Financial Exploitation Data Book:

A Retrospective Look At Community Based Investigations in Oregon During 2019

Compiled by the central office Adult Protective Services Team within Aging and People with Disabilities.

Oregon Department of Human Services
AGING & PEOPLE WITH DISABILITIES
Adult Protective Services

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Executive summary

Marie Cervantes, Senior APS Program Manager

In 2014 we closely examined financial exploitation investigations conducted by Oregon APS in 2013 and published a report.

As part of our report, we highlighted the major effect financial exploitation has on older adults, especially those who are isolated or lack social support systems. In our continuing commitment to this state and national issue, we are now presenting a second report on financial exploitation in Oregon. We compiled this report from more than 600 cases conducted in 2019, five years after the initial report. This publication offers updated findings so that we may more closely examine this costly, prevalent and disturbing form of abuse of vulnerable Oregonians.

Those of you who read the 2013 report will find much of this information familiar, but not all remains the same. Here are some key takeaways to consider from our updated report:

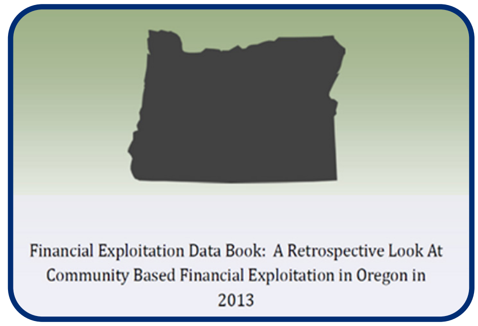
- The tools the legislature gave financial institutions to limit losses are working, including the passing and implementation of HB2622 in 2017. This law gave these institutions a tool to very quickly stop the financial losses on some of these cases.
- Even though financial losses are less, the emotional and other costs remain substantial.
- Family members and others in close, trusted relationships with victims continue to be the highest percentage of perpetrators. They use means of undue influence, deceit and threats to steal from victims.
- Oregon investigators continue to need more training on the investigation of financial exploitation and additional tools to obtain the evidence necessary to reach a supportable conclusion.
- The idea that financial exploitation cases are "just about the money" is still perpetuated in many professions. However, the United States' Department of Justice's states that financial exploitation and neglect are tied for the lowest survivability rate of all abuse types. We must keep trying to change this way of thinking and reduce the stigma surrounding financial exploitation cases.
- We were able to partner with Oregon's Department of Community and Business Services, Division of Financial Regulation to make brokers, dealers and investment advisors **required mandatory reporters** in Oregon. This opened communication and reporting from a resource we had rarely heard from.

- While there still is a lot of outreach to be done, we have made great strides in educating financial partners and law enforcement stakeholders. We will continue to make outreach and education on this important issue a high priority.

> "With the aging demographics here in Oregon and nationally, financial exploitation is unfortunately forecast to grow. It's critical that we, as a society, devote all the tools and resources to protect vulnerable adults from exploitation."
>
> — Mike McCormick, Acting Director,
> Oregon Department of Human Services,
> Aging and People with Disabilities Program

We depend on communities, families and others involved in the lives of our most vulnerable Oregonians to report these allegations. Each one of us plays an important role in helping people live free from financial abuse. If you become aware of a vulnerable person who may be in an abusive situation, including financial abuse, please call Oregon's Safeline at 1-855-503-SAFE (7233).

Introduction



In 2014, the first retrospective report of financial exploitation (FE) of individuals over age 65 and younger adults with physical disabilities was published. This report used investigative reports completed by Adult Protective Service (APS) workers throughout the state during the 2013 calendar year. That report is available here. Appendix A of this report is a one-page summary of the 2014 report developed at the time of original release.

The 2014 report revealed the staggering cost of financial exploitation to Oregonians. It showed strengths, weaknesses and opportunities for improvement in our investigative, education and outreach efforts. A long "to-do" list took form based on these findings.

Now, six years later, Oregon is taking another look at financial exploitation in our state. This report will focus on:

- What has changed,
- What has stayed the same,
- Where our interventions after 2014 worked, and
- Where future efforts should focus.

This report follows the same structure as the prior report and will refer to it for comparison. Each section will also focus on the specific efforts Oregon has made since, and as the result of, the 2014 report.

Major lessons from the 2014 report were the need for education, outreach and the de-stigmatization of being a victim of financial exploitation. This report continues Oregon's efforts to meet these needs by providing links to resources throughout. Resources are provided as both hyperlinks for those reading online and in text for those reading a print version of the report. We encourage you to explore all of these resources! The report also features simple "action items" all readers can take, no matter their role.

Unfortunately, the use of acronyms cannot be avoided completely. Every effort was made to limit their use, but space occasionally made it necessary. Here is a list of abbreviations you may encounter while reading this report.

AAA	Area Agency on Aging	Some APS units are housed within AAA's
APD	Aging and People with Disabilities	The subsection of ODHS that houses APS
APS	Adult Protective Services	Oregon has changed how it refers to possible victims and perpetrators of abuse. They are now called "alleged" rather than "reported." This matches the terms used by other state investigative entities, such as the Office of Developmental Disability Services and Behavioral Health.
AP	Alleged perpetrator	
AV	Alleged victim	
CAM	Centralized Abuse Management	
FE	Financial exploitation	
LEA	Law enforcement agent	
ODHS	Oregon Department of Human Services	
PoA	Power of attorney	

Unchanged from the prior report is our desire to humanize financial exploitation victims and illustrate the true impact it has on their lives. These victims have often lost everything they spent their lives working for and with it a secure retirement and future. Others have lost relationships with family members, the ability to trust and a sense of dignity. You will see quotes gathered from our case reviews throughout this report and none are more important than those from victims. *All case examples and quotes in this report are from actual 2019 investigations and reports*. Minor details may have been altered to protect the identities of the parties in the case.

A change in how financial exploitation is defined

The rule defining financial exploitation in Oregon has changed slightly since the prior report was written. Section 411-020-0002 (1)(e) of the Oregon Administrative Rule now defines financial exploitation as follows:

(A) Wrongfully taking, by means including, but not limited to, deceit, trickery, subterfuge, coercion, harassment, duress, fraud, or undue influence, the assets, funds, property, or medications belonging to or intended for the use of an adult;

(B) Alarming an adult by conveying a threat to wrongfully take or appropriate money or property of the adult if the adult reasonably believes the threat conveyed maybe carried out;

(C) Misappropriating or misusing any money from any account held jointly or singly by an adult;

(D) Failing to use income or assets of an adult for the benefit, support, and maintenance of the adult; or

(E) The taking, borrowing, or accepting of assets, funds, property, or medications from an adult residing in a facility by an employee of the facility, unless the adult and employee are related and the action described in this paragraph does not constitute a wrongful taking as described in (A).

Action item

Are you or a loved one living in a licensed setting? Read this guide produced by the Consumer Financial Protection Bureau titled Protecting Residents From Financial Exploitation.

Since 2013, subsection E was added to the Oregon Administrative Rule and it applies to facility APS investigations. While those are not a part of the cases examined for this report, it is important to note that financial exploitation **does exist** in facilities. It is often seen in the form of medication diversion, missing valuables and cash from resident rooms and, as noted in the definition, loans or gifting items to facility staff. This revision to the APS definition of financial exploitation in Oregon is an effort to recognize the inherent imbalance of power that exists when someone is dependent on another individual for their care and wellbeing.

Unchanged: The investigation of financial exploitation in facilities is different than the investigation of financial exploitation in community settings. This report covers only community APS reports. This means that even if the alleged victim was living in a licensed facility, the alleged perpetrator was not an employee, agent or volunteer of that facility.

A Change in state resources to tackle financial exploitation

One lesson from the prior report is that the cost of FE to all involved, including governmental agencies, is vast. Dedicating resources to prevent financial exploitation and to investigating it thoroughly when it does occur is money well spent. A resource within Oregon that was in its infancy in 2013 is the addition of a dedicated financial exploitation specialist to the central office Adult Protective Services team.

The effect of this position can be seen throughout this report. The position provides support to Oregon through extensive education and outreach efforts. These efforts are often directed to potential and existing victims to empower them to protect themselves from future or current exploitation. Most importantly, this position supports the local investigators, not just with individual cases, but through training efforts that have advanced significantly since the last report.

In 2019 alone, Billie McNeely (who has served in this position since 2014), along with some of her colleagues, has:

- Routinely staffed cases with local office investigators,
- Taught all the "Elder Abuse and Financial Exploitation" sessions at the Oregon Police and Public Safety Academy, reaching 600 new law enforcement officers who now have the awareness, tools and resources critical to protecting vulnerable Oregonians,
- Reached over 850 people by travelling with the Oregon attorney general to local events designed to educate the public about types of financial fraud and scams that target the senior or disabled population,

- Completed presentations on a variety of platforms for the Oregon Agency of Realtors, the Oregon Realtor Board, the NW Bank Operations School, multiple senior living facilities, Mid Valley Credit Union members, the Fraud Prevention Forum, the Rogue Valley Elder Abuse Conference, the Klamath Falls World Elder Abuse Awareness Event and the North Bend Medical Group,
- Reviewed articles for the Ecumenical Society of Oregon's statewide newsletter and the Oregon Department of Transportation's employee newsletter, and
- Appeared on Jefferson Public Radio.

Case example: An individual's right to refuse services and to self-determination

I didn't want to report this and I don't want AP in trouble. I fixed the problem and canceled my card. I have a new one now and AP isn't getting my information. I love AP and wanted to help AP. I just called the bank so they would cancel my card but then they started an investigation which is what I didn't want. AP abused me by taking all my money but I started that by allowing him/her and not putting limits. I don't want police involved. I am not pressing charges. I fixed it on my own and I didn't need any help doing all that.

Unchanged — the guiding principles of Adult Protective Services

Oregon follows the National Adult Protective Services Association's (NAPSA) code of ethics. The code may be viewed in its entirety here. The guiding value of NAPSA is that every action taken by APS must balance the duty to protect the safety of the vulnerable adult with the adult's right to self-determination.

The fact that someone has a physical disability or is over the age of 65 does not inherently make them vulnerable or incapacitated. APS investigators are guided by the principle that as long as an individual has the cognitive capacity to understand the consequences of their choices and actions, and provided they are not being subject to the undue influence of others, they retain the authority and right to make those choices.

It can be intensely frustrating and distressing for family members, friends, neighbors and investigators to watch someone they are concerned about make choices that affect them negatively, financially or otherwise. APS investigators always do their best to educate victims about the resources available to them. Should a victim decide to pursue available resources, APS investigators support and assistance them through that process. APS investigators are not in a position to force change or exert power over an alleged victim and their life choices. APS investigators are trained to identify undue influence when investigating allegations of abuse and should never apply it themselves.

The biggest change

While there have been many changes since the prior report, the largest change is the means by which Oregon APS collects and analyzes data. In 2015 the Oregon Legislature approved funding to replace the old report writing and data collection system. Antiquated and increasingly unstable, the legacy system was very limited in the data that could be both entered and extracted.

In 2018 Oregon APS began the roll out of the Centralized Abuse Management system (CAM). By the end of that year, every investigator in every district in Oregon was using CAM to enter intakes, screening decisions, demographic data of involved parties, investigative activities, protective services, interventions and ongoing risk management activities.

While over 400 reports were reviewed as part of this retrospective report, it was not to gather basic demographics or data. It was to assess the thoroughness of the investigation, the integrity of the finding and the barriers that investigators face when investigating financial exploitation.

More information about CAM may be found on the ODHS website.

The report

Introductory information

Every year Adult Protective Services produces an annual data report. The data for 2019 is located on the ODHS website. 2019 was the first year the report was limited to community investigations. The Office of Safety, Oversight and Quality within APD tracks and analyses investigations in licensed settings.

As the 2019 data book indicates, there were 4,152 investigations of alleged financial exploitation that year. Because the data book captures completed investigations, it may include investigations that started in 2018. For the purposes of this report, and to capture the most current information possible, this report focuses on cases **received and started** in 2019. While there is a great deal of overlap between these two data sets, this is an important distinction.

Data drill down

It's important to remember that one **investigation** may include multiple **allegations** within it. This often happens when there is more than one individual alleged to be perpetrating the abuse. Each perpetrator is captured in a separate allegation so that they are examined individually for their role in the alleged abuse. One may be substantiated while the other is not, e.g. the AV was a victim of financial exploitation but only at the hands of one individual. This would mean there is one substantiated allegation of FE and another not-substantiated allegation of FE. This report will make it clear throughout whether **allegations** or **investigations** are being referenced.

In 2019 local offices received and investigated 3,784 allegations of community financial exploitation which were examined as part of 3,288 individual investigations. All of those cases are included in this report. For many of the data points this report covers, the data are available for all 3,784 allegations. However, other data points required reading the report thoroughly and hand mining the data. For these data points, a sample of 520 allegations of financial exploitation within 442 investigations was used. This equates to a statistically significant sample size with a 95% confidence level and a 4% margin of error.

Comparison

For the purposes of comparison, the prior report looked at 3,398 allegations of which 623 cases were individually read and hand mined for data. The advent of CAM made the individual hand mining of cases far less necessary for this retrospective report.

Data points to be aware of

The following data points will be explored and explained in further detail throughout this report.

