is hoped that the data will serve to enlarge the body of knowledge in New York State and elsewhere about the costs of financial exploitation, the characteristics of victims and perpetrators and case outcomes. We also hope that data will serve to inform future decisions to be made about allocation of resources for prevention and intervention in such cases.

The following Recommendations for Next Steps, based on this study, include enhancement of efforts to recognize, prevent and report financial exploitation of vulnerable adults, and to intervene to protect victims and address the actions of perpetrators.

*1. Additional research studies on the fiscal impacts of financial exploitation in New York State and nationwide are needed.*

Many of the fiscal consequences presented in the current study are exploratory estimates that merit further testing. Despite an impressive sample size, not all eligible referrals within participating districts were coded and selected cases represent a single window of time. It is therefore possible that documented costs would be greater, or less, than adjusted estimates suggest, had a broader array of cases and timeframes been included. Similarly, statewide estimates assume that the county matching criteria used were sufficient to identify districts with similar types of financial exploitation incidents and system responses. However, districts were not matched on several potentially influential variables, such as size and nature of the vulnerable adult population, community culture, and service infrastructure. It is therefore likely that the prevalence and magnitude of financial exploitation incidents may have differed substantially across matched counties, altering costs. Future research should seek to address these limitations.

*2. Existing state data collection systems should be expanded to include standardized fields for reporting financial exploitation elements and costs.*

It is important that the types of information collected for this study on the costs of financial exploitation, demographic characteristics, and outcomes not be a one-time-only event, but a baseline for future reporting. It is important to look for ways to incorporate this type of reporting into existing APS systems and to encourage other systems to collect similar information. To do this, APS and its partners need better tools to help organize the collection and review of financial documents.

New York State has already begun this work, using funds from a recent U.S. Administration for Community Living grant received as part of the State Grants to Enhance Adult Protective Services program. OCFS intends to use grant funds to:

- Develop a new forensic tool in conjunction with a forensic accountant/financial fraud expert to assist local APS in the collection, organization and review of financial documents as part of an APS financial exploitation investigation.
- Provide APS with access to a forensic accountant/financial fraud expert to assist in the analysis of complex financial exploitation cases for use in potential criminal and/or civil proceedings or otherwise to document the financial exploitation.
- Enhance the APS case recording and reporting systems in New York State (OCFS's ASAP.Net and NYC's APS.Net) to incorporate new reportable data fields to capture the costs of financial exploitation; key victim and perpetrator characteristics and case outcomes, as well as to conform to the National Adult Maltreatment Reporting System, the new federal data system for APS.

*3. Training opportunities for APS workers should be expanded.*

The fact that 49 percent of study referrals included clients with physical impairments and 54 percent of referrals included clients with mental impairments and/or dementia points out the need for continued and enhanced training for APS workers and other investigators on the characteristics of these populations and how best to interview and serve such persons. Similarly, the fact that at least 20 percent of referrals included clients identified as black or Hispanic indicates a need for APS workers and other service providers to have additional training on diversity/cultural competency issues.

#### *4. Expand the use of Multidisciplinary teams.*

As study findings demonstrate, financial exploitation has devastating effects on individuals and communities. New approaches to preventing, assessing, and serving vulnerable adults are needed to decrease incidents and improve service delivery for those impacted. Multidisciplinary teams are a promising approach that has been shown to result in better protection of vulnerable adults, more prosecutions, and more civil actions.

OCFS is a state partner with the New York State Office for the Aging in the Elder Abuse Prevention Interventions grant funded by the U.S. Administration for Community Living to establish and operate Enhanced Multidisciplinary Teams (E-MDTs) in Manhattan and the Finger Lakes region, focusing on prevention and intervention in cases of financial exploitation of vulnerable elderly persons.

OCFS encourages and promotes the development of multidisciplinary teams focusing on suspected abuse, neglect and financial exploitation of vulnerable adults across the state, sharing resources and best practices. Promotion of such MDTs is a frequent theme of OCFS trainings.

#### *5. Encourage victims to seek help*

The fact that family members or spouses/partners were named as perpetrators in over 60 percent of APS referrals, and that many victims refuse to press charges against such perpetrators, suggests the need for creative approaches to stop the financial exploitation (and other abuse or neglect that may be co-occurring) and to provide alternatives to incarceration that may encourage victims to seek help for family perpetrators and at the same time stop the financial exploitation and other abuse.

#### *6. Encourage additional training resources for law enforcement*

Many of the cases referred by APS to law enforcement do not result in arrest or prosecution, demonstrating a need for additional training and resources for police, sheriffs and prosecutors on financial crimes against vulnerable adults.

#### *7. Encourage additional training resources for financial institutions and fiduciaries.*



The OCFS Bureau of Adult Services has developed, arranged, and presented, often with other state and local partners, and in conjunction with associations of financial professionals, several trainings of financial professionals on the topic of recognition, prevention, and reporting of financial exploitation of vulnerable adults (see Appendix A.). However, more needs to be done to provide trainings of both financial institutions and of fiduciaries who are responsible for managing funds on behalf of their clients.

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## APPENDICES

### Appendix A: Adult Protective Services in New York State

#### *Overview:*

In New York State, APS is a state-mandated service provided by local departments of social services, also known as local social services districts (districts). These are county districts, except in New York City. The New York City Human Resources Administration (HRA) serves, with regard to APS, as the local district for the five boroughs of the city.

APS staff receive and investigate referrals, interview clients and collaterals to determine eligibility for services, assess client risks, develop services plans to address identified risks and, as appropriate, provide or arrange for the provision of protective services in accordance with the services plan. Where APS determines that a vulnerable adult is in danger due to lack of capacity, APS must seek an involuntary intervention to address the danger.

#### *Cases Reported to APS:*

The number of cases reported to APS in New York State has increased significantly over the years. The 2014 APS referral number (44,367) is an increase of over six percent since 2013 (41,775), an increase of over 31 percent since 2008 (33,833) and an increase of over 77 percent since 1997 (25,000).

NYC HRA reported in 2014 that 62 percent of its APS referrals were persons age 60 or older. For the Rest of State APS referrals, 66 percent were persons age 60 and older.

According to data of the Adult Services Automation Project (ASAP), the APS electronic case recording and reporting system for all districts outside of NYC, of the types of referrals made to APS, about 28.3 percent of all risks reported were for perpetrator-related risks. NYC HRA data shows this category comprising approximately 34 percent of all APS risks reported. Perpetrator-related risks are those that involve a perpetrator, and include:

- Physical abuse
- Sexual abuse
- Emotional abuse
- Financial exploitation
- Neglect by others

In 2014, ASAP data shows that category with the highest percentage of the perpetrator-related risks was Financial Exploitation (36.8 percent for all ages, i.e., 18 and older; 39.2 percent for clients age 60 and older).

The next highest percentage of perpetrator–related risk is neglect by others (31.1 percent for all ages; 32 percent for clients age 60 and older)

ASAP data for 2014 shows that approximately 71.7 percent of all risks reported to APS are for so–called “self-neglect” cases, involving no perpetrator. NYC HRA data shows this category comprised approximately 66 percent of all APS risks reported. ‘Self-neglect’ is defined as “an adult’s inability, due to physical and/or mental impairments, to perform tasks essential to caring for oneself, including but not limited to, providing essential food, clothing, shelter and medical care; obtaining goods and services necessary to maintain physical health, mental health, emotional well-being and general safety; or managing financial affairs.” SSL section 473 (6) (f).

#### *Financial exploitation cases reported to APS:*

New York State experienced a 35 percent increase in financial exploitation cases from 2011 (4,198) to 2014 (5,680). In 2014, financial exploitation risks were the highest percent of all perpetrator–related risks for both NYC (37 percent) and the rest of the state (36.8 percent).

#### *APS Eligibility Criteria:*

APS is provided to assist adults age 18 or older who:

- Because of mental or physical impairments;
- Are unable to manage their own resources, carry out the activities of daily living, or protect themselves from physical abuse, sexual abuse, emotional abuse, active, passive or self-neglect, financial exploitation or other hazardous situations without help from others; and
- Have no one available who is willing and able to assist them responsibly.

New York State Social Services Law (SSL) section 473, subdivision 1.

#### *Referrals to APS:*

Regulations define a “referral” as any written or verbal information provided to a district in which a specific person is identified as apparently in need of APS, or any verbal or written information provided to a district on behalf of an adult for whom the district determines that an APS investigation and assessment is necessary. 18 NYCRR 457.1(d).

In New York State, APS referrals are made directly to the local district. State guidance provides that an APS investigation must be initiated following a referral if the adult appears to be eligible or if eligibility cannot be ruled out based on the referral information.93 ADM 23.

As of this writing, New York State is the only state that does not have a system of mandatory reporting for APS-eligible individuals.

Upon receipt of a referral, APS must determine whether a life-threatening situation exists. If APS determines that a life-threatening situation exists, APS must commence an investigation as soon as possible but not later than 24 hours after receipt of the referral. If APS determines that a life-threatening situation does not exist, an investigation must commence within 72 hours and a visit must be made to the client within three working days. In New York State the law does not require that APS operate outside of normal working days and hours.

Intake documentation must be completed and a decision must be made, within three working days of the referral, whether the case should be assigned for further assessment. State policy provides that if there is any doubt about the adult's physical or mental capacity, and if the adult's needs or risk exceeds the ability of others who may be assisting, the referral should be accepted for assessment. PSA Intake, 93-ADM-23; 96- ADM-18.

After receipt of the APS referral, APS attempts to conduct a home visit to the adult believed to be in need of APS. If the person is not present, or if the person or someone else refuses to let APS into the house, APS must enlist the help of family members, friends, neighbors, law enforcement, and staff of other service providers as appropriate, for the purpose of persuading the person who may be in need of APS to permit AOS to complete the assessment of the person's need for such services. APS must make prompt and continuous efforts to gain access to the person and their residence in order to conduct such assessment. If access continues to be refused, APS is authorized to go to court and seek an order to gain access where APS, having reasonable cause to believe that a person may be in need of APS, is refused access by that person or another individual. Such order, if granted by the court, only authorizes APS to make an assessment of the person's needs for APS. It does not authorize any other involuntary action by APS.

*APS Assessment:*

APS has up to 60 days from the date of the referral to complete a comprehensive assessment of the client's situation. When conducting the assessment, an APS caseworker will review: the client's physical and mental health; living conditions; household budget and sources of income; status of rent/mortgage and utility payments. The caseworker will also evaluate whether there is evidence of: abuse, neglect (by others or self-neglect), financial exploitation, or other potential hazard. APS will also seek to determine whether there are others able and willing to assist the client. The worker will seek to interview the referral source, the client and others who may be able to provide important information (family, friends, neighbors, other service providers, among others).

