



# ELDER ABUSE TASK FORCE

Thank you for your interest in Michigan's Elder Abuse Task Force – an alliance representing more than 55 different organizations in the public, private and non-profit sectors – all working together to reduce barriers facing our aging population.

As we start a new year, please take a few minutes to catch up on what the Task Force has been up to since our last issue in July 2020.



## MESSAGE FROM ATTORNEY GENERAL DANA NESSEL:

Thank you for subscribing to this newsletter and for sharing the Task Force's commitment to identifying real solutions to concerns and issues in our state when it comes to protecting our aging population.

2020 was a challenging year for so many and as we embark on a new year, we're still facing a great deal of uncertainty due to the ongoing pandemic. Despite those challenges, the Task Force remained steadfast on its quest to pursue its initiatives. The next section of this newsletter will dive into some of the work from 2020 and what the Task Force plans to carry across the finish line in 2021.



Our work evidenced that an expansion of the Elder Financial Crimes Unit was necessary. I am happy to report that the unit now includes three additional investigators and three Assistant Attorneys General. Their assignment is to investigate and prosecute elder abuse/financial exploitation.

I have also tapped Assistant Attorney General Katharyn Barron to lead the Task Force into 2021. Katharyn has been instrumental from the start and played a key role in our Elder Abuse Listening Tour. She has also spearheaded the creation of our Court Watchers program.

2020 may have brought several challenges, but the Task Force stands ready to carry out its mission to work collaboratively to tackle the often unrecognized and unreported crime of elder abuse.

As your Attorney General, it is an honor to serve you and I thank you for your continued interest in the Elder Abuse Task Force.

## INITIATIVES AND LEGISLATION UPDATE:

Despite the challenges presented by COVID-19, the Task Force pushed forward on several fronts:

- **Financial Exploitation Prevention Act:** Since our last issue, the Michigan Legislature's 100th session has come to a close and the Task Force is proud to share that the Financial Exploitation Prevention Act has been signed into law by Governor Gretchen Whitmer. This achievement now checks two more boxes on the initial nine Task Force initiatives. This legislation requires financial institutions to report vulnerable adult financial exploitation to law enforcement or adult protective services.
- Under the act, financial institutions are empowered to delay suspect transactions while adult protective services (APS) and or law enforcement investigate. Additionally, APS and law enforcement have strict timelines to provide notification to county prosecutors. This Act is a powerful proactive tool to use against all those who seek to exploit vulnerable adults. It is additionally a great example of what can be accomplished through public and private collaboration made possible by the EATF. Although the act does not become effective until the fall of 2021, the EATF will establish a working group to ensure effective implementation.

## INITIATIVES AND LEGISLATION UPDATE CONTINUED:

- The Attorney General has met with the Speaker of the House and expressed her interest and commitment to advancing the outstanding policy proposals that didn't make it through the legislature last term. We expect little change within the House Judiciary Committee structure and are awaiting the announcement of our new Senate Judiciary Committee Chairperson. With the loss of both Rep. Brian Elder and Sen. Pete Lucido, the EATF is proud to announce Rep. Kyra Bolden as the newest legislative lead who will represent the House Democratic Caucus. Upon the announcement of a new Senate Judiciary Chair, our office will extend a similar invitation for their participation to represent the Senate Republican Caucus.
- The EATF is also proud to announce Washtenaw County Prosecutor Eli Savit will serve as a member. Savit is a staunch advocate for human rights and has an impressive track record of fighting for equitable justice. It is an honor to have his experience and professionalism on the Task Force.
- The [standard vulnerable adult incident report form](#) is in use throughout the state and is assisting law enforcement in conducting more efficient investigations. The Michigan State Police, the Sheriffs' Association, the Chiefs of Police and the Prosecuting Attorneys Association of Michigan have played key roles in promoting the use of this important tool.
- 125 Michigan State Police Detectives participated in a series of trainings via the MI-TRAIN Learning Management System on how to identify and investigate vulnerable adult financial abuse. The trainings consisted of three training modules specifically for law enforcement:
  - Investigating Elder Abuse: Joint Banks Accounts
  - Investigating Elder Abuse: Vulnerable Adult Incident Report
  - APS & Banks: Partners in Investigating Elder Financial Abuse

An additional recording, Senior Abuse Financial Tracking & Accounting, is available to the public as well as law enforcement. A fourth training module, for law enforcement only, is in production. The modules have had high attendance; the module on joint bank accounts alone has had over 1,900 registrants.

