Elder Abuse & Mistreatment: Financial Exploitation, Fraud & Identity Theft
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National Indigenous Elder Justice Initiative (NIEJI)
OVC Grantee Regional Training 2018

"Restoring respect and dignity by honoring Indigenous elders"

Welcome

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Mission: Restoring respect and dignity by honoring Indigenous elders.

Areas of Focus
- Culturally Based Resources
- Tribal Elder Abuse Codes
- Cross Jurisdictional Issues
- Public Awareness

Learning Objectives
- Describe types of financial exploitation.
- Identify risk factors for financial exploitation.
- Identify warning signs of financial exploitation, fraud, and identity theft.
- Describe the unique circumstances in Indian Country in regard to financial exploitation, fraud, and identity theft.
- Protect older adults from financial exploitation.

Activity

Small Group Activity
- Get into 3 groups around a table
- Materials
  - Post-It Chart paper
  - Markers
- What is...?
  - Table 1 – Financial exploitation
  - Table 2 – Fraud
  - Table 3 – Identity Theft
Who are the Victims?
- Any older adult (generally 60+ but depends upon tribal definition)
- Disproportionately affected:
  - Persons who are isolated, living in poverty or who have cognitive impairments (e.g., dementia)
  - Women (2/3)
  - Residents of long-term care facilities

Who Commits Elder Abuse?
- Intimate partners
- Adult children and other family members
- Caregivers
- Fiduciaries
- Others who are or put themselves in positions of trust or authority
- Strangers

Why does elder abuse occur?
- Greed
- Benefits of predatory behavior (sexual/financial)
- Power & Control dynamics (similar to younger domestic violence)
- Good intentions (caregivers who cause harm even if trying to provide care)
- Physical/mental health conditions (cannot control behavior)

Why does elder abuse happen?
- Native Values such as...
  - Generosity
  - Take care of today.
  - Family Role or position
  - Respect for Elders

What about caregiver stress?
- Stress that is the result of feeling overwhelmed by the demands of caregiving
- May produce depression, anger, sense of helplessness
- May result in overeating, insomnia, depression, substance abuse, etc.

Vulnerability of Elders
- Dependence upon others for assistance.
- Don’t want caregivers to go to jail.
- Forgiving of family members.
- Spent their lives taking care of family so vulnerable to family needs/expectations holding greater importance.
Financial Exploitation

Financial/Material Exploitation

Financial or material exploitation is defined as the illegal or improper use of an elder’s funds, property, or assets.
- Examples:
  - cashing an elderly person's checks without authorization/permission
  - forging a signature
  - Misusing/stealing an older person’s money or possessions
  - coercing or deceiving an older person into signing any document (e.g., contracts or will);
  - Improper use of conservatorship, guardianship, or power of attorney

Examples from Indian Country

Exploitation
- Tribal Elders
  - Grandchild took elder’s car and wrecked it.
  - Grandchildren pressured elder for money
  - Family cashed elder’s checks & locked elder in their room.
  - Family borrowed money and didn’t pay back
  - Granddaughter & boyfriend moved in and supported by elder
  - Taking advantage by relatives
    - Using their homes to park grandchildren to feed, clothe, babysit, etc.

Common Ploys for Elder Money
- “Grandmother, I need money to buy books for school.”
- “I need money to come home to visit you.”
- “The bills were higher than expected.”
- “I need money for gas to run your errands.”
- “I need to go pay for your medicines.”

Effects of Exploitation
- Resources cannot be recovered
- Elders do not want family caregivers punished
- Loss of essential living needs
  - Food
  - Shelter
  - Utilities
  - Transportation
  - Care
  - Medication
Exploitation Issues for Tribal Elders

- Resources
- Cross Jurisdictional Issues
  - Banks
  - Adult Protective Services
  - Tribal Elder Services
  - Law Enforcement/Courts
- Housing

SCAMS

What are some scams targeted at elderly you know about?

Common Elder Related Scams

- Foreign Lotteries
- Identity Crime
- Home Repair
- The “Pigeon Drop”
- Cold Callers
- “Grandma, I’m in jail”
- Medicare Card Scam

Disaster Relief Scams

- Avoid Hurricane clean-up scams
- Hurricanes Harvey / Irma / Maria scams: Callers lie about flood insurance
- Phantom debt collectors impersonate law firms
- Wise giving in the wake of Hurricanes Harvey / Irma / Maria

Disaster Scam Prevention

- Check with local consumer protection officials to see if debris removal contractors have to be licensed in your area
- Ask for references.
- Write down the contractor’s driver’s license & vehicle information.
- Ask contractor for license and certificate of insurance.
- If told damage is covered by insurance contact your insurance company to confirm.
**Disaster Scam Prevention**

- Get written estimate and sign a written contract with description of work, materials, when it will be finished, the price and the address and phone number of the contractor.
- Pay with credit card or check so you can dispute the charge if there are problems later.
  - Be wary of those who ask you to pay in cash.
  - Negotiate a reasonable down payment and the balance when the work is completed to your satisfaction.
- If you have doubts, you have 3 days to cancel the contract.

