

HAMILTON POLICE SERVICES BOARD

- INFORMATION -

DATE: 2018 March 22

REPORT TO: Chair and Members
Hamilton Police Services Board

FROM: Eric Girt
Chief of Police

SUBJECT: *Year-End Report: Crimes Against Seniors Unit (CASU) - 2017*
PSB 18-033

BACKGROUND:

The Hamilton Police Service continues to recognize the need for a specialized unit dedicated to address various seniors' issues within the city of Hamilton. The Crimes Against Seniors Unit (CASU) was formed in March, 2004, which consisted of two (2) Detectives working in the Victims of Crime Branch. The CASU was the first full time investigative unit of its kind in Ontario. This Unit continues to be a leader within the policing community within the province and continues to be one of the few dedicated units that exist. Other police agencies are often reaching out to consult with the Hamilton Police to gain insight as to our policing model in this field of investigation.

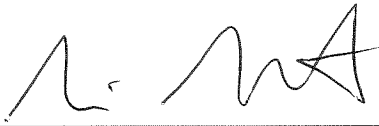
One forum that allows police agencies across the province to communicate is through participation in the Law Enforcement Agencies Protecting Seniors (LEAPS) Committee. This committee facilitates the networking of police personnel to discuss and strategize how best to serve seniors and prosecute cases in court. One of our CASU detectives, Detective/Constable Ian Cottee, currently sits as Co-Chair of this committee.

Within the police service CASU, along with our Divisional Senior Support Officers (SSOs), work together to provide education, assistance and enforcement to senior abuse issues. In 2016, the Unit expanded by one (1) Investigator (Detective/Constable position) as approved as part of the 2016 staffing increase for the CASU.

The CASU is responsible for the investigation of crimes against persons 60 years of age or older or vulnerable adults, who are being victimized primarily because of their age or vulnerability. The CASU works closely with community agencies to ensure that all reported cases of assault, financial exploitation and neglect against the elderly are properly investigated. The majority of investigations are complex and time consuming. Officers have an extremely challenging role in

these cases. In addition, police must have knowledge of family dynamics and be able to utilize prevention, safety planning and effective intervention. Our investigators are aware of the different forms of abuse, neglect, and financial exploitation and are able to identify overt and subtle signs of abuse; know what actions are required under provincial and federal laws; and are familiar with the network of social and age related services that support senior abuse victims.

In 2017, CASU members arrested 22 individuals and laid 22 criminal charges. The 2017 Year-End Annual Report outlines the crimes, trends, results and initiatives in which the Service and community partners engage in collaboratively, to reduce crimes against seniors in our community.



Eric Girt
Chief of Police

EG/R. Diodati

Attachment: *Hamilton Police Service - Responding to Seniors' Issues Year-End Report 2017*

cc: Dan Kinsella, Deputy Chief – Community Policing
Ryan Diodati, Superintendent – Investigative Services Division

Hamilton Police Service
Responding to Seniors Issues



Year-End Report
2017

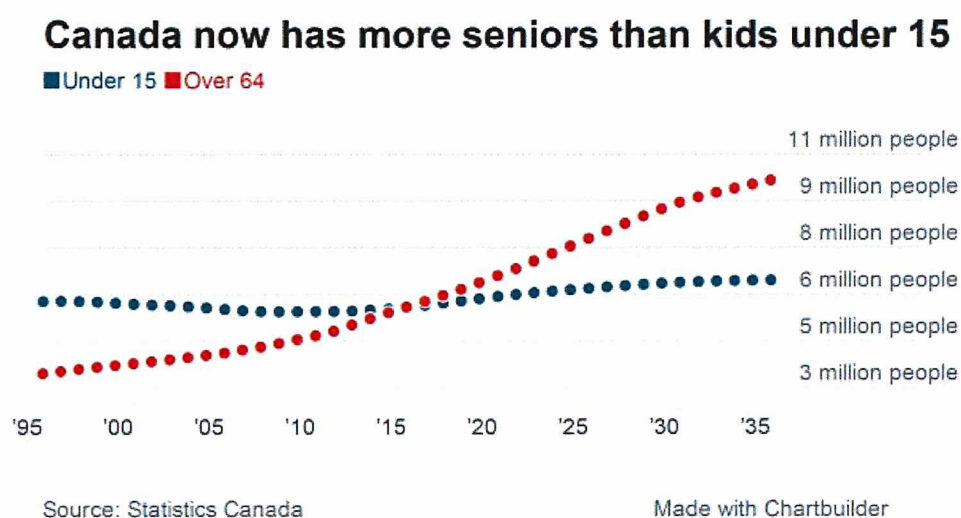
D/Cst Ian Cottee
March 2018

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INTRODUCTION

In a 2009 report Statistics Canada noted that the population aging in Canada would accelerate between 2010 and 2031, a period during which all baby boomers would reach age 65.¹ In 2016 for the first time in Canadian census history, there were more seniors than children living in Canada. According to results from the 2016 census, there were 5.9 million people aged 65 and older in Canada compared to that of 5.8 million children under the age of 14.² Statistics Canada projects that by 2061 there could be 12 million seniors and fewer than 8 million children.³



Source: Armbricht, A (2015), Does Canada have an ageing problem?, <https://www.weforum.org/agenda/2015/10/does-canada-have-an-ageing-problem>.

