

EFFECTS OF CRIME ON THE ELDERLY: LAS VEGAS

HEARING
BEFORE THE
SUBCOMMITTEE ON HUMAN SERVICES
OF THE
SELECT COMMITTEE ON AGING
HOUSE OF REPRESENTATIVES
NINETY-SEVENTH CONGRESS
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THE EFFECTS OF CRIME ON THE ELDERLY: LAS VEGAS

FRIDAY, JUNE 18, 1982

HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON AGING,
SUBCOMMITTEE ON HUMAN SERVICES,
Las Vegas, Nev.

The subcommittee met, pursuant to notice, at 9 a.m., in the Las Vegas Senior Center, Hon. Mario Biaggi (chairman of the subcommittee) presiding.

Members present: Representatives Biaggi of New York, Santini of Nevada, and Evans of Indiana.

Staff present: Robert B. Blancato, staff director, Subcommittee on Human Services, and Rochelle Dornatt, legislative assistant, Representative Santini's office.

OPENING STATEMENT OF CHAIRMAN MARIO BIAGGI

Mr. BIAGGI. The hearing is called to order.

We are waiting for Congressman Santini. The last word I get is that he is in a private plane on the way from Colorado and should be landing momentarily. I know that he is as anxious about being here as you are to hear from him and as we are to see him.

We arrived last night and we received an electrical welcome. The lightning in the air was a thrilling experience. I wonder if the chamber of commerce had arranged it for all visitors. But in any event, for the short time I've been here, it has been fascinating, at least by the visual effects. Hopefully, we can enjoy some of the natural attributes that this area provides.

I'm pleased to convene this hearing of the Subcommittee on Human Services on the topic of "Crime Against the Elderly" in Las Vegas.

The reason we're having this hearing is that Congressman Jim Santini, who is an important and valued member of the subcommittee, requested that the subcommittee come to this great city and listen to what is obviously an important national problem.

I wasn't surprised at the request because Jim has been an important member of the subcommittee and maintains a close relationship with his staff, and myself. Most of the legislation that has been produced by that committee has had Jim Santini's imprint on it.

All three of us are privileged to be serving with Senator Claude Pepper, who is the chairman and a great advocate for seniors and

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who is respected by all members of the House and the Senate on both sides of the aisle and by every administration.

This is not the first time our subcommittee has investigated the problem of crime against the elderly. The sad fact is that a hearing on this topic could be held in any city of this Nation because the problem is pervasive.

In my home city of New York, I have conducted several hearings focusing on crime problems facing the elderly. These range from the rising number of violent crimes committed against the elderly by juveniles to the increasing number of seniors victimized by various con game schemes, where individuals would sometimes lose their entire life savings, falling for some phony schemes. It's very interesting about that.

Even when we have been able to effect arrests and find the perpetrator, the elderly person is reluctant to press charges. And that was kind of a curious development. And one thing ran through the whole string of victims in our discussions is that the con men were such nice people and that they were so lonely and they had someone to talk to. And because of that, they didn't press charges. And to make matters worse, after the swindler was released, they would come back and they would resume their relationship, where conversations would continue and he would provide company. And he would continue to swindle this particular woman.

So in my judgment, this is an area where the elderly should be made aware of their vulnerability.

I am, in fact, here to learn the full extent of the problem that we have in Las Vegas and return to Washington with Jim Santini to help shape some legislation to reduce crime.

When examining this issue, we must do so in two ways: First, we must look at the actual elderly crime victim; and, second, we must look at the elderly person who lives in constant fear of crime. In both cases, the numbers are far too high, both in Las Vegas and around the Nation. In terms of actual crime, there have been two major national studies done in recent years on elderly crime victimization. Despite the much-publicized contention that the problem of elderly crime is not serious in a statistical sense, both of these studies do present some important findings which show disturbing trends.

One of the studies was conducted by the U.S. Department of Justice, Bureau of Justice Statistics. The other was commissioned by them. Most of the findings I will present came from the study entitled "Crime Against the Elderly" in 26 cities.