- Of the 3,698 FE allegations for which the investigations are complete, 839 (22.7%) were substantiated.
- This rate is similar to the overall substantiation rate for all types of abuse investigated by APS during 2019. However, it is considerably lower than the 29% substantiation rate in 2013 financial exploitation cases.
- When investigators have access to documentation and records, the substantiation rate increases to 63%.
- Cases in which law enforcement is involved are substantiated 63% of the time.
- There are 712 substantiated victims of financial exploitation in this report. Some of these individuals may have been exploited more than once during the report period or may have been exploited by multiple perpetrators within a single investigation.
- Financial institutions and case managers are the most frequent reporters of financial exploitation. They make up over one third of all reports received and subsequently investigated.
- Children and grandchildren report frequently, but they are more often responsible for financial exploitation. They represent 46% of all substantiated perpetrators.
- Victims are nearly twice as likely to be women than men and the average victim age is 77.
- The average quantifiable loss to a victim in this year's report was $16,905. If this average is applied only to individuals who had a substantiated loss of money in 2019 (68% of the victims), the total would be **$8,182,020**.

Reporters of FE

Improvements to date

Reported allegations of abuse are the foundation of investigations. Without observant, concerned individuals reporting to local offices, APS work would not be possible. In 2013 it was understood at a national level that abuse in general was widely underreported. The estimate at that time was that only one out of 44 cases of financial exploitation was reported. Therefore, it was logical to devote time and effort to increasing abuse reporting in our state in the following years.

Here's what has happened between then and now:

More mandatory reporters have been added to Oregon Revised Statutes, including home care referral agency employees and home care workers. When Senate Bill 95 made investment advisors and brokers required reporters, Financial Exploitation Specialist Billie McNeely partnered with the Department of Consumer and Business Services to develop a reporting process and traveled to portions of the state to educate investment advisors and brokers about their new reporting requirement.

APD has done community outreach to educate existing mandatory reporters about their obligation to report suspected abuse. This includes the development and distribution of a new Mandatory Reporting brochure.

The goal was to encourage abuse reporting by everyone, not just those with a legal mandate to do so. These efforts included creating a new one-pager titled "Why Should I Care about Elder Abuse?" as well as a general guide to Adult Protective Services.

Reporters of all types of abuse now have a new way to report. The statewide SAFELINE (855-503-SAFE) is a toll-free number that guides callers through a series of questions to route them to the correct local office. Callers may report abuse of all vulnerable Oregonians at this number, including:

- Children,

Action item

Visit these sites to access the Mandatory Reporting and Why Should I Care About Elder Abuse publications. Share this information with just one person you know!

Comparison

In the last report it was noted that self-reports of FE fell below the statewide average for self-reporting of other abuse types. This has corrected itself as the statewide average is also 7.4%. This may in part be due to education and outreach efforts made directly to potential victims. Financial Exploitation Specialist Billie McNeely frequently speaks directly to this population at events throughout the state.

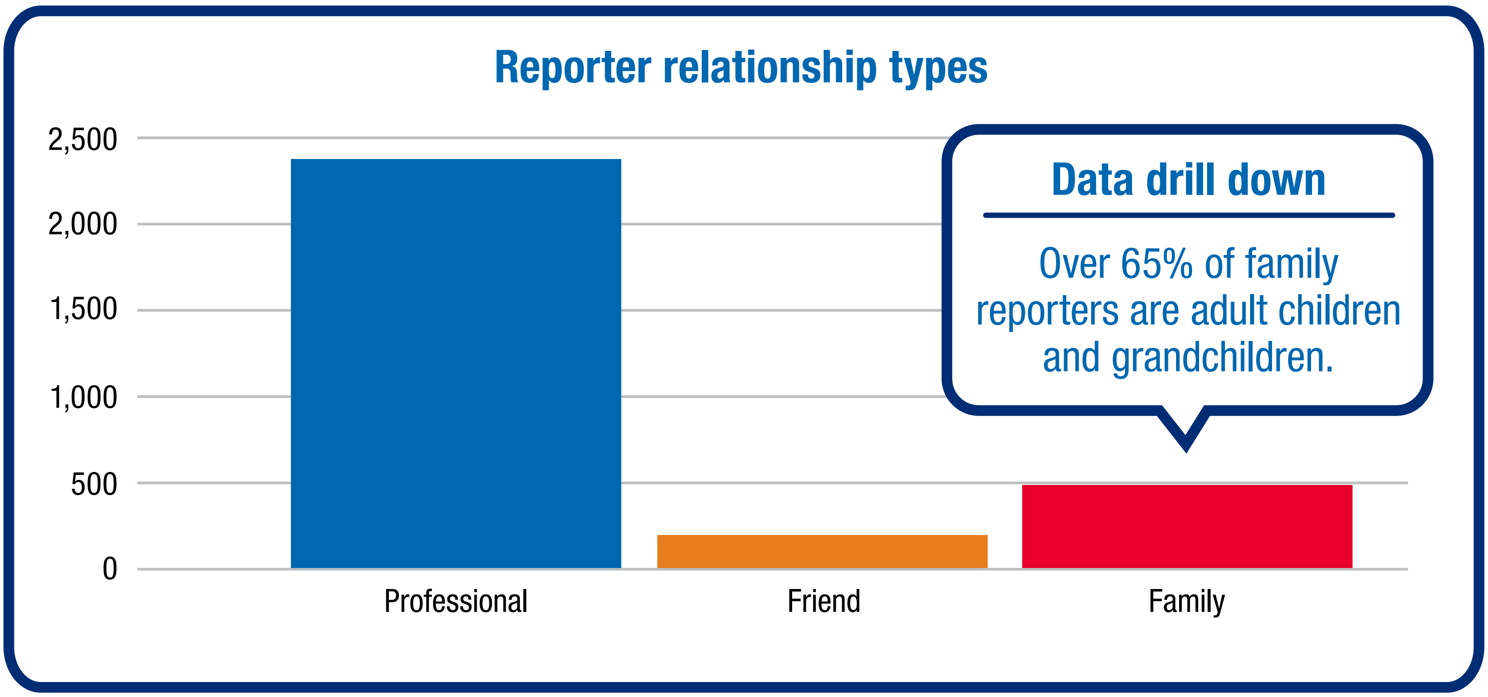
- Individuals with intellectual or developmental disabilities,
- Individuals over age 65, and
- Other protected populations.

Current state

Here is what the data for all 2019 financial exploitation reports that resulted in an investigation tell us about reporters.

It should first be noted that in 2019, 7.4% of the individuals calling to report FE were the victims themselves.

When these self-reporters (as well as a very small number of anonymous reporters) are removed from the data set, the remaining categories of reporters fall into roughly three categories: family, friends/acquaintances, and professionals.



As noted earlier, the law identifies some abuse reporters as mandatory reporters. Unsurprisingly, all mandatory reporters fall within the professional category.

The professional category of reporters (listed alphabetically), as well as the number of FE allegations they reported in 2019, breaks down as follows.

- M = mandatory reporter,
- NM = not a mandatory report, and
- D = it depends, meaning that their status as a reporter could vary based on factors such as place of employment, professional licensure, etc.

Profession	Reports made	M/NM/D	Considerations
Caregiver, not state paid	56	D	Mandatory if they are employed by an in-home care agency
Case manager	441	M	
Clergy	3	M	
Employer	2	D	Mandatory if the employer works in a setting that is a named mandatory reporter, i.e. a hospital setting
Facility administrator or staff	155	D	Mandatory if NF or AFH employees
Fiduciary	32	NM	
Financial: Banks, credit unions	605	NM	
Home care worker, state paid	27	M	
Hospital	82	M	
Landlord	11	NM	
Lawyer/Attorney	6	M	
LEA/First responders	158	M	
Licensed behavioral health	39	M	
Licensing board	4	D	It depends on type of license being issued or monitored.
Medical professional	271	M	
Professional, other	196	D	It depends on the role that these professionals occupy. If they are ODHS or OHA employees, they are mandatory reporters. If they are executives of private companies such as Intel or Nike, they are not.
Professional, other business	134	D	
Professional, other government	146	D	
Social worker (LCSW)	26	M	

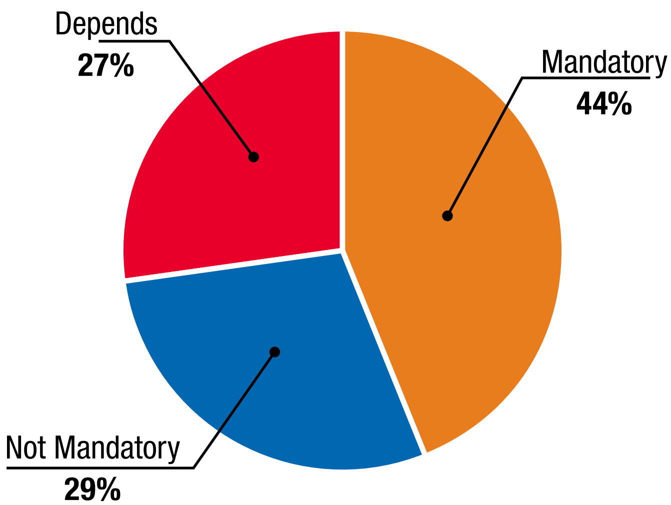
Did you know?

Does this surprise you? Banks, credit unions and other financial entities are **not** mandatory reporters in Oregon. However, as you can see, they are the largest reporters of FE followed by case managers. The reasons for this will be explored in the next section.

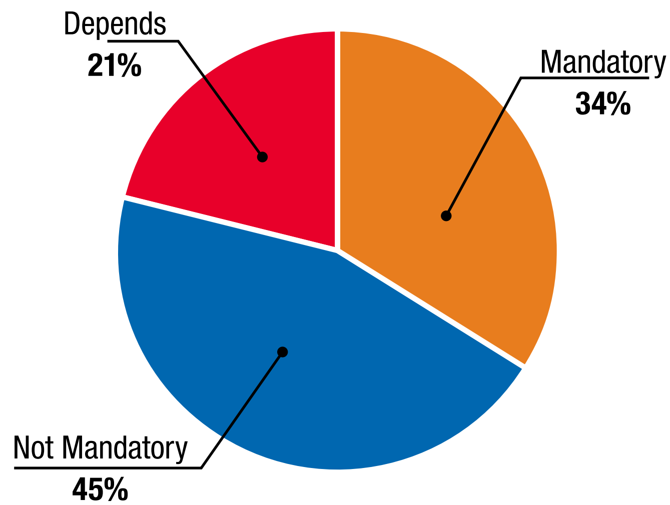
It's clear when examining the data that being named a mandatory reporter in law does not guarantee abuse reporting, financial or otherwise. As you can see in the professional table, there are mandatory reporter categories who are very well positioned to witness or identify financial exploitation who rarely report.

Although mandatory reporters do file more reports of FE than other non-mandatory professionals, they still report less than all non-mandatory reporters when the friends and family categories are included.

Professional reporters of FE



All reporters of FE



Who is reporting? By a very wide margin it is **individuals working within financial institutions**, primarily banks and credit unions (for a full list of all financial entities that reported financial exploitation during 2019, see Appendix D). This suggests that education and outreach may be a more effective way to encourage individuals to report suspected abuse than mandatory reporting status. In the early 2000's, the Oregon Banker's Association worked closely with ODHS to develop a training for bank employees about the signs of FE and how to report. Since then bankers have become, and continue to be, the largest reporters of FE. This tool has been reworked and refined over time and is a wealth of information, guidance and best practices.

See the current training tool at visit this site.

Comparison

At the time of the prior report, bankers had consistently increased their reporting presence and represented 16% of FE reports. In this report they increased their representation to 19%.

Bankers

There are several other items to note about financial institutes as FE reporters and the efforts of these institutes and organizations:

- Large nationwide banks do belong to the Oregon Banker's Association, but many of them have developed their own FE identification and reporting training. Based on all investigated complaints filed by bankers, over 36% came from the **Wells Fargo Elder Financial Abuse Department**. They have launched education and prevention efforts of their own which may account for their high representation in this report.
- Oregon credit unions are not part of the Oregon Banker's Association but are well represented in this report. In fact, **fifteen credit unions** throughout Oregon repeatedly reported and intervened in cases of financial exploitation. A spokesperson from the Northwest Credit Union Association believes that this is not only due to increased attention and education they have given to FE, but also to an increased responsiveness from Adult Protective Services when they do report. When they see APS take their report seriously and investigate it, it validates the message that reporting abuse is important.

Action item

If you are an adult child or grandchild concerned about a loved one being exploited or are someone looking to protect yourself, read Wells Fargo's guide to "Protecting Those You Love". Then share the link with one other person outside of your family that you think could benefit from this information.

- Every bank benefits from preventing financial exploitation and, when it does occur, detecting it early and taking steps to stop it. These steps can involve freezing accounts and refusing money transfers to questionable recipients. Banks often choose to reverse fraudulent charges and overdraft fees and absorb the losses. If you're a bank customer, the extent to which they can minimize losses from FE benefits you as well.
- When banks report, Oregon Administrative Rule 411-020-0126 (2)(b) states that they can also provide bank records. Later this report will examine the value of records in the investigative process and how those records can be the difference in substantiating or not substantiating an FE allegation. Unfortunately, many banks report via fax or email, making it difficult for individuals receiving abuse complaints to directly ask for records at that time.
- Banks not only report financial exploitation — they are now able to do something proactive about it. Passed in 2017, House Bill 2622 allows financial institutes to place holds on accounts when they suspect financial exploitation. Investigations for this report were conducted after the bill took effect, and many note that protective measures were taken by the financial institution even before APS was contacted. This was rarely seen in the earlier report.