This trend is also prevalent in the City of Hamilton. In 2006 the population of the City of Hamilton was 504,559. Of that population, 99,630 or 19.7% are persons over the age of 60.

¹ Source: Statistics Canada, 2009, "Population Projections for Canada, Provinces and Territories (91-520-X) (<http://www5.statcan.gc.ca/olc-cel/olc.action?objId=91-520-X&objType=2&lang=en&limit=0>).

² Source: Statistics Canada 2011 & 2016 Census Population Data (<http://www12.statcan.gc.ca/census-recensement/2016>)

³ Source: Census in Brief, "Population growth in Canada: From 1851 to 2061" (http://publications.gc.ca/collections/collection_2012/statcan/98-310-x/98-310-x2011003-1-eng.pdf).

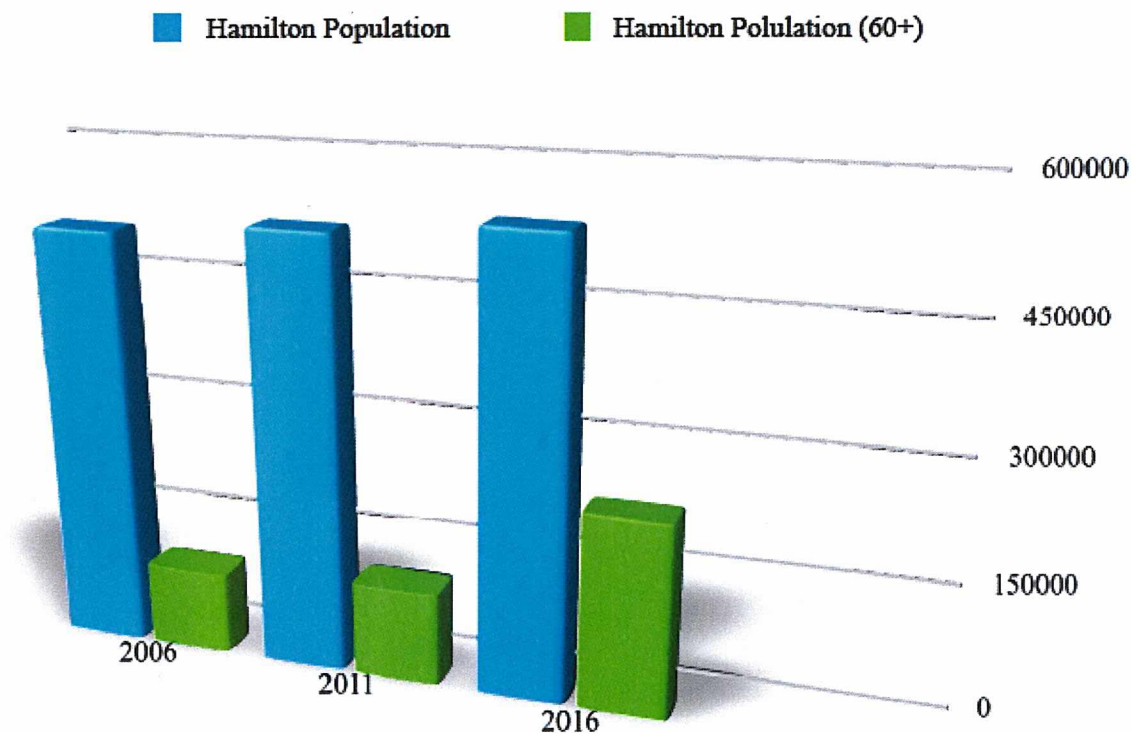
In 2011, the population of the City of Hamilton increased to 519,949. Of that population, 112,385 or 21.6% are persons over the age of 60. In 2016, the population again increased to 536,930. Of that population, 233,830 or 43.5% are persons over the age of 60.

The City of Hamilton Population Growth Change

Year	City Population	City Population (Age 60 +)	Percentage of City (Age 60 +)
2006	504,559	99,630	19.7%
2011	519,949	112,385	21.6%
2016	536,930	233,830	43.5%

Source: The 2006 census values extracted from Statistics Canada Publication 94-576-XCB200602.ivt. The 2011 census values extracted from Statistics Canada Age(131)Sex(3)CD and CSD.ivt. The 2016 census values extracted from Statistics Canada. 2017. Hamilton, CDR [Census division], Ontario and Ontario [Province] (table). Census Profile. 2016 Census. Statistics Canada Catalogue no. 98-316-X2016001. Ottawa. Released November 29, 2017.