**Charity Scam Prevention**

- Donate to charities you know and trust
- Be alert for charities that seem to have sprung up overnight connected to current events (Hurricanes, fires, floods, tornados)
- Designate the disaster to ensure they are going to disaster relief instead of general funds
- Never click on links or open attachments in e-mails unless you know who sent it.
  - Look at the email address, not just the name.

**Charity Scam Prevention**

- Don’t assume that charity messages posted in social media are legitimate.
- When texting to donate, confirm the number with the source before you donate.
- Find out if the charity or fundraiser must be registered in your state.


**IRS and Tax Scams**

- Email, Phishing & Malware
- IRS- Impersonation Phone Scam
  - Aggressive
  - Sophisticated
  - Con-Artists not IRS
  - Told owe money
  - Refuse & threatened
  - arrest
  - deportation,
  - License suspension
- IRS does NOT call you!
  Source: IRS

**Sweepstakes & Lottery Scams**

- Fraudulent telemarketers
  - Identify themselves as lawyers, customs officials, or lottery representatives
  - Tell people they have won vacations, cars, or money
  - Winners must pay fees for shipping, insurance, customs duties or taxes before they can receive their prize.
- Also know as “Pigeon Drop”
- Did you enter a sweepstakes or lottery?

Source: Federal Trade Commission

**Sweetheart (Affinity) Scam**

- Warning signs
- Prevention

Source: Consumer Reports, February 2017
Grandparent Scam

- Grandchildren don’t call enough
  - Call in middle of night
  - Out of state or country
  - In trouble, in jail for drunk driving
- If don’t recognize voice
  - Have a broken nose
  - Sick
- Need money to get out of jail
- Don’t tell parents
- $3 billion/year lost

Source: CBS News

Drug Smuggling Scam

- Entice with promise of inheritance/business opportunity
- Requires they fly to other countries
- Travel/expenses paid for lavish overseas trips
- Asked to deliver a “present” or “gift”
- When arrive, gifts are found to contain drugs in chocolates, tea, canned goods, soap, etc.
- Arrested and detained by local authorities

Tech Support Scam

- Use of phone to break into computer
- Claim to be tech support from Microsoft or other companies
- Claim detected malware/viruses on your computer
- Want you to give remote access to computer
- Make changes to settings so they can access later.

Source: Federal Trade Commission

Medicare Card Scam

- Medicare Card Number
- Personal Information
- Guard your Medicare card like a credit card
- No one from Medicare will call & ask for your card number or other personal information
- New Medicare Cards arriving in April 2018-2019
  - New unique number
  - Social Security Number will not appear on it.

The Facts of Identity Theft

17.6 million
identity theft victims in 2014 (7% of US population)*

Nearly 500,000 complaints
to the FTC in 2015.

*U.S. Dept. of Justice, Bureau of Justice Statistics, Victims of Identity Theft, 2014 (September 2015)
What is Identity Theft

- Stealing your identity could mean using personal information without your permission:
  - Your Name
  - Social Security Number
  - Credit Card Number
- Results
  - Renting apartments, get credit cards, start other accounts in your name.
  - Don’t know until you get the bill or review your credit report and see charges you didn’t make or are contacted by a debt collector.

Signs of Fraud or Identity Theft

- Accounts on your credit report you didn’t open
- Incorrect personal information on your report
- Credit inquiries from companies you never contacted.
- Wrong amounts showing on your accounts
- Money is missing from your bank account
- Bills that you used to get are no longer delivered

Examples of Misuse

- Open Credit Cards
- Open Utility Accounts
- Apply for a Tax Refund
- Get a Loan
- Apply for Employment
- Get Medical Care

Impact on Victims

- Denial of credit/loans
- Denial of public benefits
- Denial of medical care
- Harassment by debt collectors
- Lawsuits
- Stress/anxiety
- Embarrassment
- Time/expenses spent on recovery steps

Your Identity Is Stolen. What do you do?

