

United States Senate

WASHINGTON, DC 20510-2309

February 5, 2014

The Honorable Mythili Raman
Acting Assistant Attorney General
Criminal Division
U.S. Department of Justice

Dear Acting Assistant Attorney General Raman,

I am deeply concerned about financial frauds perpetrated against Minnesota's seniors. Advocacy groups and law enforcement officials from across Minnesota report that elder Americans remain at risk of being preyed upon by sophisticated scam artists. Minnesota's seniors have worked hard to earn and save their money – money that should be used for retirement and should be safe from financial exploitation.

This problem is not limited to Minnesota: studies indicate that seniors across America lose billions of dollars to financial fraud every year. In November 2012, the Government Accountability Office (GAO) issued a report, "Elder Justice: National Strategy Needed to Effectively Combat Elder Financial Exploitation," which explained:

Older adults are particularly attractive targets for financial exploitation by unscrupulous individuals. As a group, older adults tend to possess more wealth than those who are younger because they have had a longer time to acquire it. In addition, the incidence of Alzheimer's disease and other dementias that undermine judgment increases with age. Moreover, financial capacity – the capacity to manage money and financial assets in ways that meet one's needs – generally declines with age, and this decline may go unaddressed until it is too late.

In May 2013, GAO issued a follow-up report, "Elder Justice: Federal Government Has Taken Some Steps but Could Do More to Combat Elder Financial Exploitation." Both the 2012 Report and the 2013 Report recommended actions that federal agencies could take to combat elder financial exploitation. I am writing about three specific issues raised in these reports.

1. Training and Resources

First, GAO found that "effectively investigating and prosecuting elder financial exploitation requires special skills and knowledge" and that further efforts could be taken to build such expertise within the law enforcement community. For example, GAO recommended that the Justice Department launch an elder justice prosecution website to develop and share resources among prosecutors and other criminal justice officials. I urge the Justice Department to implement this recommendation as expeditiously as possible.

2. Case Referrals

GAO identified problems with the process by which state and local law enforcement authorities contact the Justice Department to seek assistance in elder financial exploitation cases, particularly those involving interstate or international fraud schemes. For instance, GAO wrote that “even though various federal agencies have the authority to investigate and prosecute interstate and international scams, local law enforcement officials told us there is not enough information available on whom they should contact when they need to refer a case to the federal level.” and that “it is not clear how they should obtain the federal support they need to respond to interstate and international mass marketing cases.”

Accordingly, GAO recommended that the Justice Department improve its case referral process and conduct outreach to clarify appropriate points of contact for state and local officials. Please let me know what the Justice Department is doing to make it easier for state and local officials to refer cases to and seek assistance from the Justice Department.

3. Interstate Coordination

GAO noted that local law enforcement officials “indicated that investigating and prosecuting the growing number of cases involving interstate and international mass market fraud, which often target older adults, is particularly difficult for them.” Data collection and data sharing can be difficult across jurisdictional lines. The Justice Department already operates a Regional Information Sharing System for many interstate crimes, and GAO suggested that the Federal Trade Commission’s Consumer Sentinel database could be used to coordinate data across jurisdictions. Please let me know whether and how the Justice Department can help local law enforcement officials obtain the data they need to identify, investigate, and prosecute elder financial frauds committed across state lines.

Thank you for your attention to this important issue. If you have any questions, please contact Joshua Riley at joshua_riley@judiciary-dem.senate.gov.

Sincerely,



Al Franken
United States Senator