Population Growth in the City of Hamilton from 2006 to 2016



As the aging population continues to increase, so do the needs for preventative and reactive policing initiatives. The Hamilton Police Service (HPS) has been recognized provincially as a leader in addressing seniors' issues. To continue to remain at the forefront we realize that our response to senior's issues must continually evolve with the challenges of that growing community.

BACKGROUND

According to the **World Health Organization**, elder abuse can be defined as a single, or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust which causes harm or distress to an older person. Elder Abuse can take various forms such as physical, psychological or emotional, sexual and financial abuse. It can also be the result of intentional or unintentional neglect.⁴

Elder abuse is a growing concern especially with an aging population. To meet the needs of the City of Hamilton's growing demographic, the Crimes Against Seniors Unit (CASU) was created in 2004 by the HPS. The unit continues to be a unique investigative unit working out of the Victim Of Crimes Branch within the Investigative Services Division (ISD).

CASU, in collaboration with the Seniors' Support Office at each Division, investigates all types of elder abuse and quality of life issues pertaining to seniors and vulnerable persons.

Seniors' Support Officer Mandate:

The Seniors' Support Officer (SSO) deals with issues, concerns and challenges that affect the seniors' community with respect to the law by:

- Cooperation - working with community services / agencies to address seniors' quality of life concerns,
- Education - developing, delivering and implementing presentations on seniors' safety and security,

⁴ World Health Organization (2018) "Elder Abuse", Fact Sheet, <http://www.who.int/mediacentre/factsheets/fs357/en/>

- Investigation - assisting in the investigations of abuse and neglect of senior and / or vulnerable adults.

The SSO position was originally piloted in 1996 and evolved into a full-time position in 1998. In the formative years the position focused on education, not only with service agencies, but within the seniors' community. With the educational ground work set, the position has become more demanding with investigations.

Crimes Against Seniors Unit Mandate:

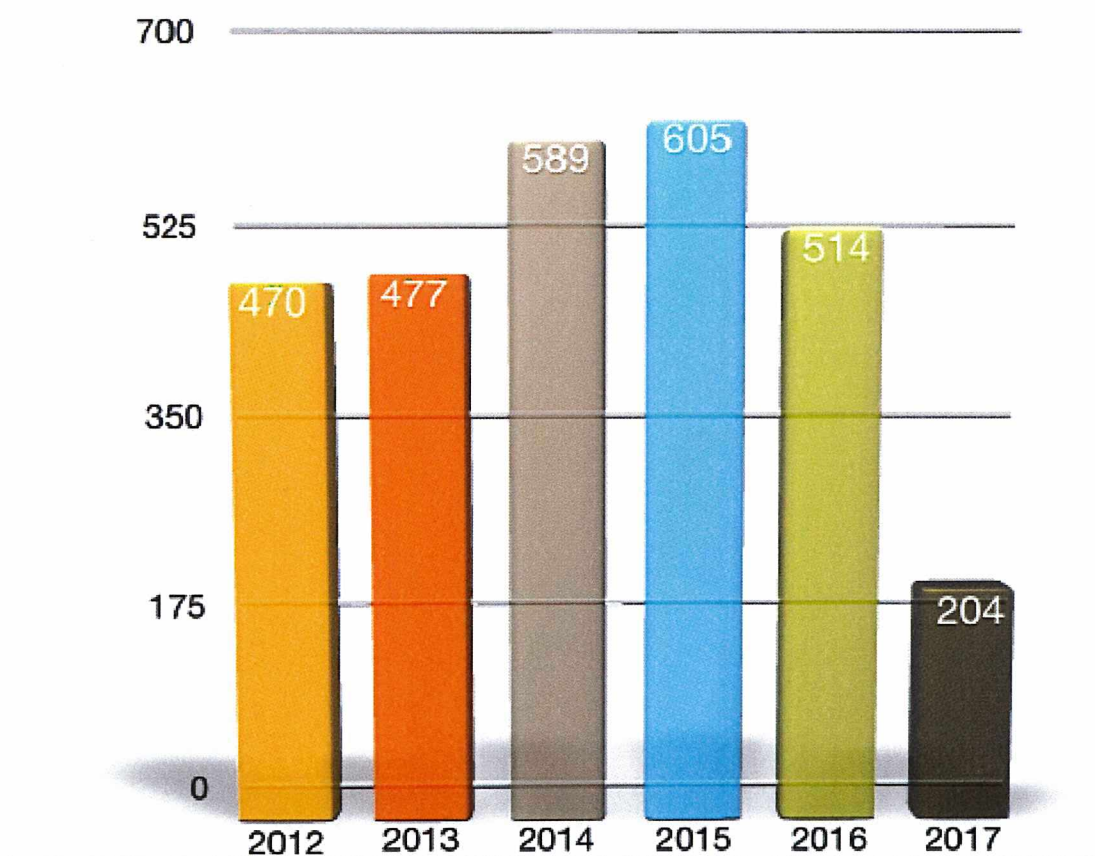
CASU consists of two Detectives and one Detective-Constable. CASU is responsible for the investigation of crimes against persons who are being victimized primarily because of their age or vulnerability. Specifically, persons 60 years of age and older or vulnerable adults (persons 18 years of age and older) who are or may be unable to take care of themselves, or are unable to protect themselves against harm or exploitation by reason of age, illness, trauma or disability or any other reason. The unit works closely with community agencies to ensure that all reported cases are properly investigated, including:

- Neglect,
- Exploitation,
- Financial Abuse,
- Sexual Assaults in conjunction with the Sexual Assault Unit,
- Fraud and Theft by Power of Attorney cases,
- Incidents of abuse or neglect involving seniors / vulnerable adults residing in Long Term Care Homes, retirement residences, residential care facilities or health care facilities,
- Provide assistance to investigators and outside agencies as required in cases of a senior / vulnerable adult Sudden Death investigation occurring in Long Term Care Homes, retirement residences, residential care facilities or health care facilities, and
- Other cases as determined by the CASU Detective Sergeant within the Victims of Crime Branch.

These Detectives are trained in Major Case Management techniques and related criminal investigative techniques, including the writing of Production Orders, Search Warrants and similar legal documents in the course of their duties. They represent the HPS on multiple committees at the local and provincial levels. Locally the committees include The Older Adult Network (OAN) organized through the City of Hamilton, and the Senior Isolation Coalition organized by McMaster University. At a provincial level, the HPS is a leader through chairing the Law Enforcement Agencies Protecting Seniors (LEAPS) committee which is a multiple jurisdiction law enforcement committee.

Additionally, CASU is called upon to provide training to both police personnel and the community at large. The CASU Detectives have provided training to the Health Care Community, Financial Institutions, Long Term Care Facilities, Seniors Clubs and various other community partners. Other initiatives by CASU include senior awareness month (June) and Elder Abuse Awareness Day (June 15).

CASES ASSIGNED TO CASU



CASU Operations 2012 - 2017

CASU	2012	2013	2014	2015	2016	2017	TOTAL
EA ASSAULT	47	74	37	20	21	14	166
EA ASSAULT SEN ON SEN			65	84	70	38	257
EA DV					13	1	14
EA FAIL TO PROVIDE		3	9	2	2	2	18
EA FRAUD OVER	12	22	28	41	34	19	144
EA FRAUD UNDER	34	34	35	62	49	19	199
EA OTHER	154	42	63	102	66	10	283
EA QUALITY OF LIFE	135	220	228	225	174	41	888
EA SEX ASSAULT	13	11	5	4	3	4	27
EA SEX ASSAULT SEN ON SEN			18	6	11	9	44
EA SUSPICIOUS	19	8	20	11	17	6	62
EA THEFT BY POA		18	11	5	9	3	46
EA THEFT OVER	16	13	11	9	12	7	52
EA THEFT UNDER	40	32	59	34	13	22	160
VULNERABLE ADULT					20	9	29
TOTAL	470	477	589	605	514	204	2389

Although SSOs forwarded reports to CASU, this was done previously to share information and further investigations. This was not done specifically for statistical purposes. Statistics mainly reflected crime types and although searchable by age, would not reflect those instances where seniors were the subject of abuse specifically or in which a victim was targeted partially or completely because they were a senior. This was compounded by the documented concern that seniors crime is largely unreported.

REPORTING CRIMES - Crimes Against Seniors Unit

The abuse of seniors remains a hidden social problem and is thought to be largely under reported. Factors associated with non-disclosure⁵ have been widely documented within the research literature. Studies have identified that those being abused may be unwilling or unable to report it due to cognitive impairment, physical frailty, literacy, language or cultural barriers, isolation, dependence, and fear of retaliation, institutionalization, deportation, abandonment outside intervention or that their standard of living will decrease.

In addition, individuals who witness or suspect that an older adult is being abused may not report the abuse. This could be due to a lack of knowledge about the signs and symptoms of abuse or may be that the individual may not recognize that the behaviours constitute abuse.