- Bankers are not only well positioned to identify FE, they often identify other types of abuse and self-neglect as well. In 2019 they reported **over 200 other concerns** that were investigated, including 150 cases of possible self-neglect and multiple cases of physical and verbal abuse.

Case managers

This report also confirmed the increasingly prevalent role of case managers in detecting and reporting financial exploitation. While this often occurs when the alleged victim first applies for services, FE may also be noticed during ongoing case management services or during eligibility redetermination reviews.

Comparison

Since the last report, FE reports from case managers have increased from 9% to 13%.

Much like bankers, case managers and eligibility workers are often in possession of important documents and financial records. Even when they can't share them directly, they can be interviewed as key witnesses and provide information about the documents they reviewed. This is perfectly illustrated by the following case example investigated by a local office in 2019.

Case example

Case manager (CM) conducted an eligibility redetermination and discovered that alleged victim (AV) no longer qualified for Medicaid due to having a disqualifying transfer of assets. AV had severe cognitive impairment and resided in a memory care facility. The home the AV owned was sold by alleged perpetrator (AP), who is AV's power of attorney (POA), for $135,000 below the market value. The AP sold the house to the AP's child. AV was carrying the note for the home loan. The term was 25 years, 5% interest, with monthly payments of close to $700 payable to AV. However, when the CM requested proof of the payments, it was determined that all the payments were made out to AP, not AV.

CM also received financial statements and identified the following questionable transactions:

- AP took a vacation to Europe using AV's money. AP stated AV "told the AP" that the AV would pay for the AP to take a vacation.
- AP reported that items were stolen from AV safe, including cash. CM found this questionable because the records provided show that AP deposited $10,000 cash into their own bank account with a notation on the deposit stating "money from safe."
- CM observed transfers of money between AV and AP's accounts. AP owns an online business through Amazon and a witness has reported a lot of personal items gone from the home. There is concern that AP sold some of the items of value through the online business.

Due to AV's cognitive impairments, the CM did not believe AV took an active role in these decisions. The CM considered this theft from AV and contacted the state office to find out how to keep AV eligible for Medicaid so they wouldn't have to move out of the facility they have lived in for several years.

Victims of financial exploitation

Improvements to date

Most national research about victims of financial exploitation speaks to the shame and embarrassment victim's experience when they have been taken advantage of or have fallen victim to a scam. This may contribute to reluctance to report abuse, participate in the investigative process and accept help and interventions. Also, many victims are so vulnerable due to cognitive incapacity that they are not able to participate in an investigation. Lastly, many victims are abused by loved ones with whom they wish to retain a relationship.

The 2014 report showed that victims in Oregon faced these same difficulties and, according to this year's data and reports, this was still the case in 2019. Reducing the stigma victims experience will take constant and increased outreach, exposure and education surrounding abuse. These same means will show victims that there are interventions and protections that do not force them to choose between being safe and having a relationship with someone they care about.

The following efforts have been taken since the last report:

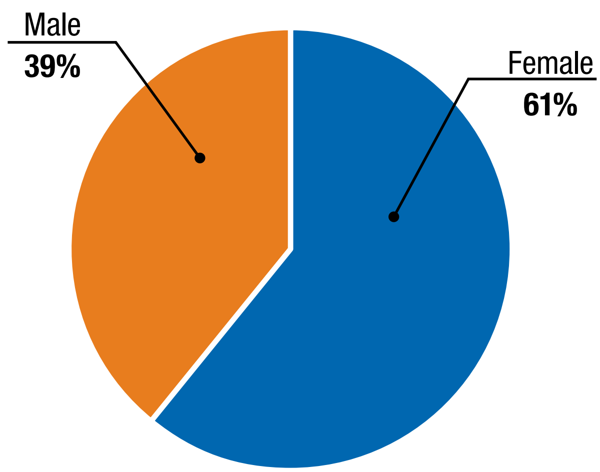
- APS changed how it approaches cases involving victims of professional scams. The change allows investigators to focus on the protection and well-being of the victim by deferring other aspects of the case to local and federal partners who are better positioned to investigate and address this type of crime. This report will explore this in detail later in this section.
- Although House Bill 2622 was discussed earlier in this report, the protection it affords victims cannot be overstated. The bill allows financial institutes to freeze accounts or refuse to transfer funds when they suspect financial exploitation. This is essential when the victim is not physically or cognitively able to protect themselves from exploitation.
- Lastly, also mentioned earlier in the report, direct outreach and education to potential or current victims of financial exploitation is preventative and helps destigmatize having been a victim.

Current state and demographics

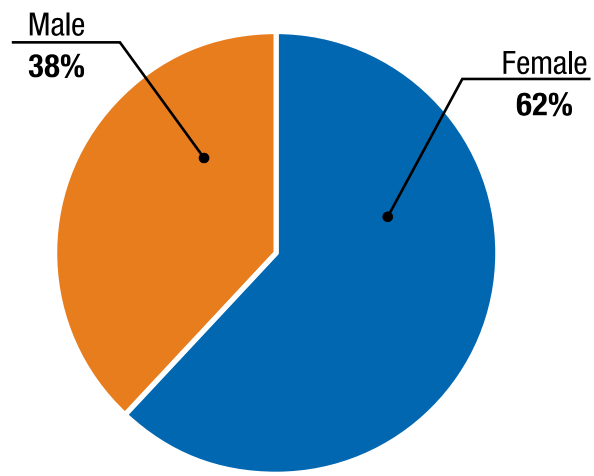
Basic demographic information is available for all reported and confirmed victims of financial exploitation in this section. The difference between reported and confirmed is an important distinction when speaking about victims (and perpetrators, as seen in our next section) and will be carefully distinguished in this report.

Although there are 3,784 allegations of financial exploitation in this report, there are only 3,147 individual alleged victims. This is because one victim may have multiple allegations of financial exploitation within one case or they may have been an alleged victim in multiple cases. Of the 3,147 individual alleged victims, 712 were confirmed victims of financial exploitation, a 22.6% substantiation rate.

Alleged victims of FE by gender



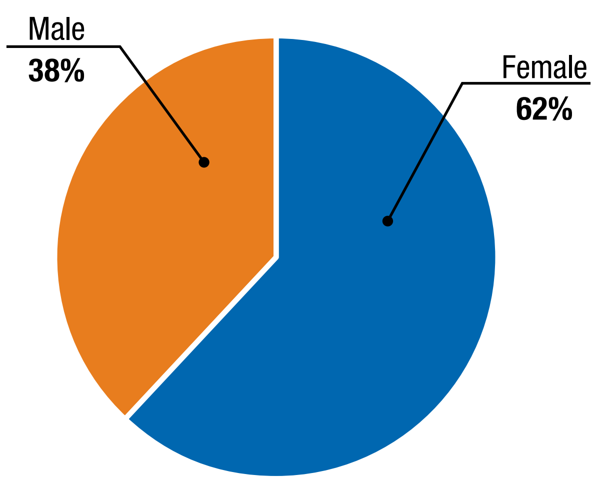
Confirmed victims of FE by gender



Comparison

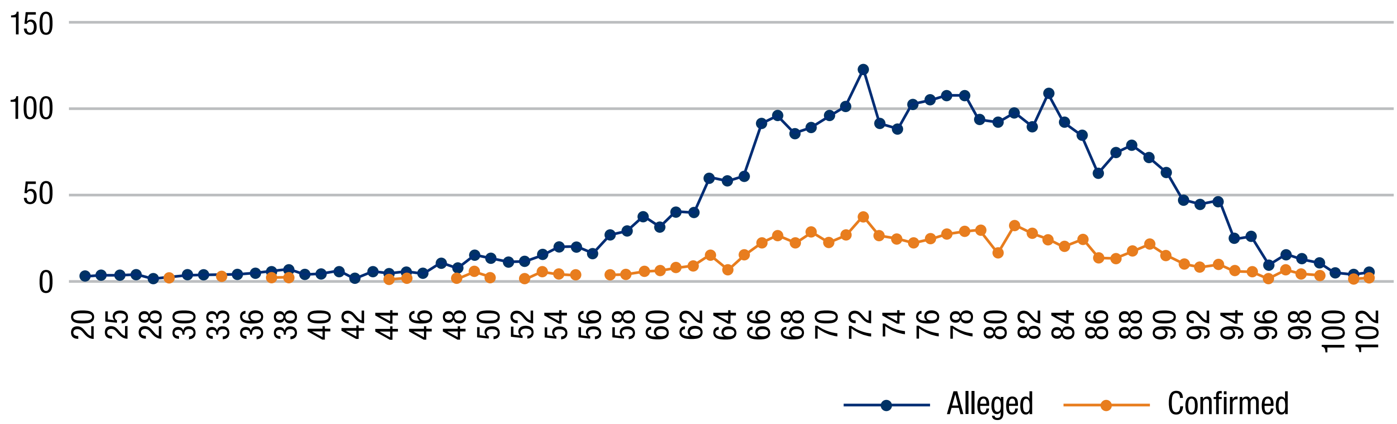
The consistency in victim gender from 2013 to now and even from alleged to confirmed is notable..

Confirmed victims: 2013



The age distribution for alleged and confirmed victims is similar. The average age was 75.9 for alleged and 77 for confirmed. In 2013, the average age for a confirmed victim of financial exploitation was also 77.

Age



In 2019, 18% of allegations of financial exploitation included allegations of other abuse types as well. Of those, 16.5% alleged two or more additional abuse types. It should be noted that this is consistent across all APS investigations during this period of time. Nearly half of cases involved a secondary allegation of neglect; sexual abuse and verbal abuse were also highly represented.

In 2019, it was possible to determine where the victim was living at the time of the abuse for 425 of the 712 confirmed victims. Of those 425, 14.6% were residents of facilities at the time of the exploitation. This created a facility non-payment issue for over 25% of those individuals, 4% of the available sample. **For those impacted by this, facility non-payment averaged $11,960 with the total loss documented as $131,566**.

Comparison

In the prior report, cooccurring abuse was noted in up to 20% of FE cases, relatively consistent with the results of this report.

With the addition of CAM, APS can now track victims who have had prior and subsequent investigations involving the same or different types of abuse or alleged perpetrators of abuse. Because CAM was in its first year of implementation in 2019, this data is not yet fully populated. However, of the sample, about 22% of victims had subsequent investigations, although not necessarily for financial exploitation. This data point will receive considerable focus in coming months and years to determine if APS is missing interventions that could prevent abuse recurrence.

Comparison

In the prior report, up to 20% of the sample represented individuals living in licensed settings but being exploited by friends or family members outside of the facility. An impact to the facilities was seen in the form of large unpaid bills for care in 4% of the total sample size.

While reviewing investigations for this report, reviewers tried to determine if the victim required placement in a licensed care facility as the result of the exploitation or passed away within 6 months of the exploitation. Although there were instances of this, it was at a very low rate. This may in part be due to insufficient documentation. Regardless of the reason, it is not possible for this report to state that there was a link between loss of independence or mortality as a result of exploitation.

Victims of the drug and opioid crisis

The drug and opioid crisis in our country affects everyone in one way or another. Many may feel the peripheral effects, such as increased costs for prescriptions and strained public health and law enforcement systems. But for many individuals, the impact is personal. Those who have close loved ones, friends and family members who suffer from addiction are not only victims of the emotional toll this takes, but often become victims of financial exploitation at the hands of those loved ones as well. Such individuals are sadly well represented in this report both through the theft of medication and the theft of money to buy drugs and alcohol.

After admitting AP stole pain meds from AV, AP stated "If I am using, I'll steal your purse and then help you look for it. I am an addict forever. 1 pill is too many, 1000 is not enough."

AV: "I sleep with my money, checks and credit cards under my pillow because I am afraid AP will take them and buy meth."

Case example

"AP has an opiate addiction, but works full time. I never thought twice about lending AV money because they have a job and make more than me, so figured they would easily pay me back. When AP later went into rehab they came clean with me and told me they had been spending my money on drugs. When AP got out of rehab, they asked to borrow my debit card to purchase some food for their home. When I later checked my account I saw the charges for $900. AP admitted they had been drinking.

AP feels very bad and plans on paying me back. They still have a job and plan on going to AA and NA. AP is trying to get sober. The bank cancelled my debit card and I won't give it to AP again, AP knows this. I don't want AP prosecuted, jail would not help. We have a very close relationship and I would rather be the one to tell AP about this investigation. I do not want to pursue charges. I do not want you contacting AP and will not give you the AP's contact information. I understand if it happens again it will need to be reported and that since financial exploitation against a vulnerable adult, due to my age, could hold higher penalties for AP. I do not need any further services or interventions from APS."

Victims of scams

Scams may be one of the most challenging types of financial exploitation investigators of abuse encounter. The general public hears about the latest scams on the news and reads about scams on-line. As professionals in this field, APS workers make every effort to educate as many people as possible about how to protect themselves against scams. And yet people fall victim to scams every day, often while verbalizing that they know they're being victimized. The losses are staggering — rarely does a scammer stop at a few hundred dollars. Once they have a receptive victim, the amounts they request escalate exponentially.

