



**Written Testimony of Jessica Maurer on Behalf of  
the Maine Council on Aging  
To Committee on Criminal Justice and Public Safety**

**In Favor of LD 316 -- "An Act To Protect Adults 66 Years of Age and  
Older from Financial and Other Types of Exploitation through Theft by  
Deception"**

Delivered in writing on February 25, 2019

Greetings Senator Deschambault, Representative Warren and members of the Committee on Criminal Justice and Public Safety:

My name is Jess Maurer and I'm the Executive Director of the Maine Council on Aging (MCOA). The MCOA is a broad, multidisciplinary network of 75 organizations, businesses, and older Mainers working together to make sure we all live healthy, engaged, and secure lives with choices and opportunities as we age in our homes and communities. I am providing testimony in favor of LD 316 as older Mainers who have been financially abused and exploited need, and have a right to, the justice this bill will provide.

We all want to live our lives free of violence and exploitation. Unfortunately, this is not always the case for older Mainers who are too often the target of abuse and exploitation. In fact, the Department of Justice reports that 1 in 9 older adults has reported being financially abused or exploited within the last 12 months. Older people are the targets of financial crimes because they often have access to resources, are often reliant on others for their care, may be isolated and on their own, and may be experiencing cognitive decline, making them particularly easy targets for crimes of deception. Collectively, older Americans lose \$2.9 billion every year due to financial abuse and exploitation. This abuse is not typically done by strangers. 90% of abusers of older adults are family members, care partners or trusted friends.

A just society ensures that anyone who is harmed is entitled to justice. When that harm is irreversible, the justice meted out for the crime should match the nature of the harm. Older adults who are victims of this crime, including financial exploitation, frequently experience a loss of trust in others, loss of security, depression, increased feelings of fear, shame, guilt, and worthlessness, inability to provide long-term care needs, or a loss of primary residence. These factors combined with the fact that older victims already have fewer support systems and reserves, can lead to a loss of independence, serious health problems, and even death. ***In fact, older adults who have experienced financial abuse are three times more likely to die within the next decade than those same age adults who have not been financially abused.***

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Many older adults are also thrown into poverty as a result of financial exploitation and will have to rely on government programs to survive. Consider that nearly 1 in 10 older adults who have experienced financial abuse and exploitation will go on Medicaid as a result of their abuse. These older adults are also four times more likely to transition into nursing home care after abuse.

Despite the fact that instances of financial abuse and exploitation of older adults are so common, only 1 in 44 cases of abuse is actually reported. Older adults encounter numerous barriers to reporting and receiving help in these abusive circumstances. Fear is the greatest of these barriers, including the fear that the allegation will not be taken seriously – something abusers often tell victims they are grooming for financial abuse. If an older adult does not feel empowered to report due to a lack of confidence or knowledge of what will happen to them, their abuse will most likely continue until all of their resources have been depleted.

LD 316 elevates the crime of Theft by Deception to a Class B crime from a class E crime if the victim is age 66 or older. A Class E crime carries with it a jail sentence of no more than 6 months while a Class B crime carries with it a jail sentence of up to 10 years. Since an older victim may experience poverty, serious health problems, institutionalization and even a hastened death as a result of the theft, it is appropriate for a Judge to have latitude in setting a sentence that is more consistent with serious crimes.

By enacting LD 316, Maine is sending the message to current and potential abusers that financial abuse and exploitation will not be tolerated. We are sending the message to our older Mainers that we value their lives, safety, and autonomy. I strongly urge you to vote in favor of LD 316.

I'm sorry I could not be there in person today to deliver this testimony, but am available to work with the sponsors and committee to find a way to help prevent older Mainers from being financially abused and exploited, as well as seek justice for those who already have experienced this crime.

Thank you.

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