Identity Theft: What to do

IdentityTheft.gov
Report Identity Theft

- Federal Trade Commission at
  https://www.consumer.ftc.gov/topics/identity-theft

- IdentityTheft.gov
  https://www.identitytheft.gov/#what-to-do-right-away

Data Breach

- Experian Data Breach
  - Contact one of the nationwide credit reporting companies (Equifax, Experian, TransUnion)

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<thead>
<tr>
<th>ONLINE</th>
<th>BY CALLING</th>
<th>BY MAIL</th>
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<tbody>
<tr>
<td>Equifax</td>
<td>(888) 766-0008</td>
<td>Equifax Consumer Fraud Division, PO Box 740256, Atlanta, GA 30374</td>
</tr>
<tr>
<td>Experian</td>
<td>(888) 397-3742</td>
<td>Experian, P.O. Box 9554, Allen, TX 75013</td>
</tr>
<tr>
<td>Transunion</td>
<td>(888) 909-8872</td>
<td>TransUnion Fraud Victim Assistance Department, P.O. Box 2000, Chester, PA 19016</td>
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Experian Data Breach

- Equifax is offering free monitoring service to anyone
  - Equifaxsecurity2017.com

- Check for
  - Trial periods
  - Fees
  - Cancellation requirements
  - Other restrictions such as automatic renewals
  - Are you asked for a credit card, debit card, or bank account number

Types of Fraud Alerts

- Initial fraud Alert (90 days)
  - Believe you are (or about to become) a victim of fraud or identity theft
  - Creditors must verify your identity before opening accounts

- Extended Alerts (7 years)
  - After your identity has been stolen
  - After you file an identity theft report

- Security Freezes
  - Prevents new creditors from accessing your credit file and others from opening accounts in your name.
  - Does not prevent thieves from taking over your current accounts.

FREE help from IdentityTheft.gov

- Get a personal recovery plan that walks you through each step.
- Create an identity theft affidavit that you can review and update at any time.
- Get customized pre-filled letters to send to credit bureaus, businesses, and debt collectors.
- Return anytime to update your plan and track your progress.
- Get advice about what to do if you’re affected by specific data breaches.

IdentityTheft.gov

Helps You Report and Recover from Identity theft
Keys to Successful Interventions
Tribal Law and Order Act

Tribal Values for Elders
- Honor
- Respect
- Dignity

Screening for Abuse
- Best practice: all clients should be screened at intake
- Normalize talking about a difficult topics
- Native Elders talk about “disrespect” not “abuse”
- Asking questions creates a potential to catch abuse in its early stage and prevent it from escalating

Screening Native Elders
- Have you been disrespected? If so, how?
- Are you able to cover your bills with your income? What gets in the way?
- Does anyone have access to your money? What are they responsible for doing with it?
- Is anyone taking or using your money without your permission?
- Is anyone taking your things without your permission?

Screening Native Caregivers
- “How do you handle the stress of taking care of an elder?”
- “What type of support do you have for managing your stress?”
- “Are you worried you might hurt the elder you care for?”
- “Have you ever hurt the person you care for?”
- “Do you ever ask the person you care for to give you money or other resources?”

Financial Abuse: Talk to Elders
- Planning Ahead
  - Under what conditions would you want someone to manage your finances?
  - Under what conditions would you want to be placed in a long term care setting
- Staying Connected
  - When people who regularly attend events are not there
  - Have a buddy system
- Being Cautious
  - Don’t provide resources without checking out the situation
- Reporting Their Suspicions
  - If you think abuse may be going on, tell someone.
  - Ask authorities to intervene.

Application
- Cassie works with customers on a daily basis at the Sundog Credit Union.
- John is the manager of the Sundog Credit Union
- Charlotte is a 72 year old customer of the Sundog Credit Union lives in tribal housing and lost her husband to cancer last year.
- Ellen is Charlotte’s daughter who helps with bills and errands.
Concern

Cassie goes to John with a concern: Charlotte receives a monthly oil check that is directly deposited into her checking account. Her daughter, Ellen, is listed on her account so that she can pay her mother’s bills, pick up groceries, and take care of additional expenses. This morning, Charlotte stopped into the bank to withdraw some money and wanted to know her balance. When she was given the balance she seemed very confused.

Concern

John asks Cassie if there is anything else: She mentioned that when she asked her daughter to buy a new chair for the living room, Ellen said there was no money. She also told me that her daughter wanted her to sign some papers. When I asked her why, she said she wasn’t sure and seemed very uncomfortable.

John: Thank you for bringing this to my attention. There are a lot of risk factors that can contribute to an elder’s vulnerability for financial exploitation. I’m going to call Charlotte and set up a time to talk.

Review

What have you learned today that you will take home and use right away?

What are things you learned today you will use within the next 3 months?

Reflection

Are there situations in your community where you can apply what has been covered today?

What do you see as your role?

NIEJI

www.nieji.org
Lots of resources available
Training modules on:
- Elder Abuse
- Policy
- Financial Exploitation
- Social Services
- Caregivers
Coming soon: Healthcare and Legal

For More Information

National Indigenous Elder Justice Initiative

Phone: 701-777-6084
Toll-free Number: 855-834-1572
E-mail: info@nieji.org
Website: www.nieji.org

Thank You!
Wado!
Wrap-Up

Questions?
Final Comments?