



NEW YORK STATE SENATOR

Martin J. Golden

Senate Passes Bill to Create New Crime of Exploiting the Elderly and Vulnerable Adults

MARTIN J. GOLDEN June 19, 2012

Measure Helps Deter Stealing From Senior Citizens or People With Physical or Mental Disabilities

Albany- State Senator Martin J. Golden (R-C-I, Brooklyn) today is announcing that he has voted to support legislation, approved by the New York State Senate, that responds to the need for increased protection against financial exploitation of elderly and vulnerable adults by passing legislation to make such actions a crime. The legislation, S 6712, gives district attorneys and police the tools they need to prosecute instances of financial exploitation of vulnerable elderly or people with physical or mental disabilities.

Senator Marty Golden stated, "We hear of scams targeting the elderly and disabled all too often and we must fight against those who prey on them. This legislation will give district attorneys and local law enforcement the necessary powers to protect New York's most vulnerable against this form of abuse. Twenty-nine other states have enacted statutes specifically designed to protect senior citizens against financial abuse and I applaud my Senate colleagues for taking the first step towards ensuring that New York does the same."

Financial exploitation of the elderly or those who have a physical or mental disability that prevents them from caring for themselves is a pervasive and often unseen form of abuse. The National Center on Elder Abuse defines elder financial exploitation as “the illegal or improper use of an elder's funds, property or assets.” Such instances of exploitation can include credit card fraud, real estate scams, identity theft and burglary, which are also notoriously difficult to combat. Even when reported to local authorities, antiquated criminal statutes make it difficult to prosecute these offenses.

The bill establishes exploitation of a vulnerable elderly, incompetent, or disabled person as a form of larceny. It also requires adult protective services officials to report all instances of suspected exploitation to their district attorney's office.

The bill will be sent to the Assembly.