

AG Schimel: Task force on elder abuse recommends legislation, resources for law enforcement to fight elder abuse

Posted on Wednesday, Oct 3, 2018

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MADISON, Wis. – Attorney General Brad Schimel announced his Task Force on Elder Abuse is recommending new legislation, agency action, and resources for law enforcement to fight elder abuse in Wisconsin. According to data from the Wisconsin Department of Health Services (DHS), from 2001 to 2017, reported allegations of elder abuse, neglect, and exploitation and requests for information about elder abuse increased 160% in Wisconsin. In August 2017, Attorney General Schimel created the Task Force on Elder Abuse to develop recommendations and resources to address this growing public safety issue.

“Just a little over one year ago, I set out to put every group, organization, or profession that may encounter elder abuse in one room, to figure out if we could be doing better for Wisconsin’s rapidly growing elderly population,” said Attorney General Schimel. “Today, we present some of the work we’ve already completed, and what work we want to do next – including new legislation, resources for law enforcement and prosecutors, and stronger protections for the elderly. We cannot wait to do better for our elderly loved ones.”

“Today marks another important milestone in the journey to protect older adults in Wisconsin from fraud and exploitation. The task force recommendations shared today take the important step of moving us collectively from analysis to action,

which is welcome news with allegations of elder abuse and exploitation on the rise in our communities,” said Sam Wilson, State Director of AARP Wisconsin. “We commend Attorney General Schimel and the staff at the Department of Justice for their steadfast focus on not only identifying the challenges but, more importantly, getting the task force to solutions.”

The task force was charged with compiling the resources and knowledge of a multi-disciplinary team of professionals to study the impact of elder abuse in Wisconsin and assess ways to improve outcomes for this growing population of citizens. In addition to developing strategies to address barriers in investigations and prosecutions of elder abuse, the task force is strengthening consumer protection for seniors and creating recommendations for improved cross-system communications. The task force is recommending the following action:

1. Blocking Suspicious Transactions to Stop Elder Financial

Exploitation: The task force recommends the Legislature and Governor adopt model legislation in LRB 0385 and LRB 0386 that will provide financial advisors and financial institutions with a strengthened ability to block suspicious transactions of financial exploitation against older adults.

“Identifying and preventing elder financial abuse has always been a priority for Wisconsin bankers,” said Rose Oswald Poels, President and CEO of the Wisconsin Bankers Association. “We were pleased to work with the Attorney General’s Task Force and the Department of Justice team to update the law and develop resources to help our members with this critical mission.”

“As a member of the Attorney General’s Task Force on Elder Abuse’s Financial Exploitation Working Group and as someone with experience in the financial planning industry, I am proud to be part of a process to recommend needed legislative changes to protect our state’s elders. I look forward to continuing to work with Attorney General Schimel on increasing awareness of elder abuse and preventing this under-reported crime,” stated Rep. John Macco (R-Ledgeview), a task force member.

2. Elder Abuse Supplemental Incident Reports for Law Enforcement: The task force recommends DOJ identify and pilot an elder abuse supplemental incident report with law enforcement agencies across the state to help ensure they are collecting needed evidence for a criminal prosecution of a suspect in an elder abuse case.

"I would like to commend the members of the Attorney General's Task Force on Elder Abuse, as well as Attorney General Schimel and his staff, for the many initiatives and recommendations that have been developed to help better protect the senior citizens of the State of Wisconsin," said task force member and Fond du Lac Police Chief Bill Lamb. "Elder abuse is already a terribly under reported crime and as our society continues to age, so too will the rate of their victimization. Wisconsin's law enforcement community is committed to protecting our seniors and the work and recommendations of the Task Force will help us more effectively do so by providing increased training for our people, improved investigative and reporting tools, and specialized resources."

3. **Enhancing Protections for the Elderly through Criminal Law**

Reforms: The task force recommends the Legislature and Governor adopt model legislation in LRB 0356 that makes a number of criminal law changes including: increased penalties to signify that these are crimes against a vulnerable population; enhanced protections for older adults seeking restraining orders; streamlined court process to freeze assets of a defendant; and strengthening the penalties for physical elder abuse of an older adult.

4. **Expedited Hearings and Testimony Preservation:** The task force recommends that the Legislature and Governor adopt model legislation in LRB 0402 that strengthens the process for older victims and witnesses who may have declining health by allowing for expedited hearings and the ability to preserve testimony through a video-taped court hearing that would have the defendant present for cross-examination. The ability for victims to recall important details is critical to the outcome of a court case. As degenerative brain diseases increase in older populations, the criminal justice system must be able to respond to the unique needs of elderly victims' ability to testify.