> "We (bank employees) have all told him this is a classic scam operation and not to send any funds. Hang up on the caller, do not give out account information. We have shown AV the scam poster we have on the window and have given him a flyer on how scams work. He says he understands but he keeps trying to send money."

As noted earlier in this section, Oregon has revised its approach to scams since the time of the last report. When local offices receive these calls, they're asked to:

- Determine if there is a named/known alleged perpetrator who, if substantiated, could be held responsible for their actions. This could be by legal remedies or by having their name flagged on background checks for employment. If so, they are advised to screen the case in for investigation and cross report to the Department of Justice.
- Consider if the reason the alleged victim fell prey to a scam is due to diminished capacity. Is there an indication that the individual might not have the ability to understand the nature of the scam or the consequence of continuing to provide money to the perpetrators? If so, they are advised to screen the case in for investigation, but not as financial exploitation. Rather, this would be investigated as potential self-neglect. They would still cross report the scam itself.

Action item

Have you or someone you know been the victim of a scam? This resource can help you through this challenging situation. Please access and share. Victim Hotline 833-372-8311: Trained staff answer and assign a case manager to help victims of FE from start to finish.

If neither of the above criteria exist, local offices are advised to screen out the report, but to **cross report to the Department of Justice** and provide protection and safety related resources to the reporter and/or alleged victim.

As a result of the guidance provided to the local investigators, there has been a slight shift in investigation numbers from the FE category to the self-neglect category. However, this report confirms that scams with named alleged perpetrators remain a considerable portion of FE investigations. These include sweetheart scams, gift card scams, Publisher's Clearing House scams and contractor scams, all with named, although perhaps fictitiously named, perpetrators.

AV: "AP kept me on the phone even when I went to Best Buy and Target to buy $1,000 in gift cards and once I had given them those numbers they hung up."

Anyone who has worked on a case involving a scam knows that the perpetrators are relentless and resourceful. Sometimes they prey on fear, sometimes on loneliness and frequently on the need or desire for money. To believe that one can easily be free from financial worry is not greedy, it's how everyone survives in our society. And for most victims who are on fixed incomes, the possibility of financial security is almost too much to resist.

It can feel nearly impossible to free the victim from the tentacles of a scam. There are resources available and sometimes it takes using every single one of them to effect change. Appendix C provides a comprehensive list of resources available to both investigators and the general public. Here is a sampling:

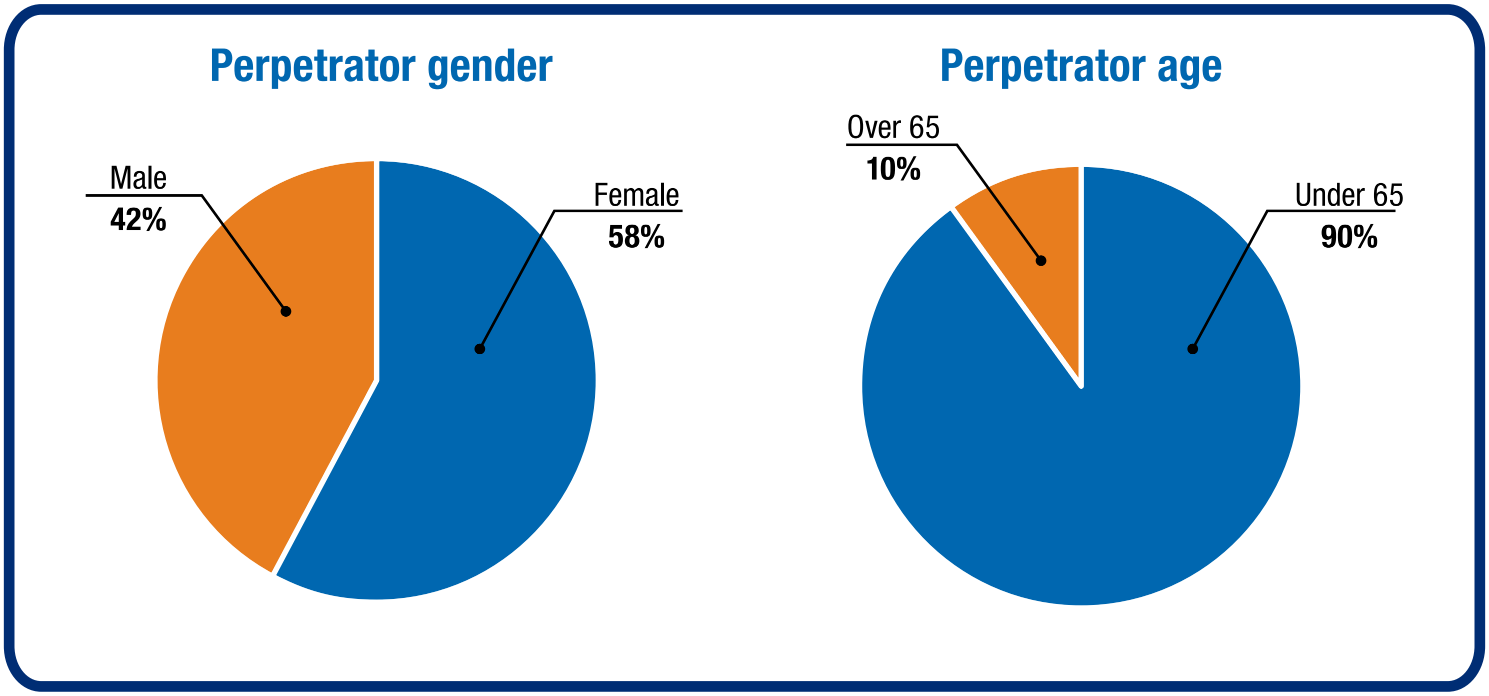
After AV lost $35,000 to a Publishers Clearing House scam "AP was furious and blew his top when I told him to stop calling me. He even threatened me and said he would come to my house and blow me away."

- Foreign Lottery Printable Brochure and Foreign Lottery Reporting Number: 1-877-876-2455
- Protecting Older Adults Against Fraudulent Schemes and Scams: NCLER Training
- National Association of Bunco Investigators: Includes information regarding almost every kind of scam one can imagine and resources to assist with investigation and training.
- Sweetheart Scams: Be sure to check out the section entitled "How CUFF Can Help You" and their resource links at the end of the site.
- FBI Senior Citizen Common Fraud Schemes and FBI Reporting Site for reporting scams: https://www.ic3.gov/default.aspx

AV: "This has been a real education for me. I realize now, no business would ever ask for gift cards as payment."

Perpetrators of financial exploitation

This section focuses only on individuals who have been substantiated as a perpetrator of financial exploitation. As with victims, some appear more than once in the data set. When those duplicates are removed, the report covers 1,107 individuals. There are only 839 substantiated allegations, which shows that victims are often exploited by multiple parties at the same time.

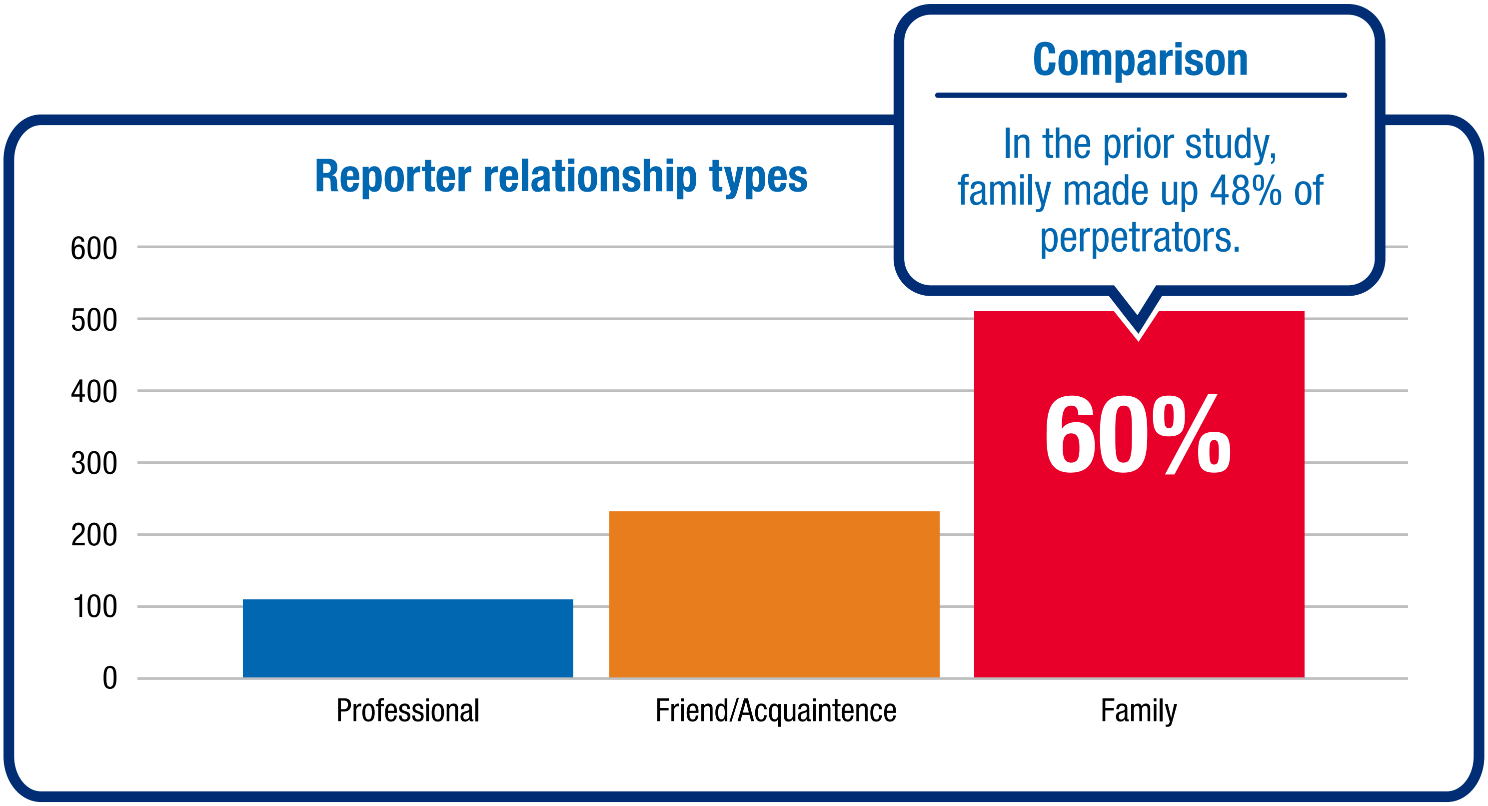


Who are the perpetrators? Gender data was available for 682 of the perpetrators and showed that women are represented in this sample at a higher rate than men.

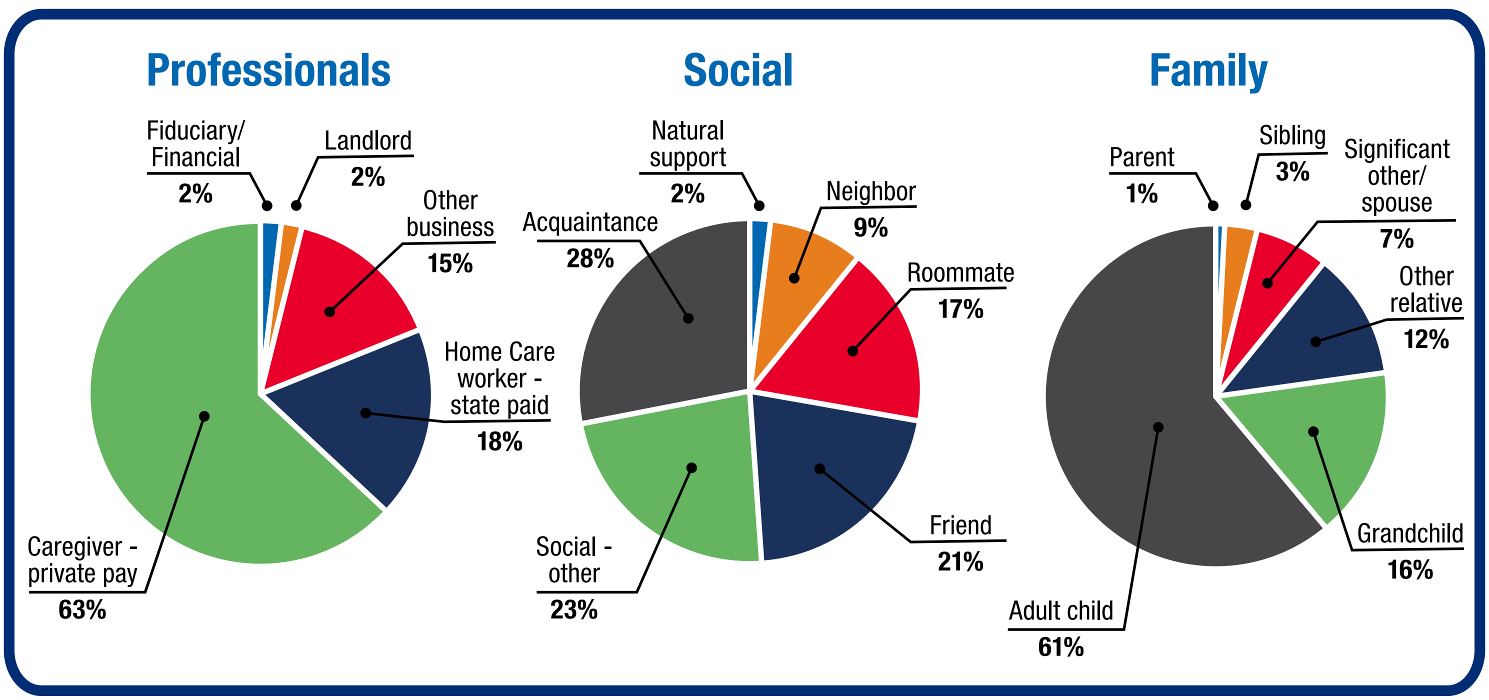
Age data was available for 558 of the perpetrators and ranged from 19 (Oregon does not name individuals under age 18 as alleged perpetrators) to 90. The average age was 48 with the vast majority falling under the age of 65.