Regulations require that the APS assessment includes information regarding:

- Source of referral
- Reason for referral
- Household composition
- Residence and living arrangements
- Income and resources
- Identification of significant other persons, such as family members and friends, and their willingness to assist the individual
- Identification of other agencies involved with the individual
- Assessment of problems and needs, and the names of agencies involved in the assessment
- Client-specific objectives to be achieved
- Services to be provided to obtain the objectives and names of the agencies providing the services
- Expected duration of the services
- Frequency of contact with the client
- Concurrence and acceptance of services or a notation that the client is involuntary
- In the case of a client who cannot or will not sign the application for services documentation as to why the worker is signing on behalf of the client
- Frequency of review of the services plan
- Progress evaluation at the time of review
- Changes made in the client's services plan as a result of the periodic reviews
- Signatures of worker and supervisor
- Such other information as the department shall require

18 NYCRR 457.2(B)

Additional information required by OCFS to be included in the assessment is as follows:

- Personal appearance indicators
- Factors indicative of physical or mental impairment
- Cognitive ability
- Limitations on the adult's ability to leave the home
- Incapacitating illness or condition
- Sources of medical and mental health information
- Client characteristics; actual or threatened harm; level of endangerment; adult's understanding of risk; willingness to accept assistance
- Abuse, neglect or exploitation by other person (suspected perpetrator)
- Ability and willingness of others to assist responsibly



Regulations provide that while an APS assessment is ongoing, APS must promptly and appropriately address any immediate needs of the client. 18 NYCRR 457.2(b)(4)(ii)

*Services Plan:*

Upon completion of the assessment APS must determine whether the person is eligible for APS and if so develop a services plan to meet the needs of the client. The services plan can include any of the following services to be provided or arranged by APS:

- Referral for medical and/or mental health examination and ongoing care;
- Assistance in obtaining benefits, such as Medicaid, home care;
- Assistance in obtaining Safety Net Benefits, SNAP (food stamps), HEAP and other utility benefits, Supplemental Security Income (SSI) or Social Security Disability Benefits;
- Applications for payment of rental and utility arrears;
- Identification of alternative living arrangements and/or emergency APS temporary housing placements;
- Providing homemaker and housekeeper/chore services in appropriate cases;
- Heavy duty cleaning services;
- Ongoing monitoring of safety and welfare;
- Informal financial management (assistance with bill payment, check writing)
- Financial management of SSI or Social Security Benefits through appointment of APS by the Social Security Administration as representative payee;
- Petitioning court for appointment of guardian to manage personal and/or financial/property affairs; and
- Providing advocacy and assistance in arranging for legal services to assure receipt of rights and entitlements due to adults at risk.

18 NYCRR 457.1(d)

*Progress Notes:*

Regulations require that APS staff record progress notes of case related activities in the case record. Progress notes must be recorded as soon as possible but no later than 30 days after the date of the event which required use of progress notes. The progress notes are in the form of narrative rather than reportable data elements.

*Adult's Right to Self-Determination:*

Adults are legally presumed to have the right to exercise free choice in making decisions affecting their lives. APS workers, when speaking with individuals being assessed for APS eligibility seek to determine whether such individuals can provide reasons for their choices, whether those choices have a basis in fact and reality, and whether the person can understand the consequences of his/her decision. A person with capacity can make their own decisions, even if someone else thinks such decisions are poor, or even harmful. Even where APS has a concern that a person faces danger

due to their apparent lack of capacity, APS cannot on its own authority remove the person from the dangerous situation or take any other involuntary action affecting a client. In such a case, APS must apply to a court or to another or to another person authorized by law to take involuntary action.

If the client has the capacity to make decisions and understand the consequences of such decisions, the client is free to accept or decline services offered by APS. It is important to understand that most APS clients – even those with some form of cognitive impairment – have the capacity to make informed decisions and to refuse offered services.

### *Involuntary Interventions:*

Regulations also provide, however, that when APS believes there is a serious threat to an adult's well-being and that the adult is incapable of making decisions on his or her own behalf because of mental impairment, APS has the responsibility to pursue appropriate legal interventions to protect the adult, even if on an involuntary basis. APS must employ the least restrictive intervention necessary to effectively protect the adult. 18 NYCRR 457.6(a)

Among the involuntary interventions that can be sought by APS are:

- Order to gain access: (Discussed above) SSL Section 473-C
- Short term involuntary protective services order: Authorizes APS to apply to court where an adult is imminent risk of death or serious physical harm, refuses services and is unable to understand the risk due to impairment. Permits involuntary emergency service such as removal to hospital; for a 72 hour period, subject to one renewal for an additional 72 hours.
- Application to police or mental health official for Involuntary Intervention under New York State Mental Hygiene Law (Mental Illness/Developmental Disability)
- Representative Payee: Appointment of APS or local district by Social Security Administration to handle SSI/Social Security Benefits for a person deemed by SSA to be unable to responsibly handle such funds. APS must serve as representative payee where needed and no one else is willing and able to do so. 18 NYCRR 457.5(C) (3)
- Guardianship: Appointment by a court to provide for personal needs and/or to manage the property and financial affairs of a person deemed incapacitated or in agreement with such appointment. APS must serve as the guardian of last resort for an APS-eligible client where guardianship is needed and no one else is willing and able to serve responsibly. 18 NYCRR 457.6 (c) (2)

In 2014, local districts in New York State served as guardians for 2,346 adult clients. This compares with 2,228 such guardianships reported in 2013.

OCFS has issued an Adult Services Practice Model, setting forth the agency's vision, mission, outcomes and values for adult services practice. This document states, with regard to involuntary services planning:

- A decision to seek involuntary action is not to be taken lightly.
- Use the least restrictive intervention necessary to effectively protect the client.
- Use community-based services rather than institution-based services where possible.
- Document information needed to justify the use of involuntary intervention.
- Do no harm. Inadequate or inappropriate interventions may be worse than no intervention.

#### *Contacting Police/Sheriff/District Attorney:*

New York State law provides that whenever an APS worker has a reason to believe a criminal offense has been committed against an APS client, the worker must report this information to the appropriate police or sheriff's department and to the district attorney when such office has requested such information be reported. SSL Section 473(5)

#### *Client Contacts:*

At a minimum, clients living in the community and in any of the situations set forth below must be visited by APS at least once every calendar month:

- When abuse, neglect or exploitation by another person is suspected or documented.
- When environmental conditions exist in the home which are a threat to the health and safety of the client; or
- When a client is homebound or when there is no other way to have face to face contact with the client without making a home visit.

In certain cases, these monthly visits can be delegated to the professional casework or social work staff of another agency.

For all other APS clients living in the community, APS staff must maintain at least face to face contact every calendar month and make a home visit at least once every three calendar months.18 NYCRR 457.5(B)

### *Standard APS Determinations:*

In New York State, APS must determine and document, among other things:

- Whether a person referred for APS meets APS eligibility criteria;
- Whether such person has one or more specific types of risks and needs included in the comprehensive assessment;
- Whether the client is a victim of abuse, neglect or exploitation by another person;
- Whether there is one or more suspected perpetrators of abuse, neglect and/or financial exploitation; If so, such perpetrator(s) must be identified;
- The services plan components that best meet the identified risks and needs of the client.

New York State law does not require that APS determine whether or not a referral allegation is “indicated” or “unfounded,” nor is similar terminology used. However, as noted above, any findings of abuse, neglect or financial exploitation must be documented and any suspected perpetrators must be identified.

When investigating a case, APS workers are trained to be alert for any type of possible abuse, neglect or exploitation, whether or not it was specifically included in the referral.

### *Verification of Financial Exploitation Used in the Current Study:*

The tracking of the rate of verification of finding of financial exploitation done for purposes of the study is outside of normal practice for APS in New York State, as were the findings as to the cost of financial exploitation, some of the elements of study of victim and perpetrator characteristics and outcomes data. OCFS does not normally track verification of APS referrals.

### *Potential APS Actions when Financial Exploitation of a Vulnerable Adult Client:*

This includes:

- Referral to police/sheriff/district attorney.
- Discussion with financial institution; request for documentation to assist investigation; request for potential actions such as; seeking a delay or freeze of transactions pending APS/law enforcement investigation: change accounts and/or ATM card; cancel ATM card; set up informal money management for client.
- Provision of more formal financial management services via representative payee for SSI/Social Security Funds or direct electronic payments.
- Seek information from agent under a power of attorney (POA) through a “15 Day Letter” demanding the POA document and all transactions the agent as entered into under the POA on behalf of the principal. If the agent fails to submit the documents to APS as requested, APS can commence a special proceeding in court to seek an order directing production of documents, as well as other relief

against the agent or enforcement of provisions of the POA. New York State General Obligations Law Sections 5-1505, 5-1510

- Filing a petition for guardianship of the person/and of property; can also include application for order to show cause for appointment of temporary guardian with power to protect assets pending the full guardianship hearing.
- Referral of complex financial exploitation cases to a multidisciplinary team and/or to a forensic accountant, where such resources are available, for assistance in the APS investigation.

#### *APS Training:*

Regulations require the following OCFS-sponsored trainings for APS staff:

- All workers who provide APS, including supervisors, must attend a Basic Training Program in APS. The New Worker Institute is an eight-day classroom training program covering the range of topics that new APS workers need. OCFS has also developed and put on its website an online APS New Worker Orientation Course that is recommended for new workers.
- All APS workers, including supervisors must attend trainings on the Legal Aspects of APS. These courses include such topics as Adult Guardianship; Investigation of Financial Exploitation; APS Case Management and Legal Liability; as well as an Annual Legal Aspects of APS Updates Teleconference.
- All APS supervisors must attend Fundamentals of APS Supervision Training.

OCFS also offers special topic classroom trainings and surveys local APS units for topics of most interest of them. Some current special topic offerings include: Buried Alive: Working Effectively with Compulsive Hoarders; Mental Health Assessment; and Aging with Chronic Mental Illness.

Among several recent new training offerings are the following:

- What Constitutes Success in an APS Financial Exploitation Case (Webinar)
- Domestic Violence Dynamics and Skills for APS Workers (Computer based training; developed in conjunction with New York State Office for Prevention of Domestic Violence)
- APS and Law Enforcement (Computer based training; developed in conjunction with New York State Division for Criminal Justice Services)
- Transitioning Youth: Successful collaboration Between Adult Services and Foster Care (Webinar)

OCFS also sponsors an annual New York State Adult Abuse and Training Institute (AATI), a three-day conference that offers an extensive array of multidisciplinary workshops and plenary sessions addressing protection of and services to vulnerable adults. Financial Exploitation and Multidisciplinary Teams are among the many topics presented. The AATI of 2015 is the 22<sup>nd</sup> Annual Conference.

