



August 10, 2020

PRESIDENT
Tim Fox
Montana Attorney General

PRESIDENT-ELECT
Karl A. Racine
*District of Columbia
Attorney General*

VICE PRESIDENT
Tom Miller
Iowa Attorney General

IMMEDIATE PAST PRESIDENT
Jeff Landry
Louisiana Attorney General

EXECUTIVE DIRECTOR
Chris Toth

The Honorable Mitch McConnell
Senate Majority Leader
317 Russell Senate Office Building
Washington, DC 20510

The Honorable Charles Schumer
Senate Minority Leader
322 Hart Senate Office Building
Washington, DC 20510

The Honorable Lindsey Graham
Chair
Senate Judiciary Committee
290 Russell Senate Office Building
Washington, DC 20510

The Honorable Dianne Feinstein
Ranking Member
Senate Judiciary Committee
331 Hart Senate Office Building
Washington, DC 20510

The Honorable Nancy Pelosi
Speaker of the House
1236 Longworth House Office Building
Washington, DC 20515

The Honorable Kevin McCarthy
House Minority Leader
2469 Rayburn House Office Building
Washington, DC 20515

The Honorable Jerry Nadler
Chair
House Judiciary Committee
2132 Rayburn House Office Building
Washington, DC 20515

The Honorable Jim Jordan
Ranking Member
House Judiciary Committee
2056 Rayburn House Office Building
Washington, DC 20515

Re: Support for the Edith Shorougian Senior Victims of Fraud Compensation Act (S. 3487/H.R. 7620)

Dear Leader McConnell, Speaker Pelosi, Leader Schumer, Leader McCarthy, Chair Graham, Chair Nadler, Ranking Member Feinstein, and Ranking Member Jordan,

As our jurisdictions' chief legal officers, we are writing to request the inclusion of the Edith Shorougian Senior Victims of Fraud Compensation Act (S. 3487/H.R. 7620) in COVID-19 relief legislation. This bipartisan legislation, also known as "Edith's Bill," would amend the Victims of Crime Act of 1984 (VOCA) to include victims of senior fraud as eligible for reimbursement by the Crime Victims Fund for states that provide compensation to victims. This bill will also amend VOCA so that penalties and fines from deferred prosecution and non-prosecution agreements, which can include white collar criminal conduct against seniors, are deposited into the Crime Victims Fund. We support inclusion of the full bill in COVID-19 relief legislation.

Scam artists know that seniors are especially at risk from COVID-19 and are exploiting the anxiety around this pandemic. They are targeting seniors who

1850 M Street, NW
Twelfth Floor
Washington, DC 20036
Phone: (202) 326-6000
<https://www.naag.org/>

are isolating at home and are separated from their families and support networks.

The U.S. Department of Health and Human Services Office of Inspector General has warned that fraudsters “are offering COVID-19 tests to Medicare beneficiaries in exchange for personal details, including Medicare information.”¹ This is unfortunately just one of many COVID-19 scams targeting seniors.

Senior fraud scams can be devastating on a personal and financial level. The Consumer Financial Protection Bureau estimated in 2019 that elder financial exploitation cases resulted in an average loss of over \$40,000 and 7% of cases resulted in a senior losing over \$100,000.² Many seniors live on fixed incomes and savings earned over a lifetime of hard work. Older adults have contributed so much to our nation, and it is simply wrong that many are losing life savings to criminals. Tragically, it is rare for seniors to receive compensation even after fraudsters are caught and convicted. Edith’s Bill would take an important step in providing compensation to defrauded seniors, and it would do so without using taxpayer funds.

Throughout the country, attorneys general are fighting senior fraud and abuse. In 2019, several state attorneys general partnered with the U.S. Department of Justice and other federal partners to conduct the largest-ever nationwide elder fraud sweep against perpetrators who had repeatedly targeted seniors, resulting in losses of over \$750 million.³ Though this initiative was a tremendous success, the total annual financial loss by elder abuse victims is estimated to be well over \$2.6 billion.⁴

Further, with 1 in 5 Americans expected to be over the age of 65 by 2030,⁵ an increase in scams and frauds targeting seniors is widely expected. In Wisconsin alone, the number of reported elder abuse cases has already more than tripled since 2001.⁶ Edith Shorougian was one of those Wisconsin victims. Edith was scammed out of more than \$80,000 by her longtime financial adviser. By using this legislation to add senior fraud as an eligible reimbursement expense under VOCA, states will be able to help victims like Edith receive the financial relief they deserve. States would be incentivized but not mandated by this legislation to provide compensation to victims of senior fraud.