Almost every report, article, speaker or investigator on this topic will tell you that the **perpetrators of financial exploitation are overwhelmingly the family members of the victim**. Particularly with the removal of unnamed professional scammers from this year's report, this couldn't hold more true.

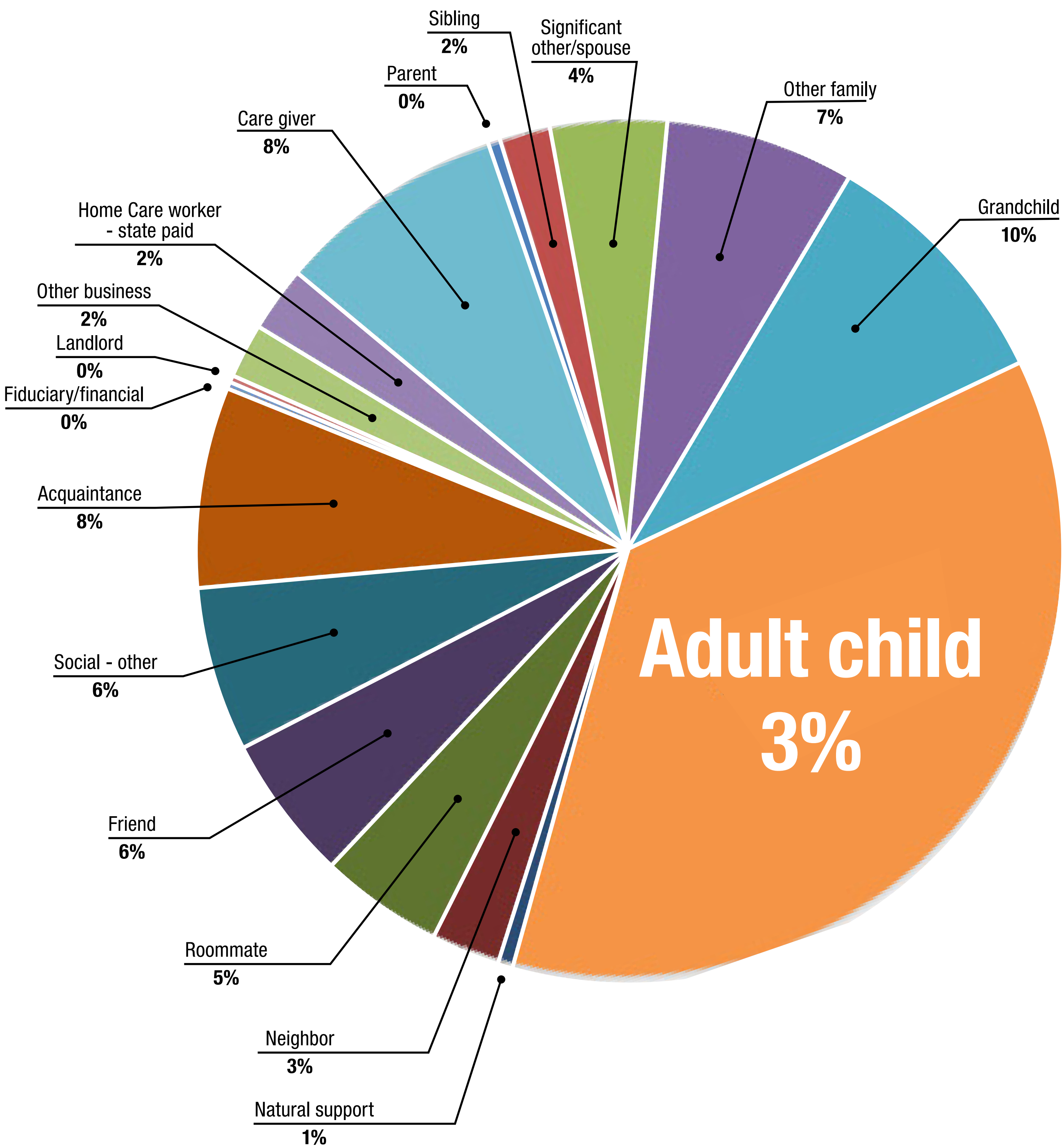
Much like reporters, perpetrators can be divided into three relationship categories: professional, friend/acquaintance, and family. Note that not only did adult children and grandchildren make up 65% of the family reporter category, they make up 75% of the family perpetrator category. This category also includes spouses, siblings and other family relationships.



In order to effectively target outreach, education and prevention efforts, it's critical to understand where the threat of financial exploitation exists. For this purpose, it's necessarily to drill down into who the perpetrators are.



All perpetrators



What is a perpetrator's thinking or motivation when they exploit their victim, particularly when it is their own parent or family member? It would be unfair to speculate, but they have provided the following quotes in investigations reviewed for this report.

> AP referring to AV: "I no longer wish to deal with her or this. I'll just hand her over to DHS."

> AP when told by the facility that the AV owes 37k: "Go ahead, kick her out."

> AP (after selling AV's wheelchair ramp): "I did not mean to do anything wrong but I am being evicted and don't have any money and I needed money to live."

> AP to LEA: "There's no excuse and really no reason why people do this. I messed up." (edited for language)

> AP: "Since we will be changing AV's diapers, we will be keeping the house."

It is also important to recognize the techniques that perpetrators commonly use to exploit their victims. Being aware of these may help others spot early red flags of exploitation. All of these were seen during the review of investigations for this report.

- Isolation of the victim, telling the victim that no one cares about them except the AP, insinuating that if it weren't for the AP, the AV might have to move into a care setting.
- Reducing the victim's access to their own financial information.
  - » AP kept telling the AV that AV's financial institution would not provide paper statements as a means of preventing AV from seeing how much money was being transferred.
  - » AV: "AP told me I was no longer allowed to check the mail."
  - » AP used a phone app to transfer money, telling the AV that they didn't have any more checks. AV stated that AV doesn't use many checks so knew that they had plenty.
- "Setting the stage" to influence the perceptions and assumptions of others.
  - » AP while being interviewed by LEA: "That's another thing you need to know about my (parent), s/he doesn't remember a lot of things." (After stealing $20,000 from AV)
  - » AP sent a text message to the facility's sales and marketing director (after moving AV into the facility and delivering only a portion of the AV's pain medication) stating that AV will "take too many of the pain medication." It was later determined that the AV had not needed or taken any of the pain medication since moving in.

Case example: The techniques used by AP's

It was reported that the AV is being financially exploited by AV's caregivers. AV is worth as much as $20 million. The reporter believes that the AP's have secluded the AV and are preventing the AV from having any contact with anyone from outside the house. The reporter is concerned about the physical and financial well-being of the AV.

- A welfare check on the AV found there was no food in the house. The only thing that was found was a glass of juice and it "looked old." There was one container of almond milk and a lock on the freezer and fridge doors which could not be opened.
- Out of state family are unable to reach AV on the phone. AP1 and AP2 also tried to get the AV's phone number changed and when that did not work, had the phone disconnected.
- AV's tax accountant sought out family after a year of trying to contact the AV. The accountant indicated that AV had not filed taxes in 2017 and 2018. AV was unaware of this.
- AP's recently brought AV to a new attorney to have AV change the POA from family to them and to have AV's will changed to leave multiple real estate properties to them.
- The AP's came into the bank and requested that all phone calls be directed to them and not to the AV because they said the phone calls are "troubling to AV."
- AP's tried to get the bank to notarize a letter so that AP1 and AP2 would be able to access any of the AV's information as well as bank records.
- When anyone tries to speak with the AV about financial matters, the AP's intervene and will not allow the conversation to continue. They tell the AV not to worry about it since it's not good for the AV's health and they have it handled.
- When AV does speak about finances AV reveals that AV gave AP's a credit card that AV is on the account with and it was the easiest way to pay them every month. AP's would just use the card for their living expenses and AV would just pay it off. AV said the AP's are also responsible for paying the bills. They write the checks for whatever bills need to be paid and AV signs them.

Consequently, the AP's have been able to charge up credit cards on purchases that do not benefit the AV and the AV just pays them off without knowing what they are for.

The investigators of financial exploitation

Improvements to date

All investigations of abuse continue to be conducted at the local level, which is divided into a series of districts. It is these dedicated individuals who not only investigate these complex cases, but strive to provide information, resources and interventions to prevent abuse from recurring.

Since the prior report, the number of individuals dedicated to the investigation of abuse against those 65 and older or younger adults with physical disabilities has grown from 140 to 185. This represents both increased workload and Oregon's commitment to addressing the issue of abuse.

One of the top priorities coming out of the prior report was the need for increased and targeted training for investigators. To that end:

- Financial Exploitation Specialist Billie McNeely presents on financial exploitation at all Fundamentals sessions for new investigators. Her presentation is intended to be foundational information and to guide investigators to where they can seek advanced resources.
- Legal Services Developer and prior Elder Law Attorney Christian Hale also presents at Fundamentals on the various legal documents that investigators might encounter during the course of their work. He discusses how these are intended to be used and how they might be misused. This is not entirely specific to financial exploitation as substitute decision making and fiduciary duty are important considerations during other types of abuse investigations as well. However, this was a targeted area of need identified during the last report.
- A well-known and respected Elder Law Attorney within Oregon, Wes Fitzwater of Fitzwater Law, has presented at conferences in Oregon. He most recently spoke with all APS investigators on the topic of understanding fiduciary duties, which was a training need identified in the last report.
- Lastly, investigators in Oregon have access to an internal "tool box" to assist them with all aspects of an investigation. The financial exploitation page of the tool box site includes over 70 links and resources for them to use.

Current state

Investigators are located throughout the state, which is divided into districts. They are listed here along with their representation in this report, including the number of substantiated financial exploitation allegations. Regional variations provide an opportunity for analysis and exploration.

District number	Counties included	FE alleg. investi-gated	Alleg. sub-stantiated	% of sub. alleg.
1 (AAA)	Tillamook, Clatsop	106	22	21%
2 (AAA)	Multnomah	562	205	36%
3 (AAA)	Marion, Yamhill, Polk	641	121	19%
4 (AAA)	Linn, Benton, Lincoln	265	63	24%
5 (AAA)	Lane	268	40	15%
6 (ODHS)	Douglas	271	14	5%
7 (ODHS)	Coos, Curry	113	43	38%
8 (ODHS)	Jackson, Josephine	465	79	17%
9 (ODHS)	Hood River, Wasco, Sherman, Gilliam, Wheeler	73	17	23%
10 (ODHS)	Jefferson, Crook, Deschutes	126	26	21%
11 (ODHS)	Klamath, Lake	113	19	17%
12(ODHS)	Morrow, Umatilla	81	15	19%
15 (ODHS)	Clackamas	327	95	29%
16W (ODHS)	Washington	78	24	31%
16CC (ODHS)	Columbia	47	8	17%
17 (ODHS)	Wallowa, Union, Baker, Grant, Harney, Malheur	148	48	32%

Comparison

In the prior report, the substantiation rate for financial exploitation allegations was 29%. In 2019 this dropped to a rate of 22% with significant regional variation. The theories to explain this decline include the following, but warrant further examination:

- Many professional scam cases were removed from the investigative pool. In the prior report, these were included and substantiated at a rate of 80%.
- Investigators may be more careful about substantiating FE because they are aware that community investigation results are now used for background checks, home care worker certification and childcare licensing purposes and that there are consequences to an AP if a case is substantiated.

Access to documentation

A theme that carried forward from the 2014 report to this one is the importance of documentary evidence. While this is most often thought of in terms of bank records, it is not limited to that. Legal documents, law enforcement reports, quit claim deeds, county property records, appraisals, receipts and other items can all be critical to not only reaching a determination, but also to strengthening a case should the findings be challenged.

APS investigators are required to conduct a thorough and complete investigation before reaching their conclusion about the alleged abuse. In reading the investigations for this year's report, readers applied a thoroughness level from one to five, with five being a complete and comprehensive investigation. What often lowered the score was that publicly available records were not obtained or records that were available by request were not requested. In fact, of the hand-mined data, it was found that investigators **only requested documents in 38% of those cases**, even when the documentation was available to them.