The OCFS Bureau of Adult Services has also taken the lead in developing and presenting numerous trainings to financial professionals on recognizing, preventing and reporting Financial Exploitation of vulnerable adults to APS, law enforcement and other appropriate agencies.

*The APS Delivery Network and Multidisciplinary Teams:*

The provision of APS should be viewed as a community-based service responsibility rather than a single agency responsibility. It is often the case that APS clients need services and/or benefits from more than one agency. APS units are required to reach out to and seek the active participation of representatives of the many agencies that constitute the APS delivery network. This includes personnel or medical, psychiatric, nursing and legal resources, law enforcement, public and private agencies, advocacy and faith-based organizations, and more. APS units are also required to educate the general public, service providers, advocacy groups and other appropriate agencies about the scope of APS and how to obtain services. 18 NYCRR 457.7

OCFS has actively promoted the value of APS participation in a multidisciplinary team (MDT), including other partners in the APS delivery network, to address financial exploitation, abuse and neglect of vulnerable adults. This is a frequent theme of technical assistance, case reviews and trainings provided by the OCFS Bureau of Adult Services. The Bureau shares MDT Resources and Best Practices with local districts. MDTs that serve vulnerable adults are regularly featured in conference sessions of the OCFS-sponsored New York State Adult Abuse Training Institute.

OCFS is a state partner with the Office for the Aging in the Elder Prevention Interventions Grant funded by the U.S. Administration for Community Living. Under this grant Enhanced Multidisciplinary Teams (E-MDTS) have been established in Manhattan and seven counties in the Finger Lake Region, focusing on prevention and intervention in cases of financial exploitation of vulnerable elderly adults, forensic accountants and geriatricians supplement the team. OCFS has coordinated the involvement of local APS, and has taken the lead in the component of the grant that provides trainings to financial professionals regarding recognition, prevention and reporting of financial exploitation.

There are several MDTS including APS staff across the state in operation or in the process of formation. It is expected that the number will rise in the future, particularly if sources of funding for coordination and operation of such teams can be secured.

## Appendix B: New York State Financial Exploitation Case Review Instrument

The following study is designed to identify the cost of financial exploitation of vulnerable elderly and dependent adults in New York. (See definition of Financial Exploitation at Appendix A) In recent years, the number of Protective Services for Adults (PSA) referrals alleging financial exploitation has steadily increased. However, the cost associated with financial exploitation has seldom been collected. This survey is intended to gather information on financially exploited individuals, the perpetrators, and the actual costs associated with the item(s) that have been taken from PSA clients. Understanding how financial exploitation affects the person, governmental agencies and the State will be used to inform decisions about how to best target preventive interventions.

### Financial Exploitation Instructions

This study aims to examine PSA financial exploitation cases primarily during the time frame of January 2013 to September 2013; however, the district may also add cases open at any stage in the last quarter of 2012. Each district is being asked to complete all questions. Below every question in the survey instrument is an *italicized* guide to assist you in answering the questions. Please feel to contact Lisl Maloney (at [Lisl.Maloney@ocfs.ny.gov](mailto:Lisl.Maloney@ocfs.ny.gov)) or Mike Cahill (at [Michael.Cahill@ocfs.ny.gov](mailto:Michael.Cahill@ocfs.ny.gov)), if you have further questions about the survey instrument.

Surveys will be submitted via SharePoint (please see the instruction document for details). The SharePoint site link will be sent to each LDSS' contact person directly. For districts without access to the SharePoint site, it is recommended that districts staff generate a password-protected zip file that includes completed survey document(s) and submit the zip file through email on a weekly base. Please direct all submitted files to Yufan Huang ([Yufan.Huang@ocfs.ny.gov](mailto:Yufan.Huang@ocfs.ny.gov)) and Tana James ([Tana.James@ocfs.ny.gov](mailto:Tana.James@ocfs.ny.gov)). For technical support of the SharePoint site or questions about entering information into the Financial Exploitation Survey, please contact Tim Griswold ([Timothy.Griswold@its.ny.gov](mailto:Timothy.Griswold@its.ny.gov)) or Yufan Huang ([Yufan.Huang@ocfs.ny.gov](mailto:Yufan.Huang@ocfs.ny.gov)).

**Please do not submit a survey for a financial exploitation case until there is information to report or to at least one or more of the following:**

- Valuation of items stolen from the client (#14);
- The type/cost of assistance that was necessary due to the financial exploitation (#15); or
- The cost agencies incurred due to financial exploitation (#16).

If a vehicle has been stolen, please provide year, make and model.

If real property has been stolen, and you do not have a valuation of the property, please provide address. We will seek to determine valuation to the extent possible based on average amount for homes in the area.

## Financial Exploitation Survey

### Case Information

Submission Date (mm/dd/yy): \_\_\_\_\_

Case #: \_\_\_\_\_

\*Referral Date (mm/dd/yy): \_\_\_\_\_

\*Date Case Closed (if applicable): (mm/dd/yy): \_\_\_\_\_

\*Client's Last Name: \_\_\_\_\_

\*Client's First Name: \_\_\_\_\_

\*Client's DOB (mm/dd/yy): \_\_\_\_\_

\*County of Residence: \_\_\_\_\_

### Client Profile

Please indicate the information that best describe the client.

\* 1. Gender:

*This item refers to the sex of the client.*

Please select gender

\* 2. Race/Ethnicity:

*This item refers to the racial or ethnic group(s) the client identifies with the most. Check more than one if applicable.*

American Indian/Alaskan Native

Pacific Islander/Native Hawaiian

Asian

White

Black/ African American

Unknown

Hispanic

Other, please specify \_\_\_\_\_

### Client Health

The following questions describe characteristics of the person who was or is being exploited. Please describe to the best of your ability the following:

3. Overall health at the present time:

*This item refers to the caseworker's perception of the client's health. The definition in the parenthesis is meant to be used as a guide to help assess the condition of the client's health. Please use the comment section if you would like to explain the client's health in more details.*

Please select If select "other", please specify: \_\_\_\_\_

\*4. Physical Impairments/Disabilities/Incapacities

*This item refers to any physical impairments, disabilities or incapacities that the client may exhibit.*

Please select If "Yes", please specify: \_\_\_\_\_

5. Does the client exhibit any signs of dementia?

*This item does not refer to general forgetfulness that may come with the aging process. Dementia is a loss of brain function that occurs with certain diseases that affects memory, thinking, language, judgment, and behavior. This item refers to chronic forgetfulness associated with age and brain loss.*



Please select If “Yes”, please specify: \_\_\_\_\_

\*6. Mental Impairment/Illness/Mentally Challenged/Developmental Delay

*This item refers to any mental health needs, impairments, illness disabilities or incapacities that the client may exhibit.*

Please select If “Yes”, please specify: \_\_\_\_\_

\*7. Requires Assistance with Daily Activities (Please check all that apply):

*This item refers to all activities that the client may need help with on a routine basis.*

- |  |  |
|--|--|
| <input type="checkbox"/> Laundry                   | <input type="checkbox"/> Transferring from/to bed or chair |
| <input type="checkbox"/> Prepare meals             | <input type="checkbox"/> Transportation                    |
| <input type="checkbox"/> Shopping                  | <input type="checkbox"/> Unknown                           |
| <input type="checkbox"/> Take medications properly | <input type="checkbox"/> Other, please specify: _____      |
| <input type="checkbox"/> Toileting                 |  |

\*8. Drug or other Substance Abuse:

*This item includes problems with alcohol, illegal drugs and/or prescription drugs.*

Please select If “Yes”, please specify: \_\_\_\_\_

\*9. Health/Safety Risk factors (Please check all that apply):

*This item refers to any health and safety factors that are present in the client’s life. Please note that risk not determined may be checked at intake but revised at assessment.*

- |   |  |
|---|--|
| <input type="checkbox"/> Environmental hazards      | <input type="checkbox"/> Sexual abuse                              |
| <input type="checkbox"/> Financial exploitation     | <input type="checkbox"/> Unable to manage finances                 |
| <input type="checkbox"/> Neglect by others          | <input type="checkbox"/> Untreated medical conditions              |
| <input type="checkbox"/> Neglect own basic needs    | <input type="checkbox"/> Other exploitation, please specify: _____ |
| <input type="checkbox"/> Physical abuse             |  |
| <input type="checkbox"/> Psychological abuse        | <input type="checkbox"/> Other risk factor, please specify: _____  |
| <input type="checkbox"/> Risk not determined        |  |
| <input type="checkbox"/> Self-endangering behaviors |  |

**Case Characteristics**

\*10. Referred to PSA by (check all that apply):

*This item refers to the person or agency that referred the client to Protective Services for Adults. Family members may include son/daughter in law, parent, sibling, grandchild, cousin, uncle, aunt, etc.)*

- |  |   |
|--|---|
| <input type="checkbox"/> Anonymous             | <input type="checkbox"/> Law Enforcement            |
| <input type="checkbox"/> Aging Network         | <input type="checkbox"/> LDSS                       |
| <input type="checkbox"/> Bank/Fiduciary        | <input type="checkbox"/> Mental Health Agency       |
| <input type="checkbox"/> Caregiver, non-agency | <input type="checkbox"/> Neighbor                   |
| <input type="checkbox"/> Family member         | <input type="checkbox"/> Self-referral              |
| <input type="checkbox"/> Friend/Non-Relative   | <input type="checkbox"/> Social Service Agency      |
| <input type="checkbox"/> Home Care Agency      | <input type="checkbox"/> Other Health Care Provider |
| <input type="checkbox"/> Hospital              | <input type="checkbox"/> Unknown                    |
|  | <input type="checkbox"/> Other (Specify): _____     |

\*11. Please indicate the number of people residing with the client at the time of abuse.

*This item refers to individuals living with the client at the time of the abuse including children, adult family members, friends and caregivers. It does not refer to any individuals who have moved in after the abuse occurred.*

	Number of people		Number of people
<input type="checkbox"/> Adult child	—	<input type="checkbox"/> Mother/Father	—
<input type="checkbox"/> Client's Child Under Age 18	—	<input type="checkbox"/> Other Family Member	—
<input type="checkbox"/> Friend/Non-Relative	—	<input type="checkbox"/> Son/Daughter in-law	—
<input type="checkbox"/> Grandchild	—	<input type="checkbox"/> Spouse/Partner	—

12. Assets owned (please check all that apply):

*This item refers to any assets and/or sources of money available to the client before the abuse occurred.*

<input type="checkbox"/> Cash	<input type="checkbox"/> Securities
<input type="checkbox"/> Checking Account	<input type="checkbox"/> Unknown
<input type="checkbox"/> Personal Property (Automobile, boat, jewelry, etc.)	<input type="checkbox"/> Other, please specify: _____
<input type="checkbox"/> Real Estate / Condo / Co-op	
<input type="checkbox"/> Saving Account	

### Harm/Exploitation

\*13. Please describe how the client was financially exploited.