In sum, the elderly had the highest victimization rate of any age group for personal larceny with contact, such as purse snatching and pocket picking. More than 50 percent of the victims of these crimes lost more than \$50. Almost 75 percent of all victimizations of elderly persons occur, during the daytime as compared to less than 50 percent for younger crime victims.

The elderly were victims of strangers in 84 percent of the cases surveyed as compared to 64 percent for persons under age 65.

Elderly victims were more likely than younger victims to be alone when victimized. That tells you something clearly. Travel with company, even if it's just walking in the neighborhood.

Almost one half of the victimizations of the elderly were committed by more than one offender. And elderly victims of serious crimes, robbery and aggravated assault, will report it to the police more often than comparable crimes committed against younger persons. And you can understand that. When an elderly person is assaulted, there are generally some very serious physical consequences developed, as well as the traumatizing experience, placing the fear of God into them.

In terms of the fear of crime—and this is very interesting—in 1975, Lou Harris poll indicated that the elderly identified fear of crime as their most serious personal problem. They chose it ahead of poor health, lack of financial resources and loneliness. These surveys and hearings conducted over the years by our subcommittee and full Committee on Aging clearly point to the fact that crime against elderly is a national problem as well as a personal trauma for each and every victim.

While the statistical incident figures may not show crime to be a disproportionate problem for the elderly, impact of criminal victimization may be substantially greater than for younger citizens. Consider the fact that 85 percent of the population over the age of 65 suffers from one or more chronic illnesses. This can heighten the impact of physical injury and age-related changes in sight, hearing, strength and coordination, which can affect the older person's ability to handle crime-related situations.

Whether we talk about crime against the elderly specifically or crime in general, it is evident that our Nation is in the midst of a crime epidemic. In 1981, the FBI released its annual survey on crime in the United States. They included a newly and highly illustrative chart entitled "Crime Clock 1980."

Consider these facts: Every 3 seconds in this country a property crime is committed. Every 8 seconds a burglary is committed. Every 28 seconds a motor vehicle theft occurs. Every 48 seconds an aggravated assault takes place. And every 58 seconds a robbery is performed.

Further, every 6 minutes in this Nation, a forceable rape. And every 23 minutes a murder is committed. These are the national figures for the year 1980. And when the 1981 figures are released in September of this year, I am fearful that the numbers may, in fact, be substantially higher.

Knowing that we have this national crime epidemic, what is the Federal Government's response? Inadequate to say the least. Perhaps it's like saying we are fighting a Goliath-type problem with David-type tools. We do not have a crime victim's compensation program on the national level although we've made considerable progress in that direction.

Failure of enactment is an issue before the Congress of the United States and has been reported out of committee, which represents progress for a relatively new notion in the Federal legislature.

The Law Enforcement Assistance Administration, which provided millions of dollars for local law enforcement units to fight crime has been abolished. Existing laws provide little, if any, deterrent to the commission of crime. We have no death penalty statute

on the Federal level nor do we even have a law providing mandatory prison sentences for the commissions of a crime with a gun.

I contend that the people of this Nation must demand of their legislators on the local, State, and Federal level that strong laws be provided to fight crime and also that measures be established to help the victims of crime.

I have authored several bills which I feel would be important in the fight against crime. They include a bill to establish a national crime victim's compensation program, providing victims of crime with financial aid for loss of earnings or injury caused by crime. My bill has a special provision to compensate elderly crime victims from major property loss.

A total of 26 States have such crime victims compensation programs but a Federal law would provide needed aid to keep these programs solvent while allowing other States to establish them. The concept of crime victim compensation is not new. The ancient Babylonian code of Hammurabi in 2000 B.C. provided for laws compensating crime victims. It's amazing how in an enlightened country, one that contends to be so progressive, we have failed to keep abreast of a practice and a program that was in place in the year 2000 B.C.

H.R. 2281, a bill to lower the age to 15 at which juveniles should be tried as adults for serious crimes. Again data continues to show elderly are increasingly victimized by juvenile criminals.