That said, it is not uncommon for investigators in Oregon to try to obtain financial documents and be unable to. In the hand-mined data, 25% of investigator's records requests were denied. Even more problematic is the fact that Oregon legislation passed in 2012 **prohibits investigators from requesting documents** unless the alleged victim has provided written authorization for disclosure, the bank is the reporter or the alleged victim lacks the capacity to consent.

Action item

If you are an APS screener speaking with a bank as a reporter of abuse, ask for bank records or other documentation **while you have the reporter on the phone**. This may be the only opportunity to obtain this critical evidence. Remind them that as reporters they have permission to release these documents under OAR 411-020-0126 (2)(b).

The only remedy for the last circumstance is to have law enforcement subpoena the records. Unless law enforcement has already acknowledged the presence of a criminal act and is actively involved in the case, this rarely occurs. This is unfortunate because individuals who cannot provide consent are most vulnerable. In fact, they are the exact individuals that a perpetrator will choose to prey upon. Even within families, exploitation often does not begin until the victim begins to demonstrate the inability to track or manage their own finances.

Of course, if a competent individual does not wish for APS to access their bank records, that wish will always be honored (see the NAPSA Code of Ethics link on page 6). However, access to documentary evidence makes a tremendous difference in determining whether or not financial exploitation occurred:

- In cases for which records were sought and obtained, the substantiation rate was 63%.
- In cases for which records were not sought or not provided, the substantiation rate was 25%.

It was earlier identified that financial institutes and case managers are the two largest reporting groups of financial exploitation. They are also the two groups who are making reports based on documents within their possession. As previously noted, when financial institutions report abuse, the OAR allows them to share records. If this is the case, and it is pursued by the screener or investigator, records should theoretically be available in at least 31% of all FE cases reported to APS.

Partnering with law enforcement

One might think that any form of alleged or substantiated financial exploitation would have a criminal component, but this is not the case. APS investigates many cases of financial exploitation that law enforcement views as civil or probate law rather than criminal law. However, of the 3,288 investigations completed by APS for this report, 27% involved some connection with a law enforcement entity.

Both APS and law enforcement are mandatory cross reporters to one another and this duty is taken seriously by both sides. In this report, 158 cases came to APS from law enforcement and 496 were referred to law enforcement by APS (another 31 cases would have met the rule and policy criteria for cross reporting but did not have documentation that this occurred. As CAM users grow more comfortable with the system, documentation of this sort becomes more stable.) In 28 cases, both law enforcement and APS were simultaneously involved by the reporter, AV or a third party.

While reviewing cases for this report, a number of cases highlighted the productive partnership that APS and LEA can have, the positive outcomes that may result and the outstanding work on the part of law enforcement officials. The following cases were notable.

Springfield PD – Why is this case notable? The AP in this case was not only a family member, but had been appointed as power of attorney (POA) by the victim to help the victim pay bills. Historically, it has been difficult to engage law enforcement in cases in which the AP is appointed as POA. However, in this case the officer investigated the case and definitively established that the POA had used $20,000 of the AV's cash and $25,000 in credit card charges that were **not for the use or benefit of the AV**, a critical component in breach of fiduciary duty. The perpetrator was charged with aggravated theft in the first degree, criminal mistreatment in the first degree and identity theft. Sentencing included 20 days in jail, 100 hours of community service and 60 months of supervised probation, as well as close to $20,000 in restitution to the credit card companies.

Crook County Sheriff's Deputy Leo McKenna also diligently pursued an AP (family member) who had the AV execute a POA and promptly took more than $21,000 from the victim's account. The resulting report painted a very compelling picture of the means by which these documents can be used to defraud individuals.

Clatsop County Sheriff's Deputy Justin Dersham – Why is this case notable? It demonstrates the partnerships that APS and local law enforcement can form over time. When the local APS investigator reached out to Deputy Dersham, he recalled working with the investigator and the same victim two years prior. The two immediately conducted a joint visit with the victim of a sweetheart scam perpetrated by an individual allegedly located in a nearby town. Following that visit, Deputy Dersham conducted an extraordinarily in depth, and likely time consuming, investigation into online exploitation that is not typically seen at the local level. Deputy Dersham was able to obtain a tremendous amount of information regarding the victim's "fiancé" and have an open discussion with the victim about the fact that they were being defrauded.

Yamhill county Sheriff's Office Deputy Tim Casey – Why is this case notable? Deputy Casey was originally contacted regarding unauthorized use of the victim's debit card (by a family member) in the amount of $10. Deputy Casey immediately initiated an investigation, spoke with several parties, and attempted to track down the AP. By the time Deputy Casey was able to locate the AP, an additional $80 had been charged to the victim's debit card. Deputy Casey immediately read the AP their Miranda rights, took their statements, placed them under arrest and filed charges with the district attorney. Deputy Casey recognized that no matter the size of the loss, financial exploitation of a vulnerable adult is a crime.

Albany Police Department Officer David Hoffman – Why is this case notable? Officer Hoffman conducted a brilliant interview with the AP in this case, resulting in the AP's inability to explain or justify their landscaping charges of close to $70,000. Officer Hoffman established with the AP up front that they had been retired and not operating a business for the prior three years (while the charges for "landscaping" were being made) and that the average charge for lawn mowing was hundreds of dollars less than what the AP had been charging the AV. In addition, supplementary photographs and Officer Hoffman's observations conclusively demonstrated that no actual landscaping, moss removal or other work that had been charged for had occurred. The AP was subsequently charged with multiple counts of theft and aggravated theft.

Lincoln County Sheriff's Deputy Robert Meador – Why is this case notable? Deputy Meador spent a great deal of time with the victim of an internet scam with an AP. In addition to completing a thorough investigation (including intervening when the AP called during his time with the victim) he also spent a lot of time speaking with the victim about the schemes and techniques used by fraudsters to steal from their victims. He took the time to ask the victim about their support system and which of their children they were close to, and encourage the victim to be in communication with them about their experience and before getting involved in any other online transactions. Deputy Meador obtained permission to contact this family member directly and encouraged this individual to assist the victim with changing their phone number and email address and filing a report with Ic3.Gov.

Action item

Visit Ic3.gov and share it with five other people! While reporting a scam may feel pointless, doing so helps officials compile information about scams and scammers and may assist in tracking them down!

Officer Fleming, Independence Police Department was equally as compassionate and supportive while working with a fraud victim in his jurisdiction.

Overall, there were 54 different law enforcement jurisdictions amongst the sample. **The cases in which a law enforcement entity was involved were substantiated 63% of the time**. This substantiation rate is equal to the rate for cases with available records. It's not uncommon for the two to be related to one another, as law enforcement involvement may be the only way to access financial records. A full listing of law enforcement entities that cross reported or assisted with FE investigation in some way may be found in Appendix E of this report.

Financial exploitation

The loss

This section focuses only on investigations in which financial exploitation was substantiated. But before looking at what was physically taken from victims or attempting to put a dollar amount on FE, consider what the victims have to tell us about how they experienced loss, particularly when it came at the hands of a loved one.

"I feel so foolish. I am embarrassed about all of this."

"I am now very weary and suspicious of things."

"I'm not sure I'm ready to get AP into trouble. I love AP, I'm just really upset with AP right now." (Adult child took $82,000)

"I got scammed on the internet. I knew it but I kept playing the game. The game got expensive; he deserves an Oscar for his performance." (Lost $20,000)

"Family is having to give me money to pay my bills. I lost my insurance. Family is having to help me get it back." (Granddaughter took over $45,000)

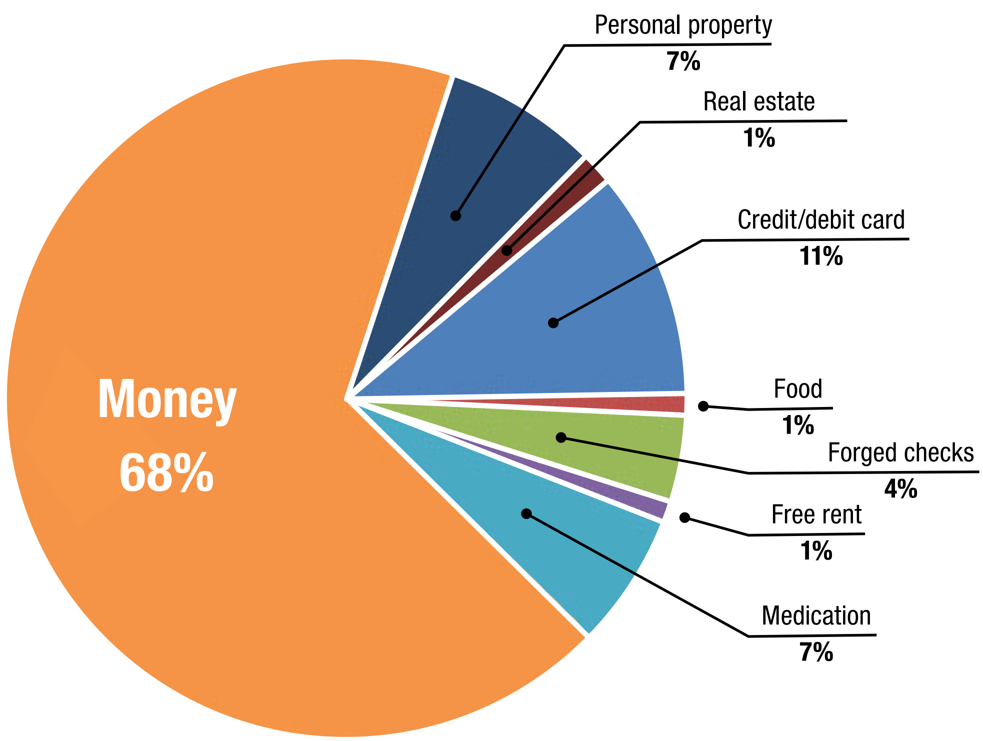
"AP1 and AP2 were coming around here, claiming they were helping me. They helped themselves to staying in my house, eating my food and using my debit card. They talked me into a key to the house, I wish I wouldn't have done that." (Speaking about a life-long family friend)

"I'm not willing to give up on 30 years with AP" (AP took AV's wheelchair, abandoned AV in a parking lot and used AV's Social Security income)

"I just don't want to go into assisted living." (After adult child padlocked AV in their residence and caregivers had to cut off the AV's adult diapers due to them being adhered to AV's skin. Grandchild used AV's funds for their personal use leaving AV's rent unpaid and leading to eviction.)

Beyond the non-financial toll, this report endeavored to identify what was taken from the victim or the means by which they were defrauded. This is not always evident through the extraction of data from the CAM system, so this portion of the report relies of a combination of data available in CAM and hand-mined information. Bear in mind that in many cases, there are multiple types of exploitation.

What is lost



- The category of personal property includes jewelry, vehicles, electronic equipment, durable medical equipment, furniture and so forth.
- The category of real estate includes titles to property being illegally transferred, properties being mortgaged and the proceeds taken by the AP and attempts to mortgage property for the benefit of the AP.
- The medication category includes medications taken from the victim either for the AP's own use or for sale by the AP. Generally speaking, these were narcotics and opiates with Percocet and hydrocodone most often noted.

The report also attempted, whenever possible, to quantify the dollar amount of loss experienced by the victim, whether through unauthorized use of a credit or debit card, an unpaid loan, forged checks or cash theft. However, loss is not always quantifiable for several reasons:

- Not all loss has an available value. When victims have items such as jewelry, vehicles or other person property taken from them, APS investigators do not have the expertise or resources to hire experts to place a dollar value on these items.

- Medication theft presents similar challenges. How do you value the loss of a stolen medication? By the street value it may be sold for? By the cost to the victim to replace it? Do investigations and reports account for the pain and discomfort a victim may experience as the result of not having their pain medication?
- Sufficient documentary evidence is not always available to determine the full extent of the loss. For example, an allegation may be substantiated because a single bank statement shows an improper use of funds. However, it may be alleged or suspected that the improper use of funds occurred for an extended period. Without bank statements for the entire duration of the alleged exploitation, only the dollar amount from the one bank statement can be cited.
- Sufficient documentation is not always present in the investigative report to determine a specific amount of loss. While CAM includes data fields for financial loss, these have since been expanded to capture more specific information. Future studies will have more comprehensive data to measure loss.

Comparison

In the 2013 report it was also possible to assign a specific dollar loss to 20% of the sample, the same percentage as this report. At that time the average loss was $24,915 per victim, so this report's average represents a loss reduction of over 30%.

Lastly, it cannot be stressed enough that a dollar figure does not define the level of loss to a victim of financial exploitation. While victims losing large sums to exploitation is tragic, most investigators will tell you that they've handled cases involving the theft of $5 of food stamps that were just as heart wrenching. This year's report covers losses ranging from $350,000 to a wheelchair ramp, walker, and Meals on Wheels service. The loss to every victim is devastating, no matter the monetary value.

That said, a quantifiable dollar amount lost was available for roughly 20% of cases. The range was from $10 to $350,000 with the average loss being $16,905.

What is not reflected in this number is the "trickle down" effect of the individual losses. At least 13% of the victims within the hand-mined data sample had to immediately seek some sort of governmental benefit as the result of the abuse. This included Medicaid to cover the cost of residential care, property tax deferral, energy/utility assistance, food stamps, replacement of durable medical equipment, public coverage of legal proceedings, diminished value of real estate upon which the Estate Administration Unit had a lien and public housing or rent assistance. These costs are difficult to quantify but ultimately impact all Oregon taxpayers.