*This item refers to the methods or techniques the perpetrator used to gain access to the clients assets. It also refers to the client's state of mind.*

\_\_\_\_\_

### Valuation of Costs Resulting From Financial Exploitation

14. Please indicate all the items that were stolen from the client, how much was stolen, and by whom. *Please refer to Appendix A for the definition of types of exploitation.*

(Please answer question #14 on Pages 5 to 8)

Item Stolen	Please Specify Amount Stolen (\$) <i>If unknown, Please describe item (i.e. make/model of car, address of property)</i>	Perpetrator's Relationship to Client*	Type of Financial Exploitation (Check all that apply)	How many times has this type of abuse happened during the survey period? (from the last quarter of 2012 to the third quarter of 2013)	How serious does the client feel about the abuse? <i>This item refers to the client's perception of the abuse.</i>
a. Automobile/ Boat	Amount: \$ _____ Description: _____	<u>Please select</u> If "other", please specify: _____	<input type="checkbox"/> Coercion <input type="checkbox"/> Coerced property transfer <input type="checkbox"/> Conspiracy <input type="checkbox"/> Denial of Access to Assets <input type="checkbox"/> Embezzlement <input type="checkbox"/> Extortion <input type="checkbox"/> Falsifying Records <input type="checkbox"/> False Pretense <input type="checkbox"/> Forgery <input type="checkbox"/> Fraud <input type="checkbox"/> Identity Fraud <input type="checkbox"/> Larceny <input type="checkbox"/> Misappropriated Funds <input type="checkbox"/> Power of Attorney Abuse <input type="checkbox"/> Scam <input type="checkbox"/> Other, please specify: _____	—	<u>Please select</u>
b. Bank ATM	Amount: \$ _____ Description: _____	<u>Please select</u> If "other", please specify: _____	<input type="checkbox"/> Coercion <input type="checkbox"/> Coerced property transfer <input type="checkbox"/> Conspiracy <input type="checkbox"/> Denial of Access to Assets <input type="checkbox"/> Embezzlement <input type="checkbox"/> Extortion <input type="checkbox"/> Falsifying Records <input type="checkbox"/> False Pretense <input type="checkbox"/> Forgery <input type="checkbox"/> Fraud <input type="checkbox"/> Identity Fraud <input type="checkbox"/> Larceny <input type="checkbox"/> Misappropriated Funds <input type="checkbox"/> Power of Attorney Abuse <input type="checkbox"/> Scam <input type="checkbox"/> Other, please specify: _____	—	<u>Please select</u>
c. Cash	Amount: \$ _____ Description: _____	<u>Please select</u> If "other", please specify: _____	<input type="checkbox"/> Coercion <input type="checkbox"/> Coerced property transfer <input type="checkbox"/> Conspiracy <input type="checkbox"/> Denial of Access to Assets <input type="checkbox"/> Embezzlement <input type="checkbox"/> Extortion <input type="checkbox"/> Falsifying Records <input type="checkbox"/> False Pretense <input type="checkbox"/> Forgery <input type="checkbox"/> Fraud <input type="checkbox"/> Identity Fraud <input type="checkbox"/> Larceny <input type="checkbox"/> Misappropriated Funds <input type="checkbox"/> Power of Attorney Abuse <input type="checkbox"/> Scam <input type="checkbox"/> Other, please specify: _____	—	<u>Please select</u>

Item Stolen	Please Specify Amount Stolen (\$) <i>If unknown, Please describe item (i.e. make/model of car, address of property)</i>	Perpetrator's Relationship to Client*	Type of Financial Exploitation (Check all that apply)	How many times has this type of abuse happened during the survey period? (from the last quarter of 2012 to the third quarter of 2013)	How serious does the client feel about the abuse? <i>This item refers to the client's perception of the abuse.</i>
d. Check	Amount: \$ _____ Description: _____	<u>Please select</u> If "other", please specify: _____	<input type="checkbox"/> Coercion <input type="checkbox"/> Coerced property transfer <input type="checkbox"/> Conspiracy <input type="checkbox"/> Denial of Access to Assets <input type="checkbox"/> Embezzlement <input type="checkbox"/> Extortion <input type="checkbox"/> Falsifying Records <input type="checkbox"/> False Pretense <input type="checkbox"/> Forgery <input type="checkbox"/> Fraud <input type="checkbox"/> Identity Fraud <input type="checkbox"/> Larceny <input type="checkbox"/> Misappropriated Funds <input type="checkbox"/> Power of Attorney Abuse <input type="checkbox"/> Scam <input type="checkbox"/> Other, please specify: _____	—	<u>Please select</u>
e. Benefit Checks	Amount: \$ _____ Description: _____	<u>Please select</u> If "other", please specify: _____	<input type="checkbox"/> Coercion <input type="checkbox"/> Coerced property transfer <input type="checkbox"/> Conspiracy <input type="checkbox"/> Denial of Access to Assets <input type="checkbox"/> Embezzlement <input type="checkbox"/> Extortion <input type="checkbox"/> Falsifying Records <input type="checkbox"/> False Pretense <input type="checkbox"/> Forgery <input type="checkbox"/> Fraud <input type="checkbox"/> Identity Fraud <input type="checkbox"/> Larceny <input type="checkbox"/> Misappropriated Funds <input type="checkbox"/> Power of Attorney Abuse <input type="checkbox"/> Scam <input type="checkbox"/> Other, please specify: _____	—	<u>Please select</u>
f. Credit Card	Amount: \$ _____ Description: _____	<u>Please select</u> If "other", please specify: _____	<input type="checkbox"/> Coercion <input type="checkbox"/> Coerced property transfer <input type="checkbox"/> Conspiracy <input type="checkbox"/> Denial of Access to Assets <input type="checkbox"/> Embezzlement <input type="checkbox"/> Extortion <input type="checkbox"/> Falsifying Records <input type="checkbox"/> False Pretense <input type="checkbox"/> Forgery <input type="checkbox"/> Fraud <input type="checkbox"/> Identity Fraud <input type="checkbox"/> Larceny <input type="checkbox"/> Misappropriated Funds <input type="checkbox"/> Power of Attorney Abuse <input type="checkbox"/> Scam <input type="checkbox"/> Other, please specify: _____	—	<u>Please select</u>

Item Stolen	Please Specify Amount Stolen (\$) <i>If unknown, Please describe item (i.e. make/model of car, address of property)</i>	Perpetrator's Relationship to Client*	Type of Financial Exploitation (Check all that apply)		How many times has this type of abuse happened during the survey period? (from the last quarter of 2012 to the third quarter of 2013)	How serious does the client feel about the abuse? <i>This item refers to the client's perception of the abuse.</i>
g. Documents (i.e. deed, last will/testament )	Amount: \$ _____ Description: _____	<u>Please select</u> If "other", please specify: _____	<input type="checkbox"/> Coercion <input type="checkbox"/> Coerced property transfer <input type="checkbox"/> Conspiracy <input type="checkbox"/> Denial of Access to Assets <input type="checkbox"/> Embezzlement <input type="checkbox"/> Extortion <input type="checkbox"/> Falsifying Records <input type="checkbox"/> False Pretense	<input type="checkbox"/> Forgery <input type="checkbox"/> Fraud <input type="checkbox"/> Identity Fraud <input type="checkbox"/> Larceny <input type="checkbox"/> Misappropriated Funds <input type="checkbox"/> Power of Attorney Abuse <input type="checkbox"/> Scam <input type="checkbox"/> Other, please specify: _____	—	<u>Please select</u>
h. Personal Property (i.e. jewelry, etc.)	Amount: \$ _____ Description: _____	<u>Please select</u> If "other", please specify: _____	<input type="checkbox"/> Coercion <input type="checkbox"/> Coerced property transfer <input type="checkbox"/> Conspiracy <input type="checkbox"/> Denial of Access to Assets <input type="checkbox"/> Embezzlement <input type="checkbox"/> Extortion <input type="checkbox"/> Falsifying Records <input type="checkbox"/> False Pretense	<input type="checkbox"/> Forgery <input type="checkbox"/> Fraud <input type="checkbox"/> Identity Fraud <input type="checkbox"/> Larceny <input type="checkbox"/> Misappropriated Funds <input type="checkbox"/> Power of Attorney Abuse <input type="checkbox"/> Scam <input type="checkbox"/> Other, please specify: _____	—	<u>Please select</u>
i. Real Estate	Amount: \$ _____ Description: _____	<u>Please select</u> If "other", please specify: _____	<input type="checkbox"/> Coercion <input type="checkbox"/> Coerced property transfer <input type="checkbox"/> Conspiracy <input type="checkbox"/> Denial of Access to Assets <input type="checkbox"/> Embezzlement <input type="checkbox"/> Extortion <input type="checkbox"/> Falsifying Records <input type="checkbox"/> False Pretense	<input type="checkbox"/> Forgery <input type="checkbox"/> Fraud <input type="checkbox"/> Identity Fraud <input type="checkbox"/> Larceny <input type="checkbox"/> Misappropriated Funds <input type="checkbox"/> Power of Attorney Abuse <input type="checkbox"/> Scam <input type="checkbox"/> Other, please specify: _____	—	<u>Please select</u>

