

Elder Financial Exploitation: A View from the Trenches

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The State of Financial Fraud in America
Washington, D.C.

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Jasmine Jamrus-Kassim

- Long-time agent for Banker's Life
- Selected five most vulnerable clients aged 74-90
- Cultivated their trust
- Informed them annuities were maturing, needed to reinvest funds
- Instructed them to write checks to "S.A. Saad"

Jasmine Jamrus-Kassim

- Deposited checks in accounts she'd opened in her daughters' names
- Used money to buy cars, property, hire psychics, go on vacations, live lavish lifestyle
- In all, stole over \$1,000,000

Jasmine Jamrus-Kassim

- Charged with numerous counts of felony theft, plus vulnerable victim and abuse of trust aggravators
- We conducted depositions of victims in order to preserve their testimony
 - Carmen Pascua
 - Michael Wispinski

Jasmine Jamrus-Kassim

- Pleaded guilty to 10 counts of Theft 1 with aggravators
 - Standard range: 43-57 months
- Received exceptional sentence of 75 months
- Four of the victims are now dead

King County Prosecutor's Office Elder Abuse Project

- Formed in 2001 to address growing problem of elder abuse
- Vertical prosecution of cases
 - Focuses on financial exploitation and neglect
- Trains first responders
- Works to improve systemic response

The Victims We Most Often See

- In their 80s or 90s
- Men
- Grieving (loss of partner or spouse)
- Living at home
- Lonely, isolated
- Suffering from mild to moderate dementia, undiagnosed

The Challenges Faced by the Criminal Justice System

- Under-reporting by mandatory and permissive reporters and community
- Lack of training of law enforcement, prosecutors and Adult Protective Services:
 - How to investigate, prove case when victim has dementia or is deceased
 - That consent is not valid when:
 - It is obtained through undue influence or deception
 - Victim lacks cognitive capacity

The Challenges We Face

- That abuse of Power of Attorney is criminal
- Lack of recognition of exploitation by victim's family members, lawyers, financial advisors
- Inadequate and inconsistent screening for cognitive impairment by:
 - Primary care providers
 - APS
 - Law enforcement

The Challenges We Face

- Lack of experts to conduct capacity evaluations of victims
- Lack of assistance with analysis of financial records
- Lack of specialized detectives and prosecutors, often resulting in:
 - Languishing investigations
 - Refusal to investigate, file charges
 - Lack of participation in Multidisciplinary Teams

Some Signs of Progress

- DOJ's new website on elder abuse
 - <https://www.justice.gov/elderjustice>
- Office on Violence Against Women's Abuse in Later Life Program
 - Trains law enforcement, prosecutors, judges, direct service providers in grantee's community
 - Improves coordinated response
 - Funds victim services

Some Signs of Progress

- Increased reporting by financial institutions due to better training and awareness, permissive reporting statutes
- Increased reporting by families and the community

Feel Free to Contact Me

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