



NEW YORK STATE SENATOR

Hugh T. Farley

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

HUGH T. FARLEY June 21, 2012

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State Senator Hugh T. Farley (R, C, I - Schenectady) announced that he and his colleagues in the New York State Senate recently responded 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 (S6712) 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.

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 " 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.