I am also cosponsor of H.R. 4481, a bill which has passed the House, providing more than \$300 million in Federal aid to States and localities for crime prevention programs. An important feature of this bill is its provision calling for specific national study of elderly crime so as to insure that more future Federal dollars are directed to the elderly crime prevention.

In addition to the lack of effective laws and programs on the books, the passage last week by the House of the so-called ladder budget [phonetic] will further set back this Nation's effort to fight crime. The House budget, which I voted against as did Congressman Santini, freezes spending under Function 750, Administration of Justice at current levels, which when inflation is factored in represents a real cut.

Included in this budget is the complete elimination of the \$77 million provided for Juvenile Justice, Delinquency Prevention and Treatment Act. A highly successful program which provides a variety of services for troubled youth to keep them from becoming the juvenile criminals of tomorrow. Another example of economy at the expense of protection.

In addition, the House bill provides for a 3-year phaseout of the Legal Services Corporation which provided a host of important services for seniors, including crime victims assistance services.

I am a former police officer from the city of New York, where I served for some 23 years. I have witnessed crime firsthand and I continue to be deeply alarmed not only at its increase but also at the anemic response by Government to the problem.

If a foreign nation killed 23,000 of our citizens every year, we would most certainly declare war on them. That is how many persons were murdered in this nation in 1980. Very startling fact; escapes the attention of most but when presented in an isolated fash-

ion, as I pointed out this morning, you would have to contemplate the effectiveness of our crime prevention and total law enforcement structure. Obviously what we are doing is insufficient. There should be further response from all levels of government as well as from the private sector.

I'm looking forward to hearing the witnesses today. And I am painfully aware of the fact that we will not end the problem of crime against the elderly overnight. However, that is not an excuse to keep from trying. A coherent national program to fight crime tailored for the special problems of the elderly must be started. It must be started and include crime victim compensation programs with special features for the elderly. It must include special assistance programs for crime victims and special crime prevention programs on all levels to increase citizen participation in the fight against crime.

Law enforcement personnel must maintain prompt sensitivities when communicating with older crime victims. These are elements of what needs to be a partnership of effort on all levels of government to fight crimes. This subcommittee stands prepared to do its share.

STATEMENT OF REPRESENTATIVE DAVID W. EVANS

Mr. EVANS. Mr. Chairman, I am very pleased to also be here in Las Vegas and especially in this very beautiful and very functional center that we are having this hearing in today. I think the main purpose in what can result from this hearing today is to focus attention on the problem of crime and the elderly.

Jim Santini came to a similar hearing that I held in Indianapolis on this same subject in 1975, and as a result of that hearing, we were able to put together and to get some law enforcement agencies to assist us in putting together some pamphlets which were distributed throughout the Indianapolis community on this program, offering some interesting and helpful hints as to what individuals could do to not only make themselves more secure but also their homes and their property.

And as I walked in, I noticed there was a table and some of you perhaps may have picked up some of the pamphlets outside the door of this room.

I think those kinds of pamphlets can be very helpful. I think this committee's work on this subject and this subcommittee's work particularly on this subject of crime and the elderly has been very important and has helped in the past 8 years that I have served on the subcommittee to focus a great deal of national attention on this issue. I think that so often, as I know was one of the developments in that first hearing we held in Indianapolis, as you mentioned, Mr. Chairman, that so often crimes against the elderly go unreported and unnoted. There are many reasons for that but I think that's one of the reasons why I wanted to come here, to be here at this meeting this morning was to help bring some attention and to focus some attention not only on individuals but the media on this subject, in the hopes of helping many others who in the future might be—are potential victims of crime.

Thank you very much, Mr. Chairman.

Mr. BIAGGI. Our first witness this morning will be Richard Donaldson, who is the director of senior citizens law project, Las Vegas. Mr. Donaldson.

STATEMENT OF RICHARD DONALDSON, DIRECTOR, SENIOR CITIZENS LAW PROJECT, LAS VEGAS, NEV.

Mr. DONALDSON. This is my first testimony and the first time I have actually had to prepare my comments in advance.