5. **Specialized Elder Abuse Response Team at DOJ:** The task force recommends DOJ creating a specialized elder abuse team that would work to mirror the success of other states and jurisdictions across the United States. This team would have five full-time positions including a prosecutor, three investigators, and a financial auditor.

A letter to Governor Scott Walker and the Wisconsin State Legislature providing further details about these recommendations is attached.

"No one should have to live in fear," said Sen. Pat Testin (R-Stevens Point), a task force member. "Our recommendations provide seniors with peace of mind, and reinforce that predatory behavior has no place in Wisconsin."

In addition to the task force's work, Attorney General Schimel has moved quickly to provide public safety tools to seniors and their loved ones. DOJ worked with law enforcement and aging and senior care experts and advocates to raise awareness about elder abuse and encourage citizens to report abuse against seniors. The public awareness campaign, first launched in January 2018 with [radio ads](#), encourages citizens to report suspected elder abuse of any kind, teaches how to recognize elder abuse, and connects victims with resources. In May 2018, Attorney General Schimel launched a new website, www.ReportElderAbuseWI.org, and paid online outreach aimed at elder abuse victims.

In August 2018, DOJ released a [training video](#) aimed at educating tellers and other banking professions on how to spot financial elder abuse and report it. DOJ produced the ten-minute training video with assistance from the Wisconsin Bankers Association, Wisconsin Credit Union League, and members of the task force. The video details common red-flags that tellers in financial institutions should watch for when interacting with older adults who are often susceptible to financial exploitation.

"The Wisconsin Department of Financial Institutions joins with Attorney General Brad Schimel and all of the people from other agencies here today who are trying to limit and, ultimately, stop elder abuse," according to DFI Deputy Secretary Jim Podewils. "One way is to get the word out to encourage everyone who interacts with our senior citizens to know the signs of abuse and report it."

In October 2017, Attorney General Schimel expanded [Dose of Reality](#), a statewide prevention campaign designed to raise awareness about prescription drug abuse and its effect on the opioid epidemic, to include resources and information unique to seniors and caregivers.

The attorney general also started "[Safe Seniors Camera Program](#)," a new pilot project in Brown, Outagamie, and Winnebago counties that allows Wisconsin residents, who suspect a caregiver is abusing their loved one, to use a covert camera to provide surveillance over someone who may have been harmed by a caregiver in their residence.

To report suspected financial, physical, emotional, or sexual abuse, please [contact your county elder adult-at-risk agency](#) or call 1-800-488-3780. If you witness an act of abuse, neglect, or exploitation that requires immediate attention, please call 911.

The task force is made up of representatives from DOJ, DHS, DFI, Wisconsin Department of Agriculture, Trade and Consumer Protection, Wisconsin State Legislature, law enforcement, Wisconsin Court System, Board on Aging and Long Term Care, Wisconsin Bankers Association, crime victim services, adult protective services, senior living facilities, and senior citizen advocacy organizations.

To learn more about elder abuse, go to www.ReportElderAbuseWI.org.

Additional Elder Abuse Facts and Statistics

- In June 2018, DHS released the 2017 elder abuse and neglect report. From 2016 to 2017, total reported allegations of abuse, neglect, or financial exploitation in Wisconsin increased by 4.8%.[\[1\]](#)
- In the same time period, alleged financial exploitation alone increased 17.5%.[\[2\]](#)
- From 2001 to 2017, reported allegations of elder abuse, neglect, and exploitation and requests for information about elder abuse increased 160% in Wisconsin.[\[3\]](#)
- By 2040, 18 counties in Wisconsin are projected to have at least 33% of their total population made up of individuals ages 65 and older. Three of these counties are estimated to reach 40%.[\[4\]](#)
- Elder abuse is vastly underreported; only one in 44 cases of financial abuse is ever reported.[\[5\]](#)
- Abused seniors are three times more likely to die than those who had not been abused and elder abuse victims are four times more likely to go into a nursing home.[\[6\]](#)
- Almost one in ten financial abuse victims will turn to Medicaid as a direct result of their own monies being stolen from them.[\[7\]](#)
- Elders lose nearly \$35 billion annually to elder financial abuse.[\[8\]](#)
- The impact of financial exploitation extends beyond just economic damage, with 954,000 seniors skipping meals due to the abuse.[\[9\]](#)
- The direct medical costs of injuries are estimated to contribute more than \$5.3 billion to the nation's annual health expenditures.[\[10\]](#)