- A total of 11 training modules will soon be available online that focus on recognizing, reporting and preventing elder abuse, neglect and exploitation. While the primary audience for these modules are in-home caregivers for older and vulnerable adults, the information provided is beneficial for the general public. The sessions are between three and seven minutes, and pack a wealth of information into that short timeframe. Topics include: person-centered support, recognizing and understanding stressors, conflict resolution, and more.

All modules will soon be available via the [Attorney General's YouTube channel](#).

## COURT WATCHERS:

Training modules have been revised to address virtual court watching and the Task Force is waiting for more probate courts to broadcast through YouTube to pilot the program. [Michigan's Virtual Courtroom Directory](https://micourt.courts.michigan.gov/virtualcourtroomdirectory) (https://micourt.courts.michigan.gov/virtualcourtroomdirectory) provides the public with a convenient way to locate all of Michigan's virtual courtrooms. The Court Watcher program is expected to debut in the first half of 2021.

## TASK FORCE INITIATIVES:

Require professional guardians to become certified (including minimum training, professional standards, bonded).

Change the accounting form filed annually requiring the judge to sign an attestation that he/she reviewed it and finds it meets the fiduciary standard.



Adopt the standard investigation form for vulnerable adult investigation and include training for law enforcement, prosecutors, Adult Protective Service workers and Michigan Commission on Law Enforcement Standards academy.

Review the process for emergency petitions for guardianship/conservatorship to require a full hearing with the ward present and medical testimony.

Develop statutory basic rights for the family of the ward including notice and the opportunity to file pro se motions/documents, visitation, etc. Court to provide written opinions as to reasons a relative is not appropriate for guardian. Court to review every six months.

Review process of guardian removal of the ward from the home. Must present court with written plan exploring all alternatives to removal; review of the sale of the ward's home and appraisal shall be required to accompany any purchase agreement.

Limit the number of wards per guardian.



Mandate reporting for financial institutions on suspected fraud/exploitation.

Help develop local level multi-disciplinary teams.

## SCAMS:

Due to the ongoing public health crisis and the second round of stimulus checks on the way, we urge you to be on high alert—especially for yourself or family members in nursing homes.

The first round of stimulus checks revealed that some attempts were made by nursing home staff to steal payments intended for residents.

**It's important that everyone is aware that any attempt of this nature is illegal.**

[The Federal Trade Commission suggests that a quick conversation with management of the nursing facility to ensure they know the rules behind stimulus checks may be worthwhile.](#)

Ultimately, if you or a loved one suspects that a nursing home staff member has or is seeking to steal a stimulus payment, please [file a complaint with the Attorney General's office immediately online](#), or by calling 877-765-8388.

## COVID-19:

- COVID-19 continues to impact us all and our seniors are primary targets for scammers seeking to obtain personal – especially financial – information.

**REMEMBER:** if you receive any phone calls from anyone demanding your personal information – your pin number, address, or social security number for example – hang up because you are about to become a victim of a scam.

From the entire Elder Abuse Task Force, we hope you're staying safe during this time of uncertainty and loss.

We all must work together to slow the spread of COVID-19 and while it can be challenging at times, we know that we will get through this.

To access a host of resources, do not hesitate to [visit the state's Coronavirus website](#) (mi.gov/coronavirus).

## STAY CONNECTED:

Michigan Attorney General Dana Nessel and the Elder Abuse Task Force thank you for your continued support in combatting Elder Abuse.

Please [visit the elder abuse page](#) for information, [subscribe here for updates](#) from the task force and [sign up here](#) to express your interest in the “Court Watchers” program.

**For Questions:**  
**800-24-ABUSE (22873)**  
mi.gov/elderabuse



**To Report:**  
**855-444-3911**  
mi.gov/protectiveservices