Summary and next steps

Similar to the last report, the information obtained this year provided us with a lengthy to-do list.

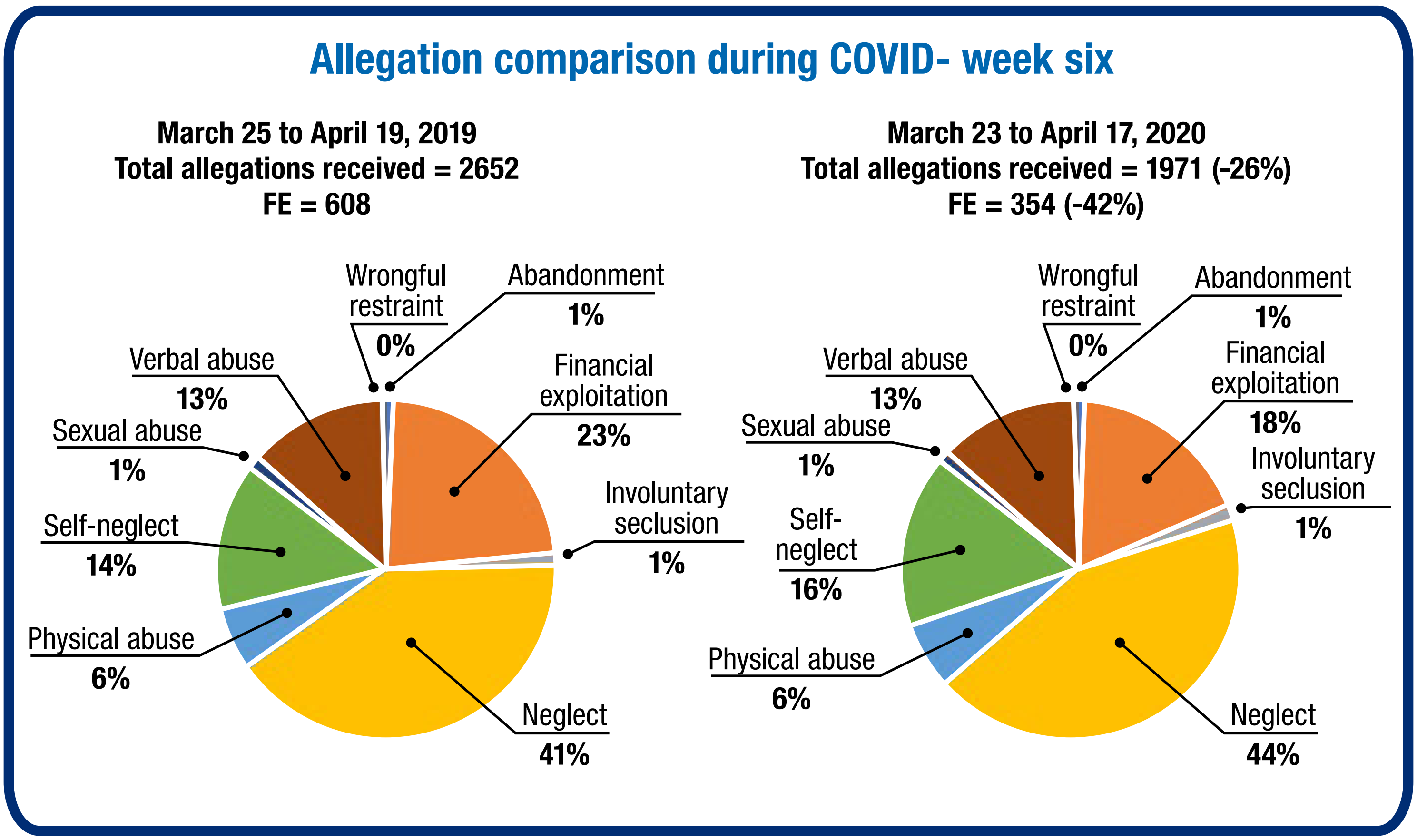
What this report showed:	Next steps:
Making someone a mandatory reporter under law does not necessarily increase reporting, but education and outreach does.	• Continue education and outreach efforts.
Financial institutions and case managers are well positioned to both spot the signs of financial exploitation and prevent further loss.	• Identify other professionals that may be in similar positions. • Continue to work with all financial institutions on reporting and protecting assets. • Continue to work with case managers and eligibility specialists on identifying signs of FE.
Relationships with law enforcement matter, as does increased training of law enforcement.	• Continue to provide training at the Oregon Police and Public Safety Academy and continue educating on recognizing when a breach of fiduciary duty surpasses civil or probate law. • Continue to encourage local participation in multi-disciplinary teams and other relationship building efforts with law enforcement.
Investigators need additional training in both investigating financial exploitation and writing reports involving financial exploitation.	• Emphasize on requesting all relevant records. • Emphasis on including information regarding obtained records in reports. • Review the use of inconclusive or administrative closure in FE cases as these finding types are disproportionately high in these cases. • Review the variations in substantiation rates between districts within Oregon, as well as the overall decline in substantiation rates.

Screeners need to be reminded of the policies involved with cases of financial exploitation, including the screening of scams, home care workers falsifying hours and facility non-payment.	• Continue education efforts.

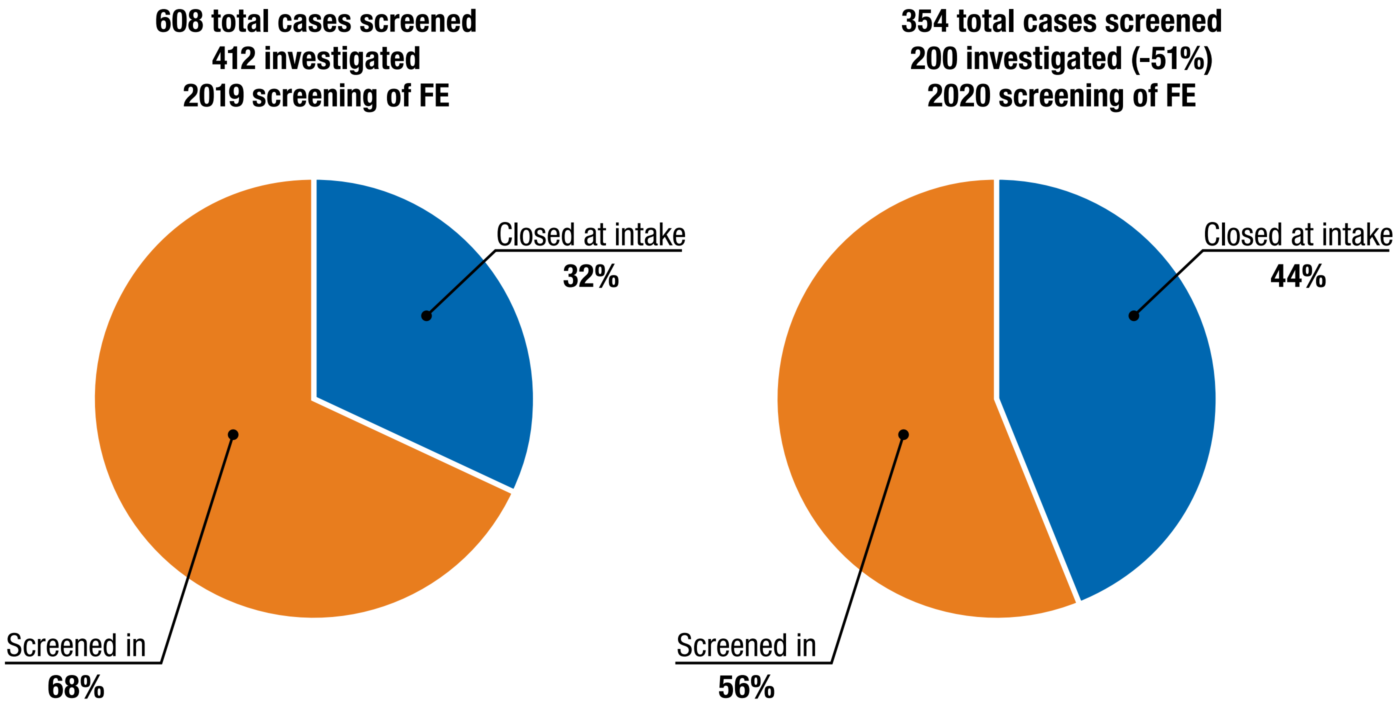
Postscript

Finacial exploitation during COVID

As this report is being written, Oregon is entering the ninth month of the COVID-19 pandemic. Adult Protective Services investigators in Oregon began primarily working from home in mid-March and have completed most interviews with victims and perpetrators remotely.



Screening of financial exploitation



In the early days of COVID, abuse complaints decreased significantly across the state for all abuse types. Calls decreased 31% in April, and the decrease was seen disproportionately in financial exploitation. The data below was compiled after the first six weeks of COVID conditions and shows a 42% drop in FE allegations received and a 51% decline in actual investigations.

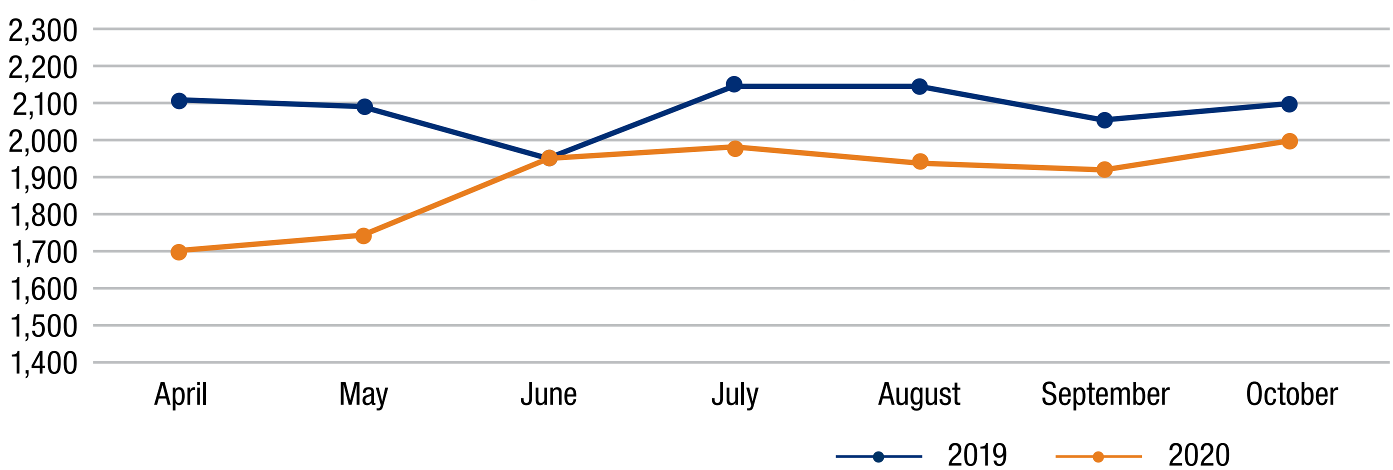
Calls decreased from all reporter types, but the decreased was most notable among hospitals, (-74%), law enforcement and first responders (-63%), and case managers (-50%).

These early declines were not uniform throughout the state or across reporter type. In fact, two portions of the state, those with the most active financial abuse specialist teams (FAST), saw increased reports during the early days of COVID.