Mr. BIAGGI. Do you have any extra copies, Mr. Donaldson?

Mr. DONALDSON. It is being typed up in final. This is my rough draft but I will provide it by the end of the day.

Mr. BIAGGI. Excuse me, Mr. Donaldson.

Now that your Congressman has finally landed, would you like to make an opening statement?

STATEMENT OF REPRESENTATIVE JIM SANTINI

Mr. SANTINI. Thank you, Mr. Chairman.

I apologize to one and all. I hope, Mr. Chairman, that our next investigation will be about airline deregulations and service to passengers.

Focusing on the subject of this investigation, I want to say first welcome to my State and our town. I feel it is especially appropriate that you chair this hearing since you, yourself, are a veteran policeman with the New York City Police Department. If I remember correctly, you spent 23 years on the force and were wounded 17 times in the line of duty.

Mr. BIAGGI. Too many times.

Mr. SANTINI. Dodged more bullets than most combatants in war. I also want to say how grateful I am to you for bringing this subcommittee to the House Select Committee on the Aging to Las Vegas to investigate the ever-growing and critical problem of crime and the elderly.

In reality, this is the fourth time we have brought one of our House Subcommittees on Aging to Nevada to hear the concerns of the Nevada seniors. This time the issue is crime against the elderly, a problem that has grown in startling proportions. This forum will give Las Vegas seniors a chance to share with the committee their problems, their ideas on what the Federal Government can do to help.

Last year here in Clark County alone, more than 1,500 senior citizens were victims of crime and lost millions of dollars in personal property. Those statistics are being echoed all over the country, as you know, Mr. Chairman.

I will make my comments brief but I did want to stress certain points. The elderly are a sizable segment of our society. The 1970 census showed that 10 percent of our population, or approximately 20 million people, were 65 years of age and older. The 1980 census showed an increase in this number by 15 percent, meaning nearly 33 million persons in our country are now senior citizens.

The population of our seniors grows and unfortunately, so do the numbers of crimes against them. More and more our seniors are becoming victims to these crimes as well as hostages to their own fear. In the 1975 Harris poll, crime was rated as the primary con-

cern of the elderly and the situation today, 7 years later, is no better.

The recently completed White House Conference on the Aging cited crime as a major issue among seniors and every time I come to Nevada, a day doesn't go by that one or more seniors tell me about some awful thing that has happened to them or to someone that they know.

Just yesterday I learned the story of a 27-year resident of Las Vegas, 60 years old, who dozed off while watching TV only to be awakened by the rattle of the doorknob as someone tried to break in. Her shouting and telephone call to the police ran the intruder off. The guy took her name off the mailbox and looked her up in the phone book. He harassed her for the next several months until it was necessary that she change her phone number. This is the sort of thing that's going on today.

The truth of the matter is, according to the Justice Department, older Americans are most likely to have their purses snatched or their pockets picked, and most likely to be victims of completed versus attempted crimes, the reason for this being that once approached, seniors rarely resist their offenders. Seniors also account for a significant proportion of burglary victims in this country. In addition, psychological fear of crime has imprisoned seniors in their own homes. Seniors feel trapped and I can understand that feeling. Rather than the criminals being locked behind bars where they belong, our law-abiding citizens are being locked in their own homes, afraid to come out whether it be day or night.

I think that the facts and figures about the numbers and types of crimes involved here will come out readily when we listen to the testimony this morning.

What I would like to concentrate on is how to deal with the crime problem, how to aid the crime victims.

First I feel we must expand our victim assistance and I am happy to know that the representative of the victims assistance program here in Las Vegas will be giving us their insight on this matter.

I know the Las Vegas program to be a good one but I feel more can be done with more resources. Right now victims assistance focuses primarily on helping victims work as witnesses. However, most victims are never given a chance to appear in court because the criminal is seldom caught.

Victim assistance should include witness assistance but should also be aimed at counseling, self-help type discussions to sooth the fearful victim.

