

Senator Roderick D. Wright

Fact Sheet

SB 60

IN BRIEF :

SB 60 specifies that elder and dependent adult victims of financial exploitation are eligible to receive compensation from the Victims Compensation Fund.

THE ISSUE/PROBLEM:

Financial exploitation of elderly and dependent adults is a problem of increasing proportion. Elders and dependent adults seen as “easy targets” by financial predators who take advantage of their victims’ loneliness, isolation, and vulnerability. This population often falls prey to scams, undue influence, and fraud that can result in the loss of a home, pension income or a life’s savings.

Federal law allows the use of Victim’s Compensation Funds (VCF) to compensate victims of financial crimes, and Federal guidelines identify elders and dependent adults as underserved groups. California does not assist these victims, despite their need for services such as mental health counseling, legal representation, or transportation to and from court appearances.

The Department of Social Services reports that as many as 1,600 reports of elder and dependent adult financial abuse are under investigation in a given month by Adult Protective Services statewide. Economic hardship combined with the growing population of vulnerable adults means the number of financial crimes will continue to escalate in coming years.

Many states have already begun providing assistance to victims of financial crimes, including Colorado,

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SUPPORT:

OPPOSITION:

Florida, Idaho, New Jersey, New York, Oklahoma, Vermont, Pennsylvania and Wyoming. Services include payment for counseling, assistance with travel to court, and restoration of lost income.

VCF funds come from fines and penalties paid by persons convicted of criminal activity. A substantial proportion of those dollars come from perpetrators of financial crimes, yet California does not use the money to assist those who are victims of these same crimes.

EXISTING LAW:

Government Code Sec. 13951 – 13958 specifies that victims of violent crimes, abduction or sexual crimes are eligible for VCF assistance. The law also makes assistance available to certain witnesses of crimes and those directly impacted by the effect of the crime on the victim. Still, there is no such assistance for the most vulnerable citizens whose lives and well-being are directly impacted by misappropriation of funds, fraud, identity theft, or scams.

THE SOLUTION:

SB 60 adds financial crimes against elders and dependent adults to the definition of crimes covered under the Victims Compensation Fund.

FOR MORE INFORMATION:

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