SENATE JUDICIARY
EXHIBIT NO. 3
DATE 3/20/13
BILL NO. HB 287

BIG SKY Senior SERVICES

Senior Helping Hands & Prevention of Elder Abuse

Big Sky Senior Services is a nonprofit agency located in Billings, Montana. We help vulnerable and at risk senior citizens and adults with disabilities through our Prevention of Elder Abuse program. Through our Representative Payee program, we manage money for 60+ senior citizens and adults with disabilities who have been financially exploited or at risk for homelessness due to their incapacity to manage their own money.

We receive and respond to an average of 20-30 phone calls per month on suspicions of elder abuse and work closely with Adult Protective Services when the victim requires case management and/or the law enforcement.

We are in support of HB 287 and feel that by strengthening the penalties, the perpetrators may think twice about scamming a vulnerable senior citizen. There are a growing number of senior citizens per capita in our state and many of them have already fallen victim to the telephone, email and mail scams. Once they say "yes" to a scam, they are automatically placed on a "sucker list" which is sold to other scammers. The phone calls never end. Unfortunately, by the time we hear about the cases, the funds of the vulnerable senior citizens are already depleted and often times the funds represent their lifetime savings.

Below are some case studies for situations we have encountered when our senior citizens have been scammed.

Betty is an 84 year old woman living with her sister, Mary, age 86. Betty was trained and worked as a surgical nurse before her retirement. Mary has inoperable cancer and Betty is her caregiver. They live in a large comfortable home outside of Billings. The bank expressed concern because Betty spent a substantial amount of her savings on various lotteries in hopes of a big win. A banker counseled Betty that these lotteries are scams and encouraged her to discontinue spending money. Betty would not listen. She continued to receive calls and mail from telemarketers. She often returned calls to these individuals. On one occasion, a telemarketer told Betty he was coming to her house. Betty became panicky and approached her door with a gun when a friend came to visit. Eventually, Betty tried to get her sister to give her $30, 000.00, however Mary refused. A physician evaluated Betty and advised she is not incapacitated so a guardian or conservator could not be appointed. Betty has now used up all her retirement savings and lives on social security.

Ida is an 80 year old woman currently living in a retirement setting. She owns one rental property and has some savings. A nephew, Jay, is her Power of
Attorney. Following a hail storm, Jay approached his aunt to get reimbursement for roof replacement and she gave him $9,500.00 to cover the cost. Jay additionally submitted a request through the insurance company and was reimbursed $8,500.00 by the company. The roof was never replaced. The nephew spent the money.
Elmer is a 79 year old man living independently in a home he owns. He has several rental properties and used to have substantial savings. Elmer has systematically divested himself of all his savings over the course of the last 15 years in his attempts to win the lottery. Elmer has moved from bank to bank after getting into disagreements with bank officials. He is very stubborn, makes poor decisions, but is not considered incapacitated. He is now behind in payments for utilities, phone, and has not paid his taxes. His properties are up for sale.

Gloria is a former teacher who lives alone in a small house in Billings. She has a comfortable income from her teacher's retirement. Recently, Gloria went to her bank and asked to speak with a personal banker because she

thought she might have made a mistake. In speaking with the banker, she explained that over the past year she had received several calls from companies telling her that her identity had been compromised. Due to the stories she had heard about identity theft, Gloria was very concerned and paid out checks to each of the three companies. Each company promised to protect her identity. The banker knew this was a scam and she and Gloria together called the Prevention of Elder Abuse program. Gloria was able to stop payment on the most recent check, has reached out to family members for assistance in managing her money, and has added caller ID to her phone. In visiting with Gloria and her cousins, it appears that Gloria has also withdrawn several money orders for many thousands of dollars over the past couple of years. Family and the bank are trying to determine where these funds went, but Gloria does not recall.

You see, our Senior Citizens are very proud and often feel shame and embarrassment when they've been scammed. We are trying our best to educate and create awareness of these criminal acts, but scammers find too many successes and continue on.

It's time to put a stop to these unforgiveable crimes and create awareness to prohibit other perpetrators. Please, support this important bill.

Denise Armstrong
Executive Director
Big Sky Senior Services, Inc.
3 ½ North 35th St.
Billings, MT 59101
406-259-3111