Item Stolen	Please Specify Amount Stolen (\$) <i>If unknown, Please describe item (i.e. make/model of car, address of property)</i>	Perpetrator's Relationship to Client*	Type of Financial Exploitation (Check all that apply)		How many times has this type of abuse happened during the survey period? (from the last quarter of 2012 to the third quarter of 2013)	How serious does the client feel about the abuse? <i>This item refers to the client's perception of the abuse.</i>
j. Stocks, Bonds	Amount: \$ _____ Description: _____	<u>Please select</u> If "other", please specify: _____	<input type="checkbox"/> Coercion <input type="checkbox"/> Coerced property transfer <input type="checkbox"/> Conspiracy <input type="checkbox"/> Denial of Access to Assets <input type="checkbox"/> Embezzlement <input type="checkbox"/> Extortion <input type="checkbox"/> Falsifying Records <input type="checkbox"/> False Pretense	<input type="checkbox"/> Forgery <input type="checkbox"/> Fraud <input type="checkbox"/> Identity Fraud <input type="checkbox"/> Larceny <input type="checkbox"/> Misappropriated Funds <input type="checkbox"/> Power of Attorney Abuse <input type="checkbox"/> Scam <input type="checkbox"/> Other, please specify: _____	—	<u>Please select</u>
k. Other	Amount: \$ _____ Description: _____	<u>Please select</u> If "other", please specify: _____	<input type="checkbox"/> Coercion <input type="checkbox"/> Coerced property transfer <input type="checkbox"/> Conspiracy <input type="checkbox"/> Denial of Access to Assets <input type="checkbox"/> Embezzlement <input type="checkbox"/> Extortion <input type="checkbox"/> Falsifying Records <input type="checkbox"/> False Pretense	<input type="checkbox"/> Forgery <input type="checkbox"/> Fraud <input type="checkbox"/> Identity Fraud <input type="checkbox"/> Larceny <input type="checkbox"/> Misappropriated Funds <input type="checkbox"/> Power of Attorney Abuse <input type="checkbox"/> Scam <input type="checkbox"/> Other, please specify: _____	—	<u>Please select</u>
l. Other	Amount: \$ _____ Description: _____	<u>Please select</u> If "other", please specify: _____	<input type="checkbox"/> Coercion <input type="checkbox"/> Coerced property transfer <input type="checkbox"/> Conspiracy <input type="checkbox"/> Denial of Access to Assets <input type="checkbox"/> Embezzlement <input type="checkbox"/> Extortion <input type="checkbox"/> Falsifying Records <input type="checkbox"/> False Pretense	<input type="checkbox"/> Forgery <input type="checkbox"/> Fraud <input type="checkbox"/> Identity Fraud <input type="checkbox"/> Larceny <input type="checkbox"/> Misappropriated Funds <input type="checkbox"/> Power of Attorney Abuse <input type="checkbox"/> Scam <input type="checkbox"/> Other, please specify: _____	—	<u>Please select</u>

15. Please describe the type/cost of assistance that was necessary due to the financial exploitation. Please refer to Appendix A for the definition of any of the benefits listed below. *This item refers to **new cost**. It does not refer to the cost of benefits that the client had before the financial exploitation occurred.*

	<b>Benefit received</b>	<b>New or Additional Costs (\$) per month</b>	<b># Months Benefits received</b>
*	<input type="checkbox"/> Public Assistance	\$ _____	_____
*	<input type="checkbox"/> Food Stamps	\$ _____	_____
*	<input type="checkbox"/> HEAP	\$ _____	_____
*	<input type="checkbox"/> Home Delivered Meals (e.g. meals on wheels)	\$ _____	_____
*	<input type="checkbox"/> Medicaid	\$ _____	_____
*	<input type="checkbox"/> Medicare Part A (Hospital Ins.)	\$ _____	_____
*	<input type="checkbox"/> Medicare Part B (Medical Ins.)	\$ _____	_____
*	<input type="checkbox"/> Medicare Part C (Medicare Advantage)	\$ _____	_____
	<input type="checkbox"/> Medicare Part D (Prescription Drug Program)	\$ _____	_____
	<input type="checkbox"/> Placement in Residential Facility/Shelter	\$ _____ Funding Source: _____	_____
	<input type="checkbox"/> Rent Subsidy	\$ _____ Funding Source: _____	_____
	<input type="checkbox"/> Other Benefits (Please specify): _____	Total new costs for other benefits: \$ _____ Funding Source: _____	_____

16. Please estimate the cost to agencies that was incurred due to financial exploitation. *This item refers to **new cost**. It does not refer to the cost of benefits that the client had before the financial exploitation occurred.*

	<b>Benefit received</b>	<b>New or Additional Costs per month</b> <i>(If cost information is not available, please provide estimates of # hours and cost per hour)</i>	<b># Months Benefits received</b>
	<input type="checkbox"/> Protective Services for Adults	\$ _____ OR # hrs: ____; cost/hr: _____	_____
	<input type="checkbox"/> Law Enforcement	\$ _____ OR # hrs: ____; cost/hr: _____	_____
	<input type="checkbox"/> DOC - Cost of incarcerating perpetrator	\$ _____ OR # hrs: ____; cost/hr: _____	_____
	<input type="checkbox"/> District Attorney	\$ _____ OR # hrs: ____; cost/hr: _____	_____
	<input type="checkbox"/> Financial Management (non PSA)	\$ _____ OR # hrs: ____; cost/hr: _____	_____
	<input type="checkbox"/> Home Health or Personal Care Aide	\$ _____ OR # hrs: ____; cost/hr: _____	_____
	<input type="checkbox"/> Homemaker	\$ _____ OR # hrs: ____; cost/hr: _____	_____
	<input type="checkbox"/> Legal Intervention (incl. DSS/County Legal staff)	\$ _____ OR # hrs: ____; cost/hr: _____	_____
	<input type="checkbox"/> Local Office of Aging	\$ _____ OR # hrs: ____; cost/hr: _____	_____
	<input type="checkbox"/> Medical Services (Hospital, physician, etc.)	\$ _____ OR # hrs: ____; cost/hr: _____	_____
	<input type="checkbox"/> Mental Health Services	\$ _____ OR # hrs: ____; cost/hr: _____	_____

<b>Benefit received</b>	<b>New or Additional Costs per month</b> <i>(If cost information is not available, please provide estimates of # hours and cost per hour)</i>	<b># Months Benefits received</b>
<input type="checkbox"/> Other Title XX Services*	\$ _____ OR # hrs:____; cost/hr:_____	_____
<input type="checkbox"/> Shelter/Housing for client	\$ _____ OR # hrs:____; cost/hr:_____	_____
<input type="checkbox"/> Shelter/Housing for perpetrator	\$ _____ OR # hrs:____; cost/hr:_____	_____
<input type="checkbox"/> Other Benefits (Please specify): _____	Total new costs for other benefits: \$ _____ OR # hrs:____; cost/hr:_____	_____

\*Other Title XX Services include housing improvement services, home management services, residential placement services, and transportation services

### **Perpetrator Profile**

17. Please describe the **perpetrator** below:

*This item identifies characteristics of the person(s) who financially exploited the client. Please identify the needed information to the best of your ability.*

<b>Perpetrator</b>	<b>Relationship</b>	<b>Age</b>	<b>Gender</b>	<b>Reside w/residence?</b>	<b>Employed?</b>
#1	<u>Please select</u> If "other", please specify: _____	<u>Please select</u>	<u>Select one</u>	<u>Select one</u>	<u>Select one</u>
#2	<u>Please select</u> If "other", please specify: _____	<u>Please select</u>	<u>Select one</u>	<u>Select one</u>	<u>Select one</u>
#3	<u>Please select</u> If "other", please specify: _____	<u>Please select</u>	<u>Select one</u>	<u>Select one</u>	<u>Select one</u>
#4	<u>Please select</u> If "other", please specify: _____	<u>Please select</u>	<u>Select one</u>	<u>Select one</u>	<u>Select one</u>
#5	<u>Please select</u> If "other", please specify: _____	<u>Please select</u>	<u>Select one</u>	<u>Select one</u>	<u>Select one</u>
#6	<u>Please select</u> If "other", please specify: _____	<u>Please select</u>	<u>Select one</u>	<u>Select one</u>	<u>Select one</u>
#7	<u>Please select</u> If "other", please specify: _____	<u>Please select</u>	<u>Select one</u>	<u>Select one</u>	<u>Select one</u>
#8	<u>Please select</u> If "other", please specify: _____	<u>Please select</u>	<u>Select one</u>	<u>Select one</u>	<u>Select one</u>



<b>Perpetrator</b>	<b>Relationship</b>	<b>Age</b>	<b>Gender</b>	<b>Reside w/residence?</b>	<b>Employed?</b>
#9	<u>Please select</u> If "other", please specify: _____	<u>Please select</u>	<u>Select one</u>	<u>Select one</u>	<u>Select one</u>
#10	<u>Please select</u> If "other", please specify: _____	<u>Please select</u>	<u>Select one</u>	<u>Select one</u>	<u>Select one</u>

\*18. Does the perpetrator exhibit any of the following (check all that apply):

*This item refers to characteristics that the perpetrator may display. Please check all that apply. Please report documented history of physical, sexual and emotional abuse....*

- Alcohol Abuse
- Drug Abuse
- Gambling Addiction
- Mental Illness
- Developmental Disability (i.e. Cognitive delay)
- Physical Incapacity
- History as Victim of Physical/Sexual/Emotional Abuse

**Impact**

19. Does the client fully understand that he/she was financially exploited?

*This item refers to the mental state of the client.*

Please select

20. Status of the case (please check all that apply).

*This item refers to the client's current status as a result of the financial exploitation that occurred or is occurring.*

- |  |   |
|--|---|
| <input type="checkbox"/> Bankruptcy                        | <input type="checkbox"/> Guardianship                   |
| <input type="checkbox"/> Emotional Pain                    | <input type="checkbox"/> Health Concerns                |
| <input type="checkbox"/> Financial Impoverishment          | <input type="checkbox"/> Items/Funds Fully Returned     |
| <input type="checkbox"/> Foreclosure (Loss of Real Estate) | <input type="checkbox"/> Items/Funds Partially Returned |
| <input type="checkbox"/> Eviction                          | <input type="checkbox"/> Other (Specify): _____         |

21. Was the case referred to law enforcement officials

*This item refers to the police department, district attorney, or any other law enforcement.*

Please select

22. Legal involvement

*This item refers to the types of legal involvement that have occurred due to the financial exploitation that occurred. Please check all that apply.*

I. Criminal Action

- |  |   |
|--|---|
| <input type="checkbox"/> Referred to District Attorney | <input type="checkbox"/> Perpetrator acquitted  |
| <input type="checkbox"/> Perpetrator prosecuted        | <input type="checkbox"/> Case pending / unknown |
| <input type="checkbox"/> Perpetrator convicted         | <input type="checkbox"/> Case dismissed         |

II. Civil Action

- Civil action initiated  
Specify type of civil action \_\_\_\_\_
- Favorable civil action resulting by court, including settlement  
Specify type of favorable civil action resulting \_\_\_\_\_
- Case pending / unknown
- Case dismissed

23. Did the client incur legal fees associated with their financial exploitation?

*This item refers to legal fees associated with the clients hiring of a personal attorney. It does not include legal fees associated with PSA attorneys.*

Please select If yes, please specify cost: \$ \_\_\_\_\_

24. Please briefly describe the status of the case.

*This item refers to the current status of the case at the time of submittal.*

---

[This is the end of the Financial Exploitation Survey]

## **Definition of “Financial Exploitation”**

Financial Exploitation means improper use of an adult’s funds, property, or resources by another individual including but not limited to, fraud, false pretenses, embezzlement, conspiracy, forgery, falsifying records, coerced property transfers or denial of access to assets.

New York State Social Services Law section 473, subdivision b, paragraph (g).