A study just completed in Portland, Oreg., showed that a significant number of seniors actually died within 6 months after being victimized simply because of the emotional trauma involved. Victims assistance could help alleviate this fatal and paralyzing fear that senior victims experience.

The second thing I believe we must do to help seniors fight crime as well as all Americans fight back is to insure that justice is, indeed, carried out. Sentencing of offenders must be mandatory, swift and tough. No more of this in and out stuff, no more easy sentences and short probations. Let's get the criminal off the street

and into jail where he belongs. The streets belong to the people who know how to use them, not abuse them.

As a former public defender, deputy DA, and county judge, I know the judicial system. I know that these things, victims' assistance, mandatory sentences, can be done and can work. But, as a former public defender, deputy DA and county judge, I know that crime is really the bailiwick of the State and local government.

So what is the Federal Government doing in this problem? The Federal Government has the money and the ability to offer crime prevention programs to the States, to offer law enforcement training to help fund city police agencies in dealing with senior crime.

Nevada does not have the best track record in terms of bringing in Federal dollars when it comes to law enforcement so this, too, is an area we must work on, an area we must improve for our seniors and our community and for the future of our State.

Thank you, Mr. Chairman.

Mr. BIAGGI. Thank you, Mr. Santini.

Mr. Donaldson—and this is a caveat to all witnesses—because we have such a long list of witnesses we will be required to place a 10-minute limit on your presentation. We do that regrettably but it is one that in the light of reality we must do.

Mr. DONALDSON. Mr. Chairman, I would just start by saying I am the director of the senior citizens law project, and we are funded by title III of the Older Americans Act and as you probably know, criminal matters are specifically and jurisdictionally kept away from us. We don't handle any criminal matters. Once in awhile, we will, in a tangential way, I guess, help someone, a senior citizen who is accused of a crime but I doubt that you are going to hear about that today.

What I can tell you about perhaps is not really in the criminal vein but they are problems, senior problems, that have come to us. These problems are what I call intrafamily or intrafriend abuse. The three types of abuse generally deal with use of powers of attorney, use of gifts in joint tenancy and outright gifts, and the third abuse—there is no simple way of saying it—is sort of a promissory estoppel, a false promise type of thing.

The power of attorney, as you know, is a very powerful document. Senior citizens often give their relatives powers of attorney and let them make the decisions for them to use their property. Many people who are shut in, in their own homes, or no longer capable of going out, or signing their own checks, delegate the responsibility to their relatives.

Many of the people who come to us find that their relatives have not exercised the best judgment, have taken their checks, spent it on their own, for their own purposes, have perhaps sold their property, unwisely invested it and sometimes just stole it.

The second type of abuse is the joint tenancy type of gift. Most people, when they get to be past 60, want to have an efficient cost-saving way of distributing their estate to their future heirs. The joint tenancy is the most common way to avoid attorneys' fees, estate costs, and other expenses that they want to save.

The problem that we have faced is that once they put the property into joint tenancy with their children, which is often the people that they want it to go to, they make a decision. They say to them-

selves, you know, "I would really like to sell the house here and I'd like to move somewhere else." Or, for instance, a widow might find a new friend and she wants to sell her house and go somewhere else. Now the child has to make a decision because it requires usually both signatures and the children have to agree to the sale of that property.

And now the children say, "You know, mom, you're making a terrible mistake in selling that property and I am afraid I am not going to be able to agree with you and I am afraid I am not going to sign off on that property."

Sometimes it is even more direct than that. The property is given away outright to the children and when the senior citizen wants it back, he finds out he can't get it back.

The third type of abuse occurs—I guess I called it promissory estoppel—it's the, "Oh, golly, my daughter-in-law is a witch" case. The senior citizen gets a letter back east to the effect, "Dear Mom, I know life is tough in Miami Beach but boy, it's tough here in Las Vegas, too, and I've got a great idea: you come out here and invest in our house. We will build an apartment in it for you and if you can help us out with rent, you can live here and we will take care of you for the rest of your life."