Certain social barriers may also exist that can increase the risk of abuse or neglect to a senior because of language or cultural barriers. They may have more difficulty accessing services, be hesitant to report the abuse or are unable to recognize the behaviour as abusive. Knowing the barriers that exist, the HPS has been proactive and co-active in reaching out to the community and their partners in an effort to breakdown these barriers.

ARRESTS AND CHARGES

Year	Arrests	Charges
2016	22	22
2017	21	20

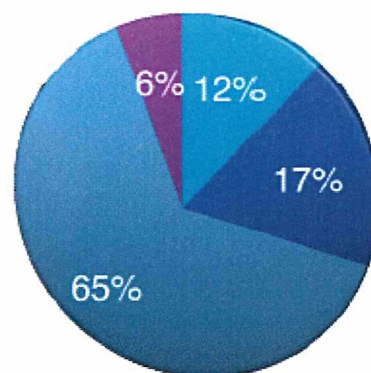
Since the inception of CASU, the unit has experienced a steady increase in their caseload, as well as the complexity of the cases investigated. In 2016, 514 cases were investigated and / or reviewed by CASU. Of those cases, there were 22 arrests and 22 charges. In 2017, although the overall number of cases appear to have declined, there remained 21 arrests and 20 charges laid. At this time, given the similar number of charges laid from 2016 to 2017, the CASU team found the drop in the overall statistics in 2017 very surprising. It is possible that some of the decline

5. Community Mobilization Empowering Seniors Against Victimization, Pages 3 & 9; Public Safety Canada. Written by Selina Lai, M.. - The United Senior Citizens of Ontario, 2008.

may be due a variety of increased proactive educational initiatives undertaken by police and community partners. Some of these initiatives include presentations performed by CASU and the SSO office which are aimed to increase awareness of crimes that target seniors. Another initiative included an updated version of the “Be Aware Take Care” resource guide that warns the community about different crime scams. The Service also prepared a refrigerator magnet for seniors which includes important contact information should something happen to them and Emergency Services respond to their home. The magnet acts as resource template to ensure vital information is readily available. All of these initiatives improve knowledge and assist in the safety and prevention of victimization.

Educational Community Presentations Performed in 2017

● SSO 10 ● SSO 20 ● SSO 30
● CASU



The predominant number of charges laid are as a result of investigations by CASU, as the SSOs focus primarily on quality of life and preventative initiatives. Additionally, the SSOs and CASU Detectives will often resolve many issues by other means that satisfy all parties, such as education, crime prevention initiatives and networking with community partners, as the criminal justice system may not always be the most effective option.

Of all the crimes that seniors face, the most often reported to the police is financial exploitation, fraud and theft. Typically these types of investigations are time consuming and challenging for a number of reasons. The workload can include but is not limited to: conducting numerous police interviews, seizing evidence, seizing video surveillance, taking photographs and completing complicated, detailed search warrants (to enter dwellings, gain bank records and/or legal documents) in order to serve and protect the victims.

RESPONDING TO CRIMES

The cases assigned to CASU come from a variety of sources including:

- Follow up reports taken by frontline officers
- Referral Forms sent by outside agencies (Long Term Care Homes, Residential Homes, Care Facilities)
- Communication Branch Generated Incidents (E-mailed CAD reports)
- Direct calls to the office from the community

Follow Up Reports from Front Line

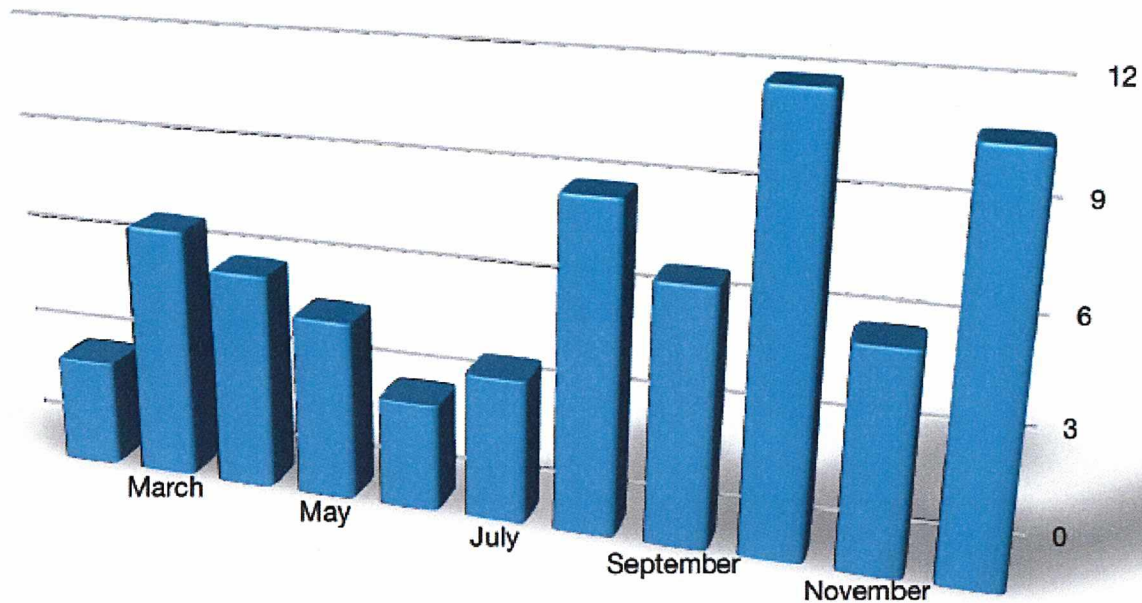
Initially, a call for service is generated by the Communications Branch prompting a uniform patrol response to the concerning issue. When these calls involve seniors or vulnerable adults, further follow-up is often required. The responding uniform patrol officer will then complete a police report. The uniform patrol officer's supervisor will review the report and task it to either the SSO Detective Sergeant for follow-up or to the Detective Sergeant of CASU for case re-assignment.