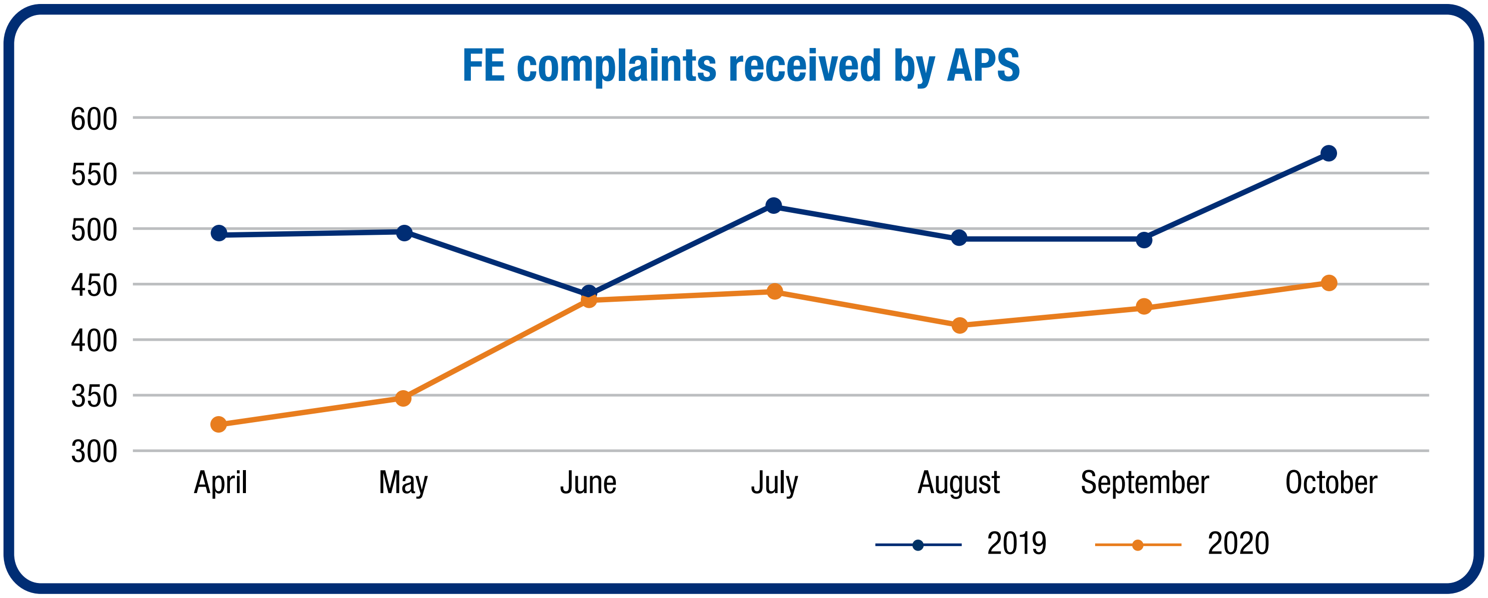
FE cases by distric/county				
1	Tillamook, Clatsop	14	12	-14.3%
2	Multnomah	55	60	9.1%
3	Polk, Yamhill, Marion	84	36	-57.1%
4	Linn, Benton, Lincoln	41	17	-58.5%
5	Lane	80	26	-67.5%
6	Douglas	47	31	-34.0%
7	Coos, Curry	22	12	-45.5%
8	Jackson, Josephine	51	62	21.6%
9	Wasco, Hood River	12	1	-91.7%
10	Deschutes, Crook, Jefferson	25	11	-56.7%
11	Klamath, Lake	27	16	-40.7%
12	Umatilla, Lake	23	12	-47.8%
13 and 14	Eastern Oregon	15	8	-46.7%
15	Clackamas	76	39	-48.7%
16	Washington	19	5	-73.7%
16cc	Columbia	17	6	-64.7%
		608	354	-41.8%

Now, with a full seven months of COVID data (April–October, 2020) the following year over year comparisons can be made between 2020 and 2019.

Complaints received by APS



Overall, reporting declined by 31% in April and had nearly recovered by June. Unfortunately, COVID numbers began to increase in mid-summer and some restrictions were put back in place. Then, in September, Oregon suffered devastating wildfires throughout the state. Reporting decreased again during these circumstances. While reporting was still down in October, it was by only 7%, the second lowest decline since COVID began.



There were similarities between the overall rate of complaints and those specific to FE. Initial declines in April recovered almost entirely by June and then fell again. Unfortunately, where the two differ is in the rate of recovery. FE reports in October were more than 20% lower than this time last year.

Appendix A: 2013 one-pager

Financial Exploitation Data Book: A Retrospective Look At Community Based Financial Exploitation in Oregon in 2013

Lessons learned about complainants:

- Voluntary reporters of abuse reported 60% of the FE cases.
- Bankers were the most frequent reporters of substantiated FE.
- Victims self-reported substantiated FE only 5.7% of the time, whereas self reports of verbal abuse were 15.2% and physical abuse 11.5%.
- Eligibility workers for Medicaid and other benefits are well positioned to spot FE and obtain records. Of cases with a direct known impact to benefit programs, 72% were reported by eligibility workers.

Lessons learned about victims:

- The average age of a victim of FE was 77.
- 37.8% of FE victims were male, more so than any other type of abuse.
- 12.7% of FE victims were physically disabled, less so than any other type of abuse.
- 20% of the victims were not only financially exploited, but experienced some other form of abuse.
- 20% of the community FE cases actually involved individuals living in licensed settings. These were generally facility non-payment cases, with the average lost to the victim, facility and/or Medicaid system being $12,601 per case.

Lessons learned about perpetrators:

- 46% were family, however this is less than the 55% in 2011 and the 59% seen in other abuse types.
- Less than 5% of the perpetrators were truly strangers to their victim.
- 33% of the substantiated perpetrators in the report had a fiduciary relationship with their victim. This is up from 25% in 2011.
- In 85% of those cases, the perpetrator is also a family member.

Lessons learned about investigations:

- FE cases are open 26% longer than other types of investigations.

- FE cases result in inconclusive findings at a higher rate than other investigations (20% vs 15%)
- Access to financial records is available to investigators in 1/3 of the investigations. When available, inconclusive findings drop to 14%.
- Law enforcement is involved in about 28% of the FE cases.
- Law enforcement is twice as likely to become involved in a case when the perpetrator is a non-family member.

Lessons learned about the loss and the cost:

- Although money is lost in 48% of the substantiated cases, loss of medication, personal property, food stamps, vehicles, and real estate were also seen. The pressure to change an estate plan, provide free rent, and give up ones ATM or credit cards were also forms of FE included in the sample.
- The average loss of money per case was $24,915. This is an extremely conservative estimate based on dollar amounts included in case reports.
- The conservative loss to the Medicaid or other government funded programs in 2013 was $1,882,267.

Appendix B: Text Links, In order of appearance in report

2013 Retrospective Report: https://www.oregon.gov/DHS/SENIORS-DISABILITIES/ADULT-ABUSE/Documents/Financial-Exploitation-Oregon.pdf.

NAPSA Code of Ethics: https://www.napsa-now.org/about-napsa/code-of-ethics/

2019 Data Book: https://www.oregon.gov/dhs/SENIORS-DISABILITIES/DataBooks/APS%202019%20Data%20Book.pdf

Mandatory reporting brochure: https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/de9373.pdf

Why should I care about elder abuse? https://www.oregon.gov/DHS/SENIORS-DISABILITIES/Documents/Why-Should-I-Care-About-Elder-Abuse.pdf

Bankers Training Tool: https://www.oregonbankers.com/preventing-elder-financial-exploitation-toolkit.html

National Institute on Drug Abuse: https://www.drugabuse.gov/drug-topics/opioids/opioid-overdose-crisis

Wes Fitzwater Presentation: https://www.youtube.com/watch?v=sw62pKnTuHg&feature=youtu.be&app=desktop

Appendix C: Resources to address scams and fraud

Consumer fraud

- Oregon Department of Justice Consumer Protection Bureau: https://www.doj.state.or.us/consumer-protection/
  - » Phone:
    - Salem area 503-378-4320
    - Portland area 503-229-5576;
    - Toll free (in Oregon) 1-877-877-9392.
  - » Email: consumer.hotline@doj.state.or.us
  - » Website: www.doj.state.or.us/finfraud
  - » Consumer Protection Hotline: 1-877-877-9392
- Consumer Financial Protection Bureau: https://www.consumerfinance.gov/complaint/
- Consumer Financial Protection Bureau Resource's Guide for Elder Financial Exploitation Prevention & Response Networks: https://s3.amazonaws.com/files.consumerfinance.gov/f/documents/082016_cfpb_Network_Resource_Guide.pdf
- Call For Action: International, Nonprofit Network of Consumer Hotline, http://www.callforaction.org
- Do Not Call Registry: 1-888-382-1222, https://www.donotcall.gov/
- Elder Financial Protection Network: http://bewiseonline.org/
- Internet Crime Complaint Center (IC3): https://www.ic3.gov/
- Federal Trade Commission Scam Alerts: https://www.consumer.ftc.gov/features/scam-alerts/
- SSA Representative Payee Complaint: http://oig.ssa.gov/report-fraud-waste-or-abuse
  - » Metro area
    - Shane Winder, OIG, 503-399-5654, shane.winder@ssa.gov
  - » Northern Oregon
    - Dale Boring, OIG, 503-399-5652, dale.boring@ssa.gov
  - » Southern Oregon

    - Dale Ortmann, OIG, 503-399-5653, dale.ortmann@ssa.gov
- Social Security Fraud referral website: https://oig.ssa.gov/report-fraud-waste-or-abuse/fraud-waste-and-abuse
- USPS Mail Fraud Complaint: https://www.uspis.gov/
- VA Representative Payee Complaint: https://www.va.gov/OGC/docs/Accred/HowtoFileaComplaint.pdf

Fraud and scam information and resources

- How to Stop Junk Mail – Get a free kit from Metro Recycling: https://www.oregonmetro.gov/sites/default/files/2015/09/23/say_no_to_junk_mail_postcard.pdf
- Or contact the following to remove your name from mailing lists:
    - » Direct Marketing Association Mail Preference Service: https://www.dmachoice.org/
    - » Acxiom: https://isapps.acxiom.com/optout/optout.aspx
    - » Donnelly Marketing Inc.: contentfeedback@infousa.com
    - » Equifax Direct Marketing: 800-873-7655
    - » Publisher's Clearinghouse: privacychoices@pchmail.com
- FBI Senior Citizen Common Fraud Schemes: https://www.fbi.gov/scams-and-safety/common-scams-and-crimes/elder-fraud
- Foreign Lottery Reporting Number: 1-877-876-2455
- National Association of Bunco Investigators: Includes information regarding almost every kind of scam one can imagine and resources to assist with investigation and training.
- Sweetheart Scams. Be sure to check out the section entitled "How CUFF Can Help You" and their resource links at the end of the site.
- Victim Hotline: Trained professionals answer the hotline number (833–372–8311) and assign a case manager to help them through the ordeal of being a victim of FE from start to finish (https://stopelderfraud.ovc.ojp.gov/).

Prevention

- Prevent Financial Exploitation - Money Smart for Older Adults: http://files.consumerfinance.gov/f/201306_cfpb_msoa-participant-guide.pdf
- Protecting Facility Residents From Financial Exploitation: http://files.consumerfinance.gov/f/201406_cfpb_guide_protecting-residents-from-financial-exploitation.pdf
- Protecting Older Adults Against Fraudulent Schemes and Scams: NCLER Training, https://vimeo.com/264129324?eType=EmailBlastContent&eId=42ab1687-f75d-48ce-92b6-9fae588cf4e4

Reporting

- Reporting ODHS Fraud to the Office of Overpayment and Recovery
- Reporting ID theft for victims: https://www.consumer.ftc.gov/features/feature-0014-identity-theft
- FBI Reporting Site for reporting scams: https://www.ic3.gov/default.aspx

Appendix D: Thanks to the banks

All of the following banks, credit unions or financial institutions were reporters of financial exploitation in 2019. We thank them all not only for reporting, but in many cases for their swift interventions to prevent further loss and protect victims before APS was even involved.

- Bank of America
- Bank of the West
- Banner Bank
- Belco Credit Union
- Capital One
- Chase Bank
- Citibank
- Citizens Bank
- Columbia Bank
- Cornerstone Financial
- Evergreen Federal Bank
- First Community Credit Union
- First Interstate Bank
- First Tech Federal Credit Union
- JP Morgan Chase
- Key Bank
- MAPS Credit Union
- NW Community Credit Union
- NW Preferred Credit Union
- Oregon Community Credit Union
- Pacific Crest Credit Union
- People's Bank
- Rogue Community Credit Union
- Selco Community Credit Union
- Synchrony Bank
- Tri-Counties Bank
- Umpqua Bank
- Unitus Community Credit Union
- US Bank
- Valley Credit Union
- Washington Federal Bank
- Wells Fargo EFA Reporting Team
- Willamette Valley Bank

Appendix E: Thanks to law enforcement

The following law enforcement entities were present in the 2019 APS reports as having assisted, cross reported or in some way responded during the course of the APS investigation. We thank them for all of their efforts on behalf of victims of financial exploitation in Oregon.

Albany Police Department
Ashland Police Department
Astoria Police Department
Baker City Police Department
Bend Police Department
Boardman Police Department
Brookings Police Department
Central Point Police Department
Clackamas County Sheriff's Office
Clatsop County Sheriff's Office
Coos County Sheriff's Office
Coos Bay Police Department
Corvallis Police Department
Cottage Grove Police Department
Crook County Sheriff's Office
Deschutes County Sheriff's Office
Douglas County Sheriff's Office
Florence Police Department
Forest Grove Police Department
Gladstone Police Department
Grants Pass Police Department
Gresham Police Department
Hillsboro Police Department
Independence Police Department
Jackson County Sheriff's Office
Josephine County Sheriff's Office
Keizer Police Department
Klamath County Sheriff's Office
La Pine Police Department
Lincoln City Police Department
Lincoln County Sheriff's Office
Linn County Sheriff's Office
Malheur County Sheriff's Office
Marion County Sheriff's Office
McMinnville Police Department
Medford Police Department
Milwaukie Police Department
Molalla Police Department
Multnomah County Sheriff's Office
Port of Portland Police
Portland Police Bureau
Redmond Police Department
Roseburg Police Department
Salem Police Department
Seaside Police Department
St. Helens Police Department
Sweet Home Police Department
The Dalles Police Department
Tillamook County Sheriff's Office
Umatilla County Sheriff's Office
Warrenton Police Department
Wasco County Sheriff's Office
Washington County Sheriff's Office
Yamhill Co Sheriff's Office

Oregon Department of Human Services

AGING & PEOPLE WITH DISABILITIES

Adult Protective Services

You can get this document in other languages, large print, braille or a format you prefer. Contact [Program] at [phone number] or email Contact aps.techassistance@dhsoha.state.or.us. We accept all relay calls or you can dial 711.

DHS 3624 (4/2021)