After a couple of years as much as a \$30,000, \$40,000, and in one case, \$200,000, problem arises. "Mom, you have outlived your assets. We've spent all your money."

Mr. BIAGGI. We didn't expect you to live so long.

Mr. DONALDSON. You should live for a respectable amount of time but not so long and there is no more money and, frankly, Sue, the wife, she doesn't like you so much any more. You're beginning to grate on her nerves, so why don't you take off?

Now the senior citizen finds himself out on the street, evicted without any money, in a strange place, and he has to rely on the court system to retrieve the property, often finding that he embitters his entire family because of the lawsuit. One person was happy to receive her \$150,000 after a long court battle and an \$18,000 attorney's fee, and she did get her property back. But it just took an awful long time and it was immense in the toll for the senior citizen.

Now how do I relate this to the criminal area? It isn't a crime, necessarily, and to go to the authorities, most of them will say, "This is a civil matter."

But the problem I think arises when we're not talking about a case where bad judgment has been used or where an honest conflict has arisen. Many of these cases arise from just plain greedy kids who rip off their parents and the problem with the police is it is almost impossible to determine which case is the crooked one and which case is the honest but unfortunate circumstance where seniors are deprived of their assets through no fault of their own but through a mistake in the use of the property.

I don't know what can be done and I don't know if it can even be criminalized but I would suggest that an education program be available so the senior citizen at least can be aware of the abuses that often happen when the senior citizen unwisely spends his money or puts it into his son's or daughter's hands and it winds up being used for the children's purposes. Oftentimes—and I would

say there many, many people who come to us with this problem—that the money has been spent, squandered, lost, or stolen and there is just really no actual recourse available. I don't know how many people are going to be burglarized or robbed, but I would suggest that if you have children and if you have a lot of money, the possibility for conflict between you and your children over that money is almost guaranteed.

I did want to make you aware of that and I would say that it is a very severe problem in terms of the gross economics of it.

Mr. BIAGGI. Thank you very much. Those are practices that I know happen. There are some individuals out there that are malintentioned. Congressman Santini is a former judge and former prosecutor and I am sure he has some comments in these areas.

Mr. SANTINI. Well, just an observation, Mr. Chairman, Richard, if the bar associations of the United States had more attorneys like Richard Donaldson who cared about working for other people, the attorney reputation in the United States would be a heck of a lot better than it is today. You do one extraordinary job on very limited resources, Richard, and I admire your effort very, very much.

Let me offer these statistics, Mr. Chairman, of just what happened here in Clark County to seniors. Every month senior citizens in Clark County suffer personal property loss between \$150,000 and \$250,000. That's seniors only and that is just in Clark County, Nev.

In January, seniors lost \$117,000 and in February they were taken for more than \$181,000. Most of this property loss came through burglaries. Most of the cases the criminals neither identified or talked.

One example: A local mobile home park was hit by burglars 14 times in 2 weeks. All the victims were seniors and some of these folks were burglarized while they slept.

Thank you, Mr. Chairman.

Mr. BIAGGI. Mr. Evans.

Mr. EVANS. I have no questions. It was a very interesting testimony, though, and I think that presents and brings to light here somewhat of a unique problem that perhaps would exist in an area such as the west here or Florida, other areas where people have an attraction to move, not necessarily to Indiana where there is 14 per cent unemployment and people are moving out of the State. So I was very interested to hear your testimony.

Mr. BIAGGI. One question: What is the frequency of such occurrences?

Mr. DONALDSON. I don't know. I haven't kept actual figures but I have done over a dozen interviews on similar cases in the last year. But we are not talking about penny ante stuff. We are talking about rather egregious amounts of money being taken. Sometimes it's really hard to say because, for instance, in one case a power of attorney was signed to a daughter and the next thing that the senior citizen knew, she was signed into a nursing home and didn't know quite why.

So it's hard to determine which case is which. But I've done 12 myself.