Referral Forms

Changes to the Long Term Care Homes Act (LTCHA) in 2010 made reporting to police mandatory⁶ of any alleged, suspected or witnessed incident of abuse or neglect of a resident. In response to the legislative changes, CASU developed a standardized referral form for all Long Term Care Home Facilities within the City of Hamilton. In addition, the HPS also facilitated outreach training to assist with understanding the new referral form and protocol. When an incident of abuse or neglect occurs within a Long Term Care facility, the administration staff of that facility must complete the referral form, as mandated by legislation, and email it to the HPS CASU mailbox for further investigation. In 2017, a total of 73 referrals were received by CASU, and investigations initiated, from various Long Term Care Homes within the City.

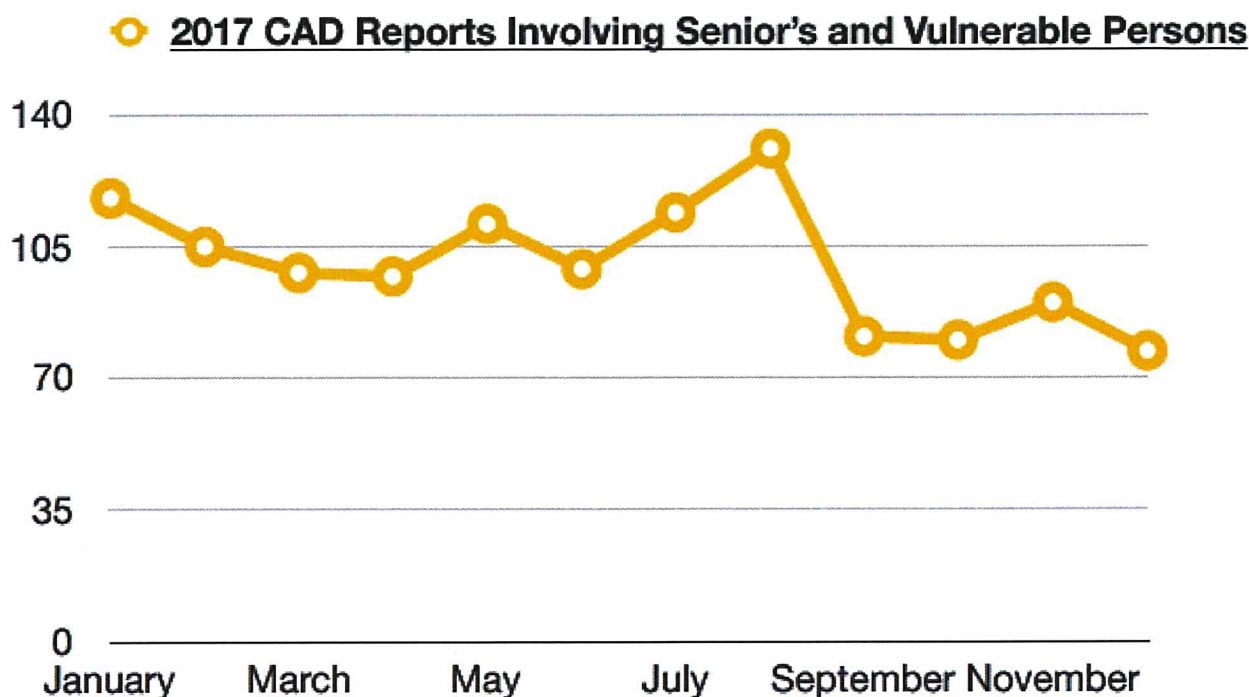
⁶ O.Reg. 79/10, s.98.

Referral Forms Received and Investigated in 2017



Emailed CAD Reports

When a call is received by the Communication Branch involving a senior or vulnerable person, the call is automatically flagged. At the end of the shift a list containing all of the flagged incidents are emailed to the CASU mailbox for review. At the beginning of every shift, officers in CASU must review all the flagged incidents involving a senior or a vulnerable person, as a mechanism of quality control, to ensure that any incidents where a senior has been victimized has not been overlooked. In 2017, a total of 1,201 calls were received by dispatchers involving a senior / vulnerable person, some of which were successfully dealt with by dispatchers, and others that required a uniform patrol response and further follow up by CASU or the SSO office.



The above graph demonstrates a slight increase in the number of calls for service during the summer. However, there was a decrease in the number of calls reported at the year end.

TRENDS CURRENTLY FACED BY CASU

Mass Marketing Frauds (Scams)

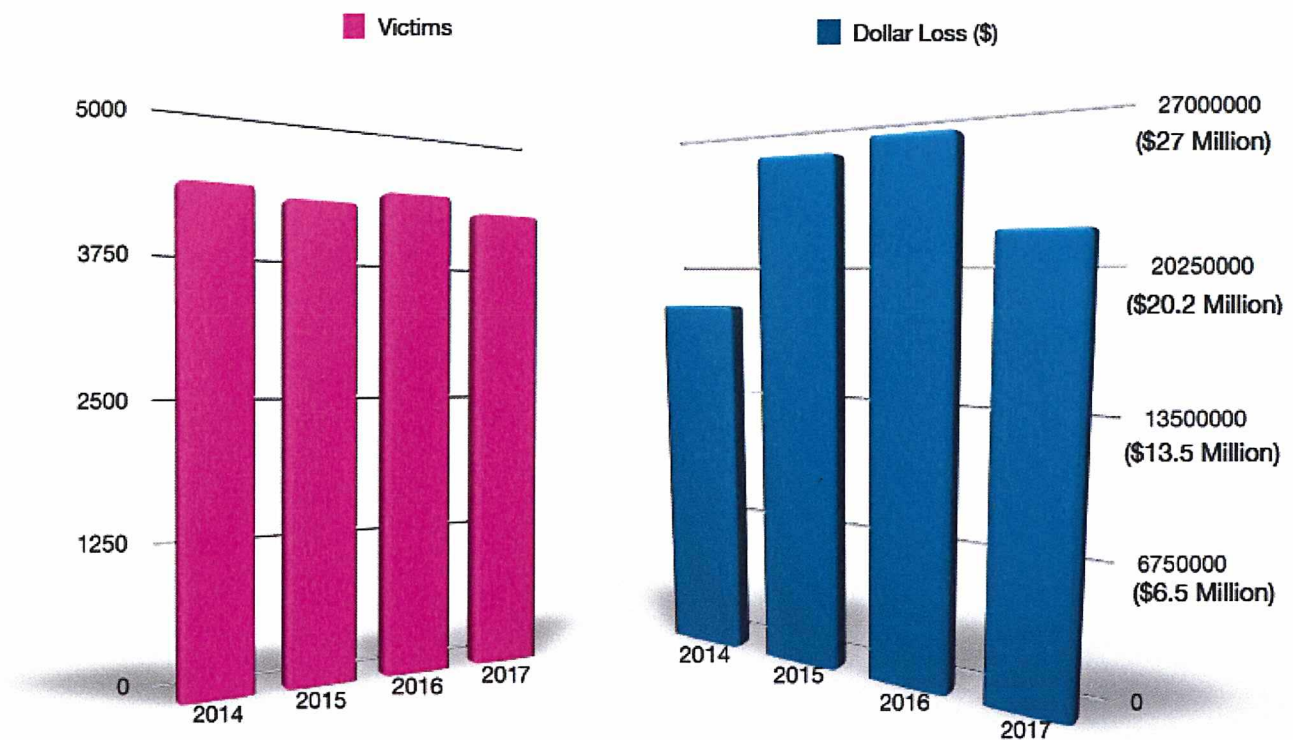
Mass Marketing Frauds are an area of growing concern in financial crimes, not just in Hamilton, but across Canada. Seniors and vulnerable adults are being targeted by these frauds. Along with the financial loss suffered by the individual, being a victim to these scams can also have a devastating effect on their overall health and sense of security. The fraudsters will often use very persuasive language and trickery to lure the victims and continue this deceit in order to take as much money as possible from the victim. Mass Marketing Frauds in Hamilton continue to be an issue in 2017. Some of the most prevalent Mass Marketing Frauds included:

- CRA (Canadian Revenue Agency) - A fraudster poses as a Canadian Revenue agent and tells the victim that they owe money on their taxes.

- Grandparent/ Emergency - A fraudster calls the victim pretending to be one of their grandchildren who is facing an emergency and needs money quickly.
- Prize Winning (Lottery, Publishers Clearing House, Cruise) - A fraudster calls the victim making them believe they have won a lottery, however they need to send money in order to claim their prize.
- Romance - A fraudster uses false romantic intentions towards the victim gaining their affection in order to trick them into giving the fraudster their money.

Statistics from the Canadian Anti-Fraud Agency show on average there are over 4,000 victims annually to these scams and over \$25,000,000 lost per year.

Victims (60 years +) and Dollar Loss Due to Mass Marketing Scams from 2014 to 2017 in Canada



Digital Currency (Bitcoins)

Bitcoin is one form of digital currency that presently exists. These types of “crypto-currencies” represent a new type of worldwide payment system. It is the first decentralized digital currency that works without a central bank or single administrator. Bitcoin first came into existence in 2009 and since has been used as a collection means for the criminal element. In this new growing trend, Canada has seen 578 victims and over \$2,450,000 lost as a result of scams associated with Bitcoin in 2017 alone. In Hamilton, there have been two confirmed incidents involving this type of scam. These incidents represent examples where the Canadian Revenue Agency (CRA) scam has been updated to include payment by means of Bitcoin. Both victims received a phone call from a Fraudster posing as a CRA agent accusing the victim of tax fraud. They then demand that the victim immediately pay a fine or face a greater penalty including arrest and criminal charges. They are asked for payment in bitcoin using a “spoofed” phone number which allows the caller to pose as someone else by falsifying the number that appears on the victims call display. This scam is anticipated to increase, especially toward the upcoming tax season.

CHALLENGES FACED BY CASU

Internal Challenges:

Complexity of Investigations

Most of the cases investigated by the CASU are complex. The investigations do not meet the Ontario Major Case Management (OMCM) criteria; however, they are often investigated and managed using the OMCM guidelines. Significant losses through the abuse of Power of Attorney and through other fraud-related offences must be investigated in a timely fashion due to the vulnerability of the victims. The reality of these types of investigations is such that by the time the complaint is initiated, charges laid and the completion of the court process, the victim may be unable to testify or even see the process through due to the declining mental or physical abilities or even death.

External Challenges:

Conflicting Definitions

Elder abuse is defined by the World Health Organization as *a single, or repeated act, or lack of appropriate action, occurring within any relationship where there is an exception of trust which causes harm or distress to any older person*. Unfortunately, this definition is interpreted differently by police and their community partners and, as one can imagine, this is just one definition of Elder Abuse. Every police service will have their own definition of what they view as Elder Abuse. Police agencies definitions of Elder Abuse will tend to be similar in nature as the Criminal Code provides detailed descriptions of what constitutes abuse, but does not define Elder Abuse. Community partners will define abuse quite differently as they may not use legislation to necessarily guide their response. An example, verbal abuse, is not necessarily a criminal offence, unless the comments threaten death or bodily harm. Hence these conflicting definitions often present issues when alleged criminal offences have been reported. This is why it is important that the HPS educate the community and the community partners as to our roles and our limitations.

Barriers to Reporting

As discussed previously, research has shown that there are barriers to reporting crimes of this nature. It is prudent upon the HPS to continue to educate the community about this type of crime. It is also imperative that we continue to work in partnership with community agencies to provide the best quality service to seniors and vulnerable persons.

FUTURE OUTLOOK

The population of seniors, not just in Hamilton but across the Country, continues to increase. This is expected to continue as a result of new technology and advancements in medical sciences. As people continue to live longer, there will be a growing senior population susceptible to and victimized by crime. As crime continues to target this population, the SSO and CASU will require the technical knowledge and resources to meet these challenges head-on. The HPS will also have to consider what age to categorize a

senior. Will the Service continue to use the age of “60” as the defining line of a senior? Even at this present day, age 60 seems much too young to be termed a senior. As we move forward into the future, the HPS will have to review other police services’ benchmarks, as well as legislative benchmarks, to determine what the age is for a senior.

CURRENT PERSONNEL

Crimes Against Seniors Unit

Detective Sergeant Laura Wiltshire

Detective Mark Clausen

Detective Joanne Cain

Detective Constable Ian Cottee

Senior Support Officers

P.C. Andrea McLaughlin (Division 1)

P.C. Paul Mallen (Division 2)

P.C. Kimberly Kikas (Division 3)

REFERENCES

1. Crimes Against Seniors Unit - P.S.B. Annual Report, Hamilton Police Service, 2015
2. Crimes Against Seniors Unit - P.S.B. Annual Report, Hamilton Police Service, 2016
3. Responding to Seniors Issues, Hamilton Police Service, 2015
4. Responding to Seniors Issues, Crimes Against Seniors Unit Staffing and Efficiencies Proposal, 2016.