We join the AARP, National Coalition Against Domestic Violence (NCADV), National Network to End Domestic Violence, National Alliance to End Sexual Violence (NAESV), National Children’s Alliance, National Organization for Victim Assistance (NOVA), Alzheimer’s Association, Alzheimer’s Impact Movement, Elder Justice Coalition, Justice in Aging, National Clearinghouse on Abuse in Later Life (NCALL), Public Investors Advocate Bar Association (PIABA), Association of Jewish Aging Services (AJAS), North American Securities

¹ <https://oig.hhs.gov/coronavirus/fraud-alert-covid19.asp>

² https://files.consumerfinance.gov/f/documents/cfpb_suspicious-activity-reports-elder-financial-exploitation_report.pdf

³ <https://www.justice.gov/opa/pr/justice-department-coordinates-largest-ever-nationwide-elder-fraud-sweep-0>

⁴ <https://www.giaging.org/documents/mmi-study-broken-trust-elders-family-finances.pdf>

⁵ <https://www.census.gov/newsroom/press-releases/2018/cb18-41-population-projections.html>

⁶ <https://www.dhs.wisconsin.gov/publications/p00124a.pdf>

Administrators Association (NASAA), and Public Citizen in supporting this important legislation. We look forward to your continued partnership in protecting our nation's seniors.

Sincerely,



Jeff Landry
Louisiana Attorney General



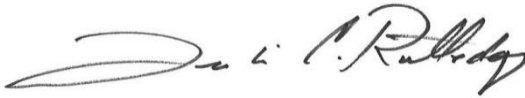
Joshua L. Kaul
Wisconsin Attorney General



Steve Marshall
Alabama Attorney General



Kevin G. Clarkson
Alaska Attorney General



Leslie Rutledge
Arkansas Attorney General



Phil Weiser
Colorado Attorney General



Kathleen Jennings
Delaware Attorney General



Karl A. Racine
District of Columbia Attorney General



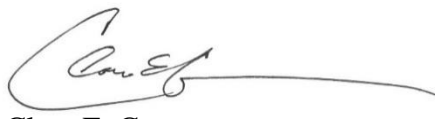
Ashley Moody
Florida Attorney General



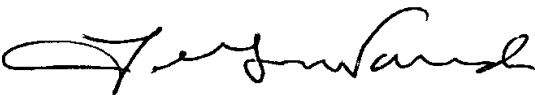
Christopher M. Carr
Georgia Attorney General



Leevin Taitano Camacho
Guam Attorney General



Clare E. Connors
Hawaii Attorney General



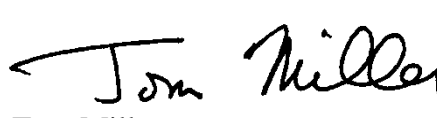
Lawrence Wasden
Idaho Attorney General



Kwame Raoul
Illinois Attorney General



Curtis T. Hill, Jr.
Indiana Attorney General



Tom Miller
Iowa Attorney General

Derek Schmidt
Kansas Attorney General

Daniel Cameron
Kentucky Attorney General

Aaron M. Frey
Maine Attorney General

Brian Frosh
Maryland Attorney General

Maura Healey
Massachusetts Attorney General

Keith Ellison
Minnesota Attorney General

Lynn Fitch
Mississippi Attorney General

Eric S. Schmitt
Missouri Attorney General

Douglas Peterson
Nebraska Attorney General

Aaron D. Ford
Nevada Attorney General

Gordon MacDonald
New Hampshire Attorney General

Gurbir S. Grewal
New Jersey Attorney General

Hector Balderas
New Mexico Attorney General

Josh Stein
North Carolina Attorney General

Wayne Stenehjem
North Dakota Attorney General

Edward Manibusan
Northern Mariana Islands Attorney General

Dave Yost
Ohio Attorney General

Mike Hunter
Oklahoma Attorney General



Ellen F. Rosenblum
Oregon Attorney General



Josh Shapiro
Pennsylvania Attorney General



Inés del C. Carrau-Martínez
Acting Puerto Rico Attorney General



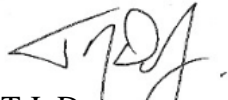
Peter F. Neronha
Rhode Island Attorney General



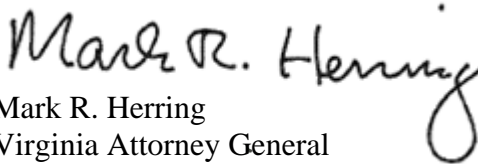
Alan Wilson
South Carolina Attorney General



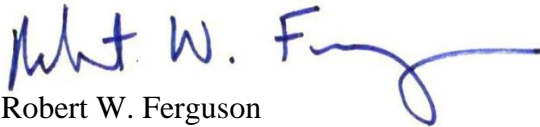
Sean Reyes
Utah Attorney General



T.J. Donovan
Vermont Attorney General



Mark R. Herring
Virginia Attorney General



Robert W. Ferguson
Washington Attorney General



Patrick Morrissey
West Virginia Attorney General

Cc: Senate Special Committee on Aging Members
Senate Judiciary Committee Members
House Judiciary Committee Members
House Elder Justice Caucus Members