Mr. BIAGGI. Well, in relation to your suggestion that education programs be established, it's clear that every senior citizen center should have this on its agenda, whether it be in Nevada, Indiana,

Miami, New York, Los Angeles, because you're dealing with people's possessions and wealth. And when they get older, they are susceptible to this type of family arrangement. It obviously has a national perspective. I thank you for bringing it to our attention because it's an area that we, frankly, hadn't given the kind of attention that it should receive.

Thank you, Mr. Donaldson.

Mr. DONALDSON. Thank you.

Mr. BIAGGI. Suzanne Ernst, Director, Division of Aging Services, Las Vegas.

STATEMENT OF SUZANNE ERNST, DIRECTOR, DIVISION OF AGING SERVICES, LAS VEGAS, NEV.

Ms. ERNST. Hon. Chairman Biaggi, Congressmen Santini and Evans.

Jim, you may hear some of your own words and statistics coming back since you're using the words that we're using for Clark County.

My name is Suzanne Ernst and I represent the State of Nevada, Division for Aging Services.

Here older persons are no more likely to be victims of street crime than persons of other ages, but the affect on these victims is brutal. Many seniors are self-confined in their homes because of their fear.

Two major areas are reflective of special needs of elderly victims: their lower fixed incomes and their higher rate of physical frailty. Local seniors suffer an average—and Jim just pointed this out—of over \$150,000 per month in personal property loss in Clark County to criminals and I want to point out, these are not tourists. That's one of the things that we often hear. "Oh, that was someone down at the strip hotel. He had his jewelry stolen." No, this isn't tourists. This is part of the 54,000 seniors who live in Clark County who are facing this loss. To replace items even with insurance is a very real burden to someone on a fixed income. Programs should be developed at the community level to enable older homemakers to make their homes more secure. At one point in time we did have such a program but we don't have the funds to keep that kind of program going.

Neighborhood watch programs are a successful unit of crime prevention and seniors are a necessary part of those projects. And they should continue to emphasize active participation of older members of the community. But it has to be an aggressive kind of program. The case of the trailer park that Jim is talking about is primarily housed by seniors and there were 17 burglaries in 2 weeks. The question that I ask is why wasn't an active community neighborhood watch program installed there when they saw what was going on? Why wasn't something done in a direct, aggressive and assertive manner, which it was not?

Whether due to fear or confusion or lack of transportation or whatever, it is a fact that half of the eligible elderly persons filing for victim compensation fail to complete the process. Another similar local example: Out of 100 crimes committed against the elderly

in subsidized housing units, it is estimated that only 10 are reported.

Local programs should promote better communications between police departments and older citizens. Also police departments should work closely with social service programs which address such problems. Presently local law enforcement does not recognize crime and the elderly as a specific problem. They see a crime as a crime, the victim as a victim. We have a very difficult problem making local law enforcement look at it as a different type of problem. I wish Gen Mullally was here. Jim knows Gen and she had a very interesting story that happened to her. She is a senior citizen who has an alarm system on her home. The alarm system went off. It was in the middle of the night. She got up. She called the police dispatcher, told her that her alarm had gone off, was concerned, the police dispatcher said, "Would you mind going out and turning it off."

Ms. ERNST. And you know Gen; her answer is a classic. She said, "I will if you will wait and listen for the shot."

There is a lack of communication, there is a lack of understanding, I think, at the local level with the law enforcement agencies on crime and the elderly.

Mr. BIAGGI. Let's stay with that point. I think that's a very important point.

Happily, more police departments throughout the country realize that the elderly victims should be treated in a more sensible fashion than the average victim of crime. It isn't that the average victim should be neglected. There should be an extra special effort and it clearly is a contributing factor in the illustration you give where only 10 elderly victims report the crime when, in fact, 100 were committed. They are traumatized sufficiently and then to be in the presence of a harsh law enforcement official—who really are not but give that impression because they are not giving a special sensitive treatment to the elderly victim.

Ms. ERNST. You've just stolen the rest of my speech, Mr. Chairman.

Mr. BIAGGI. The important thing is that I am sure if a special effort were made to the local law enforcement people, they would respond. If they don't, this committee would appreciate knowing that and we will contact them for you. And as a former police officer, I think