



Undo Influence & Financial Exploitation

Margy Campbell, LCSW, CFP, CMC
Master Guardian

Age Connections/Guardian
Salt Lake City, UT



Research

MetLife Mature Market Institute
Broken Trusts: Elders, Family and Finances
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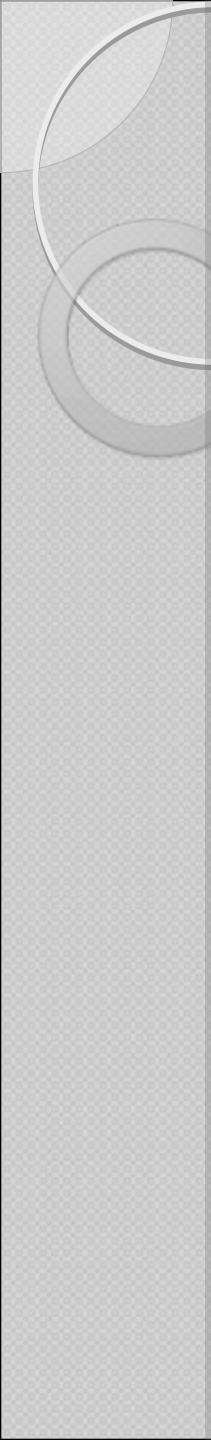
Financial Loss, Undue Influence, and Manipulation

Bennett Blum. MD

www.bennettblummd.com

Today's Outline

- Define “Undo Influence”
- Define “Elder Financial Exploitation”
- Characteristics of a Victim
- Characteristics of a Perpetrator
- Warning Signs – IDEAL Protocol
- Who is affected?
- What to do – community resources



With good reason,
financial elder abuse (or exploitation
(as the result of undue influence)
has been characterized by
some experts as
“the crime of the 21st Century.”

-J.F. Wasik, Journalist



Undo Influence

Generally it is not single event.

It is a course of conduct over a long period of time that is intentional in nature.

The perpetrator is generally known by the victim.

There is usually the existence of a confidential or familial relationship.

Definition

Undue Influence is legal term that refers to excessive or inappropriate manipulation of someone weaker.



What is Elder Financial Abuse?

The illegal taking, misuse, or concealment of funds, property, or assets of a vulnerable elder at risk for harm by another due to changes in physical and/or mental functioning.

National Center on Elder Abuse

Financial Exploitation

The fraudulent, unauthorized, or improper act of an individual, including a caregiver or fiduciary, that uses the resources of an older individual for monetary or personal benefit, profit, or gain, or that results in depriving an older individual of rightful access to, or use of, benefits, resources, belongings, or assets.

2006 Older Americans Act

Who Are the Victims?

Typical Victim -

White Females

Frail

Increased Instances of Chronic Disease

Cognitively Impaired

First Time Financial Managers

Part of a Blended Family

Age 70-89



Skills of the Perpetrator

Excellent Persuasion Skills

Good at Cultivating Relationships

**Can Easily Convince Adults they are
Worthy of their Trust and Money**

Who Are The Perpetrators?

Family Members through use of:

Power of Attorneys

Credit Card Use

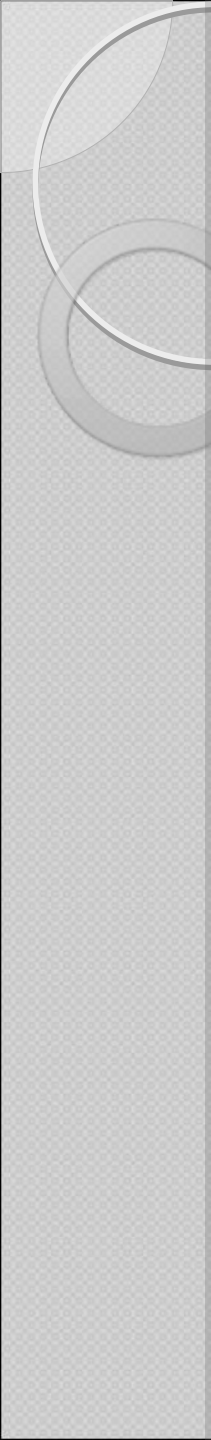
Home Refining

Their Actions may be influenced by:

Addictions

Downturn of the Economy

Simple Greed



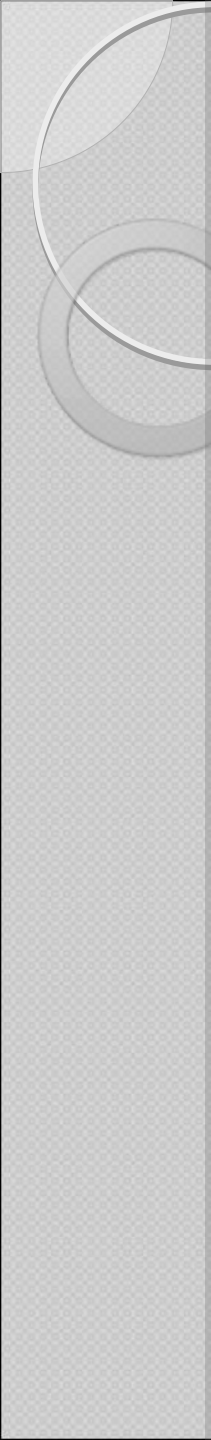
Family Member may also feel a sense of entitlement, that they have a “right” to accumulated money and material goods.

They also may feel justified in taking “advanced” control over assets they perceive to be “almost” or “rightfully” theirs.

Financial Abuse of the Elderly – C.L. Dessin

Others?

- Telemarketers
- Investment Scams
- Who else???



“Elder financial abuse (exploitation) is a crime growing in intensity and, especially now, with the plummeting economy, elders will be unable to recover from such losses.”

**-Pamela Teaster, President, National Committee
for the Prevention of Elder Abuse**

Who Is Affected?

- The Victim
- The Victim's Family
- Society – through an increase in the number of people needing government assistance



Warning Signs??

IDEAL Protocol

developed by Dr. Bennett Blum,

IDEAL

- Isolation
- Dependence
- Emotional Manipulation
- Acquiescence
- Loss

Isolation

The Victim is cut off from pertinent information, family, friends, relatives or other community contacts.

The Perpetrator may screen calls, mail and/or visitors, and reduce outside travel.

Dependence

The Victim may depend on the Perpetrator for physical care, emotional support, simple banking tasks, grocery shopping, medicine regimes, transportation, etc.

The Perpetrator may create dependency by limiting food/water, or dispensing medications as prescribed.



Emotional Manipulation

The Victim may be emotionally threatened by the Perpetrator.

The Perpetrator may threaten the Victim, by telling them no one cares about them, that if they do not behave they will be placed in a nursing home and their home and possessions will be sold.

Acquiescence

This is evidenced by the Victim's apparent consent or submission. If undue influence is involved, then the consent has been manipulated by the Perpetrator.

Loss

The Victim has a history of being the victim of emotional, physical, financial abuse and therefore they are predisposed to manipulation by a trusted Perpetrator.

Reporting

- If you suspect you are required to report your observations to APS – document the call for your records;
- Your employer may have a protocol you must follow – document who you talked to and when;
- If the alleged Victim has:
 - Family, an Attorney, other Community Friends – call them;
- If you need to talk with someone about your concerns call the professionals in your network that can give you honest feedback and advise.

Finally, Remember

The line between
“do” and “undo” influence is very thin.

If allegations of undo influence are brought
against a Perpetrator in a court of law the
Victim may not be able to remember
events clearly, and/or they may be fearful
and anxious about testifying.

Court actions are also very costly.



QUESTIONS????

THANK YOU!