## **Definitions of Types of Financial Exploitation**

1. Coercion – using force or intimidation to compel someone to engage in or refrain from certain conduct.
2. Coerced Property Transfers (Extortion) – compelling a person by intimidation or force to turn over their property.
3. Conspiracy – the intent to commit a crime and an agreement with another person to perform that crime.
4. Denial of Access to Assets – the improper withholding of access to an adult’s funds, property or resources by another individual.
5. Embezzlement - to fraudulently appropriate money or property entrusted to one’s care.
6. Extortion – compelling a person by intimidation to turn over property.
7. Falsifying Records - creating records with false or incorrect entries.
8. False Pretenses - knowingly making false representations of fact, with the intent that another person will rely on those false representations.
9. Forgery - falsely making or altering a writing by which the legal rights or obligations of another person are apparently affected.
10. Fraud – obtaining money or property under false pretenses.
11. Identity Fraud – fraud that involves stealing money or getting other benefits by pretending to be someone else.
12. Larceny – wrongfully depriving someone of their property by keeping it yourself, withholding it from its owner or giving it to someone else. Obtaining money or property by embezzlement, extortion, false pretenses, are all crimes of larceny.
13. Misappropriation of Funds – the use of funds or property for unauthorized purposes.
14. Power of Attorney Abuse- abuse by agent or purported agent under a document wherein a person (the principal) gives legal authority to act on his/her behalf to another person (the agent) in certain specified matters.
15. Scam – a mechanism used to trick someone into turning over money or property.

## **Definition of Types of Benefits**

Public Assistance/Temporary Assistance – is temporary help for needy adults or children who are unable to work, who cannot find a job, or the job does not pay enough. This includes Family Assistance/Temporary Assistance for Needy Families and Safety Net Assistance. This category also includes emergency payments of shelter arrears, utility arrears, payments of fuel and/or cost of fuel delivery and payment for temporary housing, under Emergency Assistance to Adults (EAA), Emergency Assistance to Needy Families (EAF), Emergency Safety Net Assistance (ESNA).

Food Stamps/Supplemental Nutrition Assistance Program (SNAP) – issues monthly benefits that can be used to purchase food at authorized retail food stores. SNAP benefits help low income people, seniors, the disabled and others feed themselves and their families.

Home-Delivered Meals/Meals on Wheels – are available to eligible homebound persons age 60 or older (and spouses and disabled dependents of any age who live with a disabled person), through the local office for the aging.

Home Energy Assistance Program (HEAP) – assists eligible low income households in meeting their home energy needs, providing heating benefits, emergency benefits for a heat or heat related emergency, as well as a heating equipment repair and/or replacement benefit for homeowners with inoperable heating equipment.

Medicaid – provides medical assistance for people 65 or older, blind or disabled who are eligible for Supplemental Security Income (SSI) or those who have too little income and resources to meet their medical needs. Medicaid also pays for long term care services for people after they “spend down” their assets to qualify for benefits.

Medicare – provides health insurance for persons age 65 and older, certain disabled persons and those in final stages of renal (kidney) disease.

Medicare has four programs:

Medicare Part A (Hospital Insurance) – helps cover inpatient care in hospitals, as well as skilled nursing facility, hospice, and home health care.

Medicare Part B (Medical Insurance) – helps cover doctor and other health care provider services, outpatient care, durable medical equipment, home health care, and some preventive services.

Medicare Part C (Medicare Advantage) – covers Part A and Part B benefits to people with Medicare who enroll in these plans, which include Medicare Advantage Plans, Medicare Cost Plans, Demonstration/Pilot Programs and Programs of All-inclusive Care for the Elderly (PACE).

Medicare Part D (Prescription Drug Programs) – is a federal program to subsidize the costs of prescription drugs for Medicare beneficiaries.

Placement in Residential Facility/Shelter – is placement in a setting other than the client’s home. This includes but is not limited to, emergency, transitional or permanent housing, whether licensed or unlicensed.

Please specify the source of funding. If funded under Public Assistance or Medicaid, please include under those headings. If funded under Title XX (PSA or non-PSA), this would be included in the “Other Benefits” heading.

Rent Subsidy – Funding of housing not covered under any other categories (e.g., Section 8). Please specify the source of funding.

Other Benefits – could include, but is not limited to, assistance related to transportation, utilities, telephones, etc. that is not covered in the headings above. Please specify the source of funding.

### Appendix C: Number of Financial Exploitation Referrals and Verification Rates

Participating Agencies	# of FE Referrals	# of Verified Cases	Verification Rate
Albany	44	7	16%
Broome	15	4	27%
Chautauqua	39	15	38%
Chemung	35	11	31%
Cortland	15	5	33%
Erie	29	19	66%
Essex	12	8	67%
Franklin	4	1	25%
Jefferson	14	10	71%
Livingston	26	24	92%
Madison	3	2	67%
Monroe	59	29	49%
Niagara	10	10	100%
NYC	81	72	89%
Onondaga	128	36	28%
Ontario	11	8	73%
Orange	10	10	100%
Oswego	22	9	41%
Otsego	18	1	6%
Rockland	19	9	47%
Saratoga	26	25	96%
Schoharie	12	3	25%
St Lawrence	17	3	18%
Steuben	40	13	33%
Suffolk	9	9	100%
Tioga	13	3	23%
Warren	12	5	42%
Washington	6	0	0%
Wayne	29	16	55%
Westchester	91	43	47%
Yates	12	2	17%
Lifespan of Greater Rochester	67	67	100%
Total	928	479	52%

**Appendix D. Documented and adjusted costs to service agencies for investigation, assessment, and other activities**

<b>Participating Districts</b>	<b>Documented Costs</b>	<b>Sampling Type</b>	<b>Adjusted Costs</b>
Albany	\$18,956	100%	\$18,956
Broome	\$3,090	100%	\$3,090
Chautauqua	\$10,392	100%	\$10,392
Chemung	\$42,025	100%	\$42,025
Cortland	\$3,059	100%	\$3,059
Erie	\$4,467	10%	\$44,670
Essex	\$2,870	100%	\$2,870
Franklin	\$30,796	25%	\$123,184
Jefferson	\$20,435	50%	\$40,870
Livingston	\$84,805	100%	\$84,805
Madison	\$1,190	50%	\$2,380
Monroe	\$84,154	50%	\$168,308
Niagara	\$30,534	10%	\$305,340
NYC	\$324,346	10%	\$3,243,460
Onondaga	\$55,988	100%	\$55,988
Ontario	\$30,267	50%	\$60,534
Orange	\$3,793	20%	\$18,965
Oswego	\$18,149	50%	\$36,298
Otsego	\$7,465	100%	\$7,465
Rockland	\$13,749	100%	\$13,749
Saratoga	\$15,098	100%	\$15,098
Schoharie	\$13,072	100%	\$13,072
St Lawrence	\$28,931	100%	\$28,931
Steuben	\$32,825	100%	\$32,825
Suffolk	\$99,290	20%	\$496,450
Tioga	\$3,748	100%	\$3,748
Warren	\$1,720	100%	\$1,720
Washington	\$1,451	50%	\$2,902
Wayne	\$14,665	100%	\$14,665
Westchester	\$79,170	100%	\$79,170
Yates	\$7,645	100%	\$7,645
Lifespan of Greater Rochester, Inc.	\$95,520	100%	\$95,520
<b>Total</b>	<b>\$1,183,664</b>	<b>N/A</b>	<b>\$5,078,154</b>



**Appendix E. Adjusted ad estimated costs to service agencies for investigation, assessment, and other activities in non-participating counties**

Districts Not in Study		Matched Study Districts*			Estimated cost to service agencies in non-participating districts
Districts	# FE cases referred to local APS 10/1/2012 - 9/30/2013	Districts	# FE cases referred to local APS 10/1/2012 - 9/30/2013	Total adjusted cost to service agencies	
Allegany	10	Cortland	21	\$3,059	\$1,457
Cattaraugus	2	Madison	6	\$2,380	\$793
Cayuga	29	Madison	6	\$2,380	\$11,503
Chenango	1	Tioga	13	\$3,748	\$288
Clinton	12	Chemung	37	\$42,025	\$13,630
Columbia	81	Washington	15	\$2,902	\$15,671
Delaware	2	Cortland	21	\$3,059	\$291
Dutchess	79	Orange	66	\$18,965	\$22,701
Fulton	24	Franklin	16	\$123,184	\$184,776
Genesee	20	Otsego	20	\$7,465	\$7,465
Greene	12	Franklin	16	\$123,184	\$92,388
Hamilton	0	Yates	12	\$7,645	\$0
Herkimer	6	Otsego	20	\$7,465	\$2,240
Lewis	7	Yates	12	\$7,645	\$4,460
Montgomery	16	Cortland	21	\$3,059	\$2,331
Nassau	235	Suffolk	181	\$496,450	\$644,562
Oneida	49	Broome	16	\$3,090	\$9,463
Orleans	1	Essex	12	\$2,870	\$239
Putnam	8	Ontario	23	\$60,534	\$21,055
Rensselaer	22	Jefferson	31	\$40,870	\$29,005
Schenectady	52	Jefferson	31	\$40,870	\$68,556
Schuyler	4	Yates	12	\$7,645	\$2,548
Seneca	1	Essex	12	\$2,870	\$239
Sullivan	37	Chemung	37	\$42,025	\$42,025
Tompkins	20	Chemung	37	\$42,025	\$22,716
Wyoming	7	Essex	12	\$2,870	\$1,674
Total					\$1,202,076

\* One study district may be matched to multiple districts not in the study

## Appendix F. Documented and adjusted costs of new benefits / services

Participating Districts	Documented Costs	Sampling Type	Adjusted Costs
Albany	\$0	100%	\$0
Broome	\$0	100%	\$0
Chautauqua	\$0	100%	\$0
Chemung	\$86,764	100%	\$86,764
Cortland	\$800	100%	\$800
Erie	\$1,075	10%	\$10,750
Essex	\$154	100%	\$154
Franklin	\$0	25%	\$0
Jefferson	\$48,302	50%	\$96,604
Livingston	\$3,917	100%	\$3,917
Madison	\$0	50%	\$0
Monroe	\$20,332	50%	\$40,664
Niagara	\$8,241	10%	\$82,410
NYC	\$661,625	10%	\$6,616,250
Onondaga	\$8,900	100%	\$8,900
Ontario	\$41,050	50%	\$82,100
Orange	\$50,199	20%	\$250,995
Oswego	\$2,761	50%	\$5,522
Otsego	\$0	100%	\$0
Rockland	\$1,190	100%	\$1,190
Saratoga	\$0	100%	\$0
Schoharie	\$2,000	100%	\$2,000
St Lawrence	\$0	100%	\$0
Steuben	\$108,466	100%	\$108,466
Suffolk	\$0	20%	\$0
Tioga	\$0	100%	\$0
Warren	\$1,800	100%	\$1,800
Washington	\$0	50%	\$0
Wayne	\$9,098	100%	\$9,098
Westchester	\$5,596	100%	\$5,596
Yates	\$0	100%	\$0
Lifespan of Greater Rochester, Inc.	\$135,996	100%	\$135,996
Total	\$1,198,266	N/A	\$7,549,976

**Appendix G. Adjusted and estimated costs of new benefits / services in non-participating counties**

Districts Not in Study		Matched Study Districts*			Estimated cost of new services in non-participating districts
Districts	# FE cases referred to local APS 10/1/2012 - 9/30/2013	Districts	# FE cases referred to local APS 10/1/2012 - 9/30/2013	Total adjusted cost of new services	
Allegany	10	Cortland	21	\$800	\$381
Cattaraugus	2	Madison	6	\$0	\$0
Cayuga	29	Madison	6	\$0	\$0
Chenango	1	Tioga	13	\$0	\$0
Clinton	12	Chemung	37	\$86,764	\$28,140
Columbia	81	Washington	15	\$0	\$0
Delaware	2	Cortland	21	\$800	\$76
Dutchess	79	Orange	66	\$250,995	\$300,433
Fulton	24	Franklin	16	\$0	\$0
Genesee	20	Otsego	20	\$0	\$0
Greene	12	Franklin	16	\$0	\$0
Hamilton	0	Yates	12	\$0	\$0
Herkimer	6	Otsego	20	\$0	\$0
Lewis	7	Yates	12	\$0	\$0
Montgomery	16	Cortland	21	\$800	\$610
Nassau	235	Suffolk	181	\$0	\$0
Oneida	49	Broome	16	\$0	\$0
Orleans	1	Essex	12	\$154	\$13
Putnam	8	Ontario	23	\$82,100	\$28,557
Rensselaer	22	Jefferson	31	\$96,604	\$68,558
Schenectady	52	Jefferson	31	\$96,604	\$162,045
Schuyler	4	Yates	12	\$0	\$0
Seneca	1	Essex	12	\$154	\$13
Sullivan	37	Chemung	37	\$86,764	\$86,764
Tompkins	20	Chemung	37	\$86,764	\$46,899
Wyoming	7	Essex	12	\$154	\$90
Total					\$722,578

\* One study district may be matched to multiple districts not in the study

## Appendix H. Documented and adjusted victim losses

Participating Districts	Documented Losses	Sampling Type	Adjusted Losses
Albany	\$113,430	100%	\$113,430
Broome	\$580,796	100%	\$580,796
Chautauqua	\$32,287	100%	\$32,287
Chemung	\$463,575	100%	\$463,575
Cortland	\$261,400	100%	\$261,400
Erie	\$414,766	10%	\$4,147,660
Essex	\$39,480	100%	\$39,480
Franklin	\$14,500	25%	\$58,000
Jefferson	\$401,300	50%	\$802,600
Livingston	\$562,072	100%	\$562,072
Madison	\$112,000	50%	\$224,000
Monroe	\$846,003	50%	\$1,692,006
Niagara	\$1,001,074	10%	\$10,010,740
NYC	\$4,719,194	10%	\$47,191,940
Onondaga	\$799,695	100%	\$799,695
Ontario	\$3,150,000	50%	\$6,300,000
Orange	\$100,589	20%	\$502,945
Oswego	\$258,765	50%	\$517,530
Otsego	\$600	100%	\$600
Rockland	\$394,904	100%	\$394,904
Saratoga	\$1,798,178	100%	\$1,798,178
Schoharie	\$171,862	100%	\$171,862
St Lawrence	\$25,500	100%	\$25,500
Steuben	\$564,055	100%	\$564,055
Suffolk	\$1,397,825	20%	\$6,989,125
Tioga	\$15,392	100%	\$15,392
Warren	\$524,685	100%	\$524,685
Washington	\$0	50%	\$0
Wayne	\$218,931	100%	\$218,931
Westchester	\$2,897,039	100%	\$2,897,039
Yates	\$25,950	100%	\$25,950
Lifespan of Greater Rochester, Inc.	\$3,003,440	100%	\$3,003,440
Total	\$24,909,287	N/A	\$90,929,817

## Appendix I. Adjusted and estimated victim losses

Districts Not in Study		Matched Study Districts*			Estimated adjusted victim losses in non-participating districts
Districts	# FE cases referred to local APS 10/1/2012 - 9/30/2013	Districts	# FE cases referred to local APS 10/1/2012 - 9/30/2013	Total adjusted victim losses	
Allegany	10	Cortland	21	\$261,400	\$124,476
Cattaraugus	2	Madison	6	\$224,000	\$74,667
Cayuga	29	Madison	6	\$224,000	\$1,082,667
Chenango	1	Tioga	13	\$15,392	\$1,184
Clinton	12	Chemung	37	\$463,575	\$150,349
Columbia	81	Washington	15	\$0	\$0
Delaware	2	Cortland	21	\$261,400	\$24,895
Dutchess	79	Orange	66	\$502,945	\$602,010
Fulton	24	Franklin	16	\$58,000	\$87,000
Genesee	20	Otsego	20	\$600	\$600
Greene	12	Franklin	16	\$58,000	\$43,500
Hamilton	0	Yates	12	\$25,950	\$0
Herkimer	6	Otsego	20	\$600	\$180
Lewis	7	Yates	12	\$25,950	\$15,138
Montgomery	16	Cortland	21	\$261,400	\$199,162
Nassau	235	Suffolk	181	\$6,989,125	\$9,074,278
Oneida	49	Broome	16	\$580,796	\$1,778,688
Orleans	1	Essex	12	\$39,480	\$3,290
Putnam	8	Ontario	23	\$6,300,000	\$2,191,304
Rensselaer	22	Jefferson	31	\$802,600	\$569,587
Schenectady	52	Jefferson	31	\$802,600	\$1,346,297
Schuyler	4	Yates	12	\$25,950	\$8,650
Seneca	1	Essex	12	\$39,480	\$3,290
Sullivan	37	Chemung	37	\$463,575	\$463,575
Tompkins	20	Chemung	37	\$463,575	\$250,581
Wyoming	7	Essex	12	\$39,480	\$23,030
<b>Total</b>					\$18,118,397

\* One study district may be matched to multiple districts not in the study.

## **Appendix J: Status of Case Response Categories: Illustrative Cases**

### Financial Exploitation Verified, but Victim Refuses to Press Charges

In several cases, victims were unwilling to press charges, for a variety of reasons. Here are some examples.

- Even though the perpetrator admitted taking the client's funds, the client refused to prosecute, preferring to keep the matter quiet, due to embarrassment. (#57)
- Client was conflicted about pressing charges against her daughter, who has bipolar disorder. (107)
- Client refused to press charges against her son, as it is her son who takes care of her.
- Client fears "friend" won't assist him in living independently, if criminal charges are pressed (338)
- Client wants to continue to live with her perpetrator daughter, so she will not participate in prosecuting her daughter, who has substance abuse and financial problems. (367)
- Client refuses to press charges against her grandson. She continues to give him money and continues to believe her grandson's far-fetched stories, even when professionals tell her they are not true. She is adamant she will not do anything to facilitate her grandson going to jail. (584)
- Victim wants to evict stepson or call police but his wife (mother of perp) resists. (588)

### Guardian Appointed or In Process

In many cases, APS filed for guardian, served as guardian, or located responsible family members or others to so serve, as guardian of the property, guardian of the person, or both. Some examples follow.

- Temporary guardianship was granted to APS; daughter was subsequently named permanent guardian; (107)
- A lawyer was named guardian of the client's property and a relative was appointed guardian for client's personal needs; (416)
- APS applied for guardianship to protect client's finances (432)
- APS case remains open, with APS payee for client benefits while APS petition for guardianship is pending; (232)

## Order of Protection Issued Against Perpetrator

Some examples:

- Granddaughter stole checks and made credit card purchase on her grandmother's card totaling \$40,000; used grandmother's car without her permission, and was suspected of also stealing her diamonds. Perpetrator was arrested due to violating the order of protection. (306)
- The client has an order of protection against her nephew; now she needs to enforce it, and to cooperate with police about the theft of her jewelry. (408)
- APS obtained an order of protection, became representative payee and obtained funds to pay client rental and utility arrears. (436)
- The case was transferred to the DV unit as client had worked with them previously. Previously the client had not wanted to take action but now she followed through, obtaining an order of protection against the perpetrator. (728)
- Grandson cashed the client's social security and pension checks and used for his own purposes. He does not work and has no income. He has alcohol and drug abuse issues. His grandmother faces eviction, with her section 8 benefits jeopardized as he was not supposed to be living there. He was incarcerated and there is an order of protection. (846)
- A DV advocate assisted client to file for a temporary order of protection to have her son and his girlfriend removed from her apartment, and police escorted them from apartment. They failed to appear in court when required, and client withdrew the application since she said they no longer contacted her. However, son did visit her apartment and stole her medications. Son was later arrested for DWI and having an outstanding warrant, is now incarcerated for a term of several years. (903)
- The perpetrator, a "friend" of the client has stolen/forged and cashed checks belonging to the client. He was prosecuted and spent two months in jail. There is an order of protection in place prohibiting him from approaching the client for five years. (912)

## Representative Payee Appointed or In Process

- Allegations of financial exploitation by the client's brother could not be verified, but there was a clear need for financial management to protect client's benefits. APS became the client's representative payee. (43)
- Client has moved out of the exploitative situation and her father is acting as representative payee. A(227)

- APS is seeking guardianship; while the decision is pending, APS is serving as rep payee for clients SSI benefits. APS is also screening client's mail to avoid scam solicitations being sent to client. (232)
- APS appointed as successor payee so eviction was avoided. At time of APS rep payee appointment, there were numerous unpaid utility, cable and phone bills, in addition to the rent. (366)
- APS is providing rep payee services for client's SSA and pension funds. (548)
- Case remains open, APS is rep payee and client has new people assisting her with her finances. (551)
- APS to provide on-going rep payee assistance to guarantee that rent is paid. Client has on-going exploitative relationship with perpetrator. (561)

### Perpetrator Arrested and/or Convicted

In several cases reported under this study, APS investigations and referrals to law enforcement resulted in arrests and convictions.<sup>1</sup> Here are some examples:

- Client was swindled/persuaded to give \$10,000 to perpetrators; allegations were founded and, despite client not wanting to press charges, the perpetrators were arrested and convicted. (42)
- Son and his wife moved son's mother in their home, sold her home and kept the money. The son withdrew her entire monthly pension benefits as "rent," even though she was confined to one room in their house and was not permitted in the rest of the home. The son and his wife plead to a misdemeanor, despite the exploitation. (356)
- The grandson was arrested and is in jail pending grand jury action. Victim Assistance and the DA are working with the client. An order of protection was obtained and she is supposed to be notified if he gets out of jail. The grandson pled guilty to assaulting the client. The client is afraid that if the grandson gets probation, he will try to move back with her. (409)
- The client's son, daughter and daughter's partner were arrested for exploitation. An out of state daughter has taken over her father's affairs. (376)
- The perpetrator is being prosecuted for identity theft. (409)
- The daughter was convicted, sent to rehabilitation and ordered to pay restitution. (508)
- The client's son was arrested, jailed and convicted of stealing his mother's money, stealing her vehicle, violation of parole as well as other thefts. (536)
- Client's daughter, agent under power of attorney, arrested for violation of fiduciary duty as agent. She was sentenced to 2-6 years in state prison and ordered to pay full restitution. (590)
- Police advise there is a warrant out for perpetrator's arrest. (649)



- Perpetrator is in county lockup. She was recently convicted of defrauding another individual. The case involving the client and the other parishioners is still pending. (708)

#### Restitution/Reimbursement Made or in Process

- An individual hired to perform home repairs stole three checks from the client's checkbook, forged the client's signature and used the checks to make his own purchases. Referral to police was made. The perpetrator admitted guilt. Police have informed client the perpetrator agreed to return her money as a condition of plea agreement. (76)
- Please note that since the case review instruments provided reports as of the time of submission, they would not have included any convictions that occurred subsequent to the time of submission.)
- Grandson wrote checks out of his grandmother's account. Case was closed, as funds were returned to client. She refused to press charges against her grandson and allowed him to move back into her home. (234)
- Money was replaced by the bank after police report was made. It was suspected that grandson took money but no evidence to identify perpetrator. (277)
- Daughter was convicted, sent to rehabilitation and ordered to pay restitution. (508)
- Client's sister stole his money, using his debit card. Client, age 24 and paralyzed from the neck down, was able to get money refunded by the bank. He realizes he can only trust parents with his finances. (600)
- Client cancelled his credit cards and was reimbursed for half of the stolen funds. (657)
- Son forged mother's checks for over \$1,000. Victim's family contacted police, criminal action pending. As of the time of submission the son had returned half of the money taken. (706)
- Client was in hospital after an accident and she gave her son her checkbook and ATM card so he could assist her with shopping. The son used the client's funds for his own personal use. The client discussed matter with son and son deposited \$1,000 into his mother's account to replace the money. (804)
- Victim received some money back from amount "borrowed" but wants to give aide more time to pay back what she owes, despite records showing money was not used for stated purpose. (810)
- The customer alerted the bank and police department that he suspected his aide stole his ATM card and pin # from his wallet and took a total of \$1,400 from his checking account. The bank reimbursed customer the entire amount. (913)

- Customer was reimbursed all of the stolen monies in the amount of \$18,003. The bank manager was terminated immediately. It was learned during the bank's investigation that the perpetrator was stealing from several other bank customers at the same branch. The police are still investigating the case. (916)

#### Financial Exploitation Verified by APS and Referral Made to Law Enforcement, but No Arrest/Prosecution

There were several cases in which APS found there had been financial exploitation and made a referral to law enforcement, but law enforcement did not proceed with arrests or prosecution. Here are some examples from reported cases:

- Mother was too impaired, per police, to do a crime report and son has POA. (239)
- Law enforcement could not prove coercion; rather it was determined that client was voluntarily giving her money when she asked for help. (70)
- The case closed with the police educating the client and her family on scams. Her daughters worked with the client and the banks to secure her funds in a new account. If she tries to withdraw funds, the bank will be alerted and the bank will alert the daughters. (105)
- The client responded to an international sweepstakes mailing and related phone calls and has been scammed of \$2,500. A report was made to the New York State Police. However, there was no ongoing investigation because the client was a willing participant. The family was advised to apply for guardianship and SSA was advised re concerns. (200)
- An incident report was filed with the police department; however it was explained to client that this is a civil matter because client willingly gave his friend the ATM card and pin number. Client was informed he could move forward with this case in civil court, however he did not want to do so at this time. (308)
- A "friend" of the client forged the client's checks while client was in the hospital after an accident. However, the client was unable to complete a crime report due to cognitive impairment due to the accident. (357)
- The APS case closed after the DA refused to prosecute the nephew, based on the belief that the client knew what she was doing, even though APS disagreed. (360)
- The situation was discussed with the ADA, but client refused to press charges and his mental state makes prosecution unlikely. (364)
- It was alleged that the client's daughter, agent under the POA, failed to properly provide for home care for her mother and used her mother's funds for herself. During investigation of case, the client died. Case worker was attempting to refer

case to DA's office, but as of time of submission the DA's office needed more proof before they would accept the case. (396)

- Client was taken advantage of by a couple of his acquaintances client let into his apartment. Client called the police and was told unless there was forced entry into clients' apartment, no investigation would follow. (461)
- Client understood she had been exploited and had taken appropriate steps through law enforcement and her attorney. Unfortunately, an arrest was not made in this case because \$50,000 was not enough to prompt FBI involvement where the funds were wired to other countries. (527)
- Client's son allegedly persuaded mother to take funds out of her account that he was taking for himself. Shortly after the law enforcement referral was made the client passed away. Law enforcement was unable to proceed with the case because there was no longer a victim. (538)
- According to fraud investigator, the client's daughter had embezzled \$150,000 from client's funds over the past 13 months. Our DA will not pursue action against the granddaughter in spite of the wealth of bank statements that document the granddaughter's enthusiastic shopping interests. The reason is that the granddaughter has a POA. (556)
- Police said there was not enough to consider it criminal. It was the partner's word against the family's word and the client states she wants the partner to have the things. Police said this is a civil matter, as client had given daughter POA. (803)
- Both the DA and the AAG informed APS that once a scammer crosses state and country borders, it cannot be criminally prosecuted at the local level. There was no federal interest in pursuing this case. The ADA did contact an out of state bank to let them know the wired funds had moved through that bank. (827)

#### Financial Exploitation Not Verified

As noted above, districts verified that financial exploitation had occurred in about 52 percent of the cases reported in this study. There were various reasons why a FE referral was not found to be verifiable. These include the following:

- Allegation of financial exploitation by daughter unfounded. Daughter was legally client's agent under a power of attorney and was working with a financial institution to assist mother to become eligible for Medicaid. (1)
- When requested, the agent under the power of attorney provided itemized receipts documenting expenditures on client's behalf. (21)
- Client was not financially exploited. He authorized purchases/transactions and had the capacity to do so. (48)

- Referral source felt \$300 was missing, but could not provide a basis for that assumption. Client's mental status was such that she could not provide any useful input. (50)
- Upon investigation client denied any wrongdoing by neighbor. Caseworker reviewed check registry and bills and could not see any evidence of mismanaged funds. Client said she occasionally gave the neighbor some money to compensate them for the time they spent helping her write checks and balance her checkbook. (61)
- Client was alert and oriented and maintained he is knowledgeable and consenting to the use of his funds for caregiver's family. (68)
- Client has squandered her own money. Rep payee service has been initiated. (141)
- Client is very aware of her finances. Client is very upset that someone feels she has been exploited. Case was unfounded and closed. (193)
- No financial exploitation was found. The client had some confusion and thought he was being exploited, but no evidence was found. (197)
- Client has mental capacity and willingly supported his wife and adult daughter. No financial exploitation. (450)
- Client has capacity to make her own decisions. Evidence collected does not support a finding of financial exploitation. (464)
- Client was aware of the use of his money and was in agreement with it. He did not want to change the POA or his living or financial institution. He was found to understand what was going on and was not financially exploited. (493)
- Client is oriented x3 – aware and able to make own decisions and able to take care of her banking needs. She refused any additional involvement or assistance from adult services. (606)
- There was no financial exploitation found in this case. There was some suspicion by various parties, but here was no evidence to back it up. (622)

#### Case Remains Open for Further Investigation/Services

Another frequent status category is that the case remained open, for more investigation by APS and/or law enforcement, or to provide ongoing APS services to the vulnerable adult. Here are some examples:

- The case remains open. We filed guardianship paperwork but the case settled, with client's brother being POA agent and payee for social security. Brother is working hard to improve financial situation. We keep APS case open to monitor client and support the brother. (199)
- At this time there remains an open criminal investigation with the New York State Police. (276)

- Still open. Case was referred to police and the agent under the POA changed, so further exploitation was eliminated. (276)
- We are in the process of pulling together the needed information to make a referral to law enforcement. Nursing home is assisting client with application for Medicaid. Lifespan was designated agent under POA. (286)
- Waiting for bank records. (328)
- We are trying to get bank records of victim and paperwork for police. (332)
- Accounts continue to be monitored and POA use is being watched as well. (344)
- Case is being pursued in court. (348)
- Case investigation is still pending with the Financial Management Unit. Client completed check fraud statement of claimant and sent to FMU. Client also filed police report, and police are investigating.
- DA's office is investigating. (405)
- Client is in housing court, and APS plans to request a Guardian Ad Litem. (410)
- Pending for guardianship. (417)
- An application for assistance with rental arrears was submitted to avoid eviction. Client was temporarily placed in a nursing facility after collapsing at home. Client is to be discharged next month. Upon discharge an application for financial management will be submitted. (427)
- Case to be submitted to DA's office. (428)
- Caseworker will attempt to contact primary person involved in the alleged exploitation. (441)
- APS in process of working with client's attorney to facilitate completion of psychiatric evaluation which is needed to determine client's level of competency and to assist in care planning. APS is also requesting documentation from financial institutions and the client's former primary care provider in order to conduct assessment of case. APS is continuing monthly home visits. The family is non-cooperative. (444)
- Assisting client with financial management for rent and utility arrears. (446)
- Case still open to address client capacity level. Will submit material to police to see if case warrants further APS involvement. (469)
- Case remains open while seeking subsidized housing for client. (560)
- Adult Services is working with police to investigate how client funds are being spent. We may be looking to formally manage her money to ensure her bills are being paid. The utility had shut off her heat, water, electricity due to nonpayment. Caseworker continues to try to meet with the family to discuss budget issues. The plan is for client's caseworker to become her payee. (592)
- Case is open with New York State Police for investigation. APS case is closed. (596)

- Client continues to reside in family type home for adults. APS will continue to provide services to client, although he is no longer at risk of financial exploitation. (601)
- Case is relatively new to APS and there is still a great deal of information to be gathered. Contact has been made with POA agent, who advises that his attorney is handling the matter. APS will follow up. (762)
- We are still investigating. Attempts to contact the sister in law, who is managing the funds, have not been successful. We are reaching out to other family members. (763)
- At present, all individuals admit to a onetime usage of client's funds to pay for car insurance. Details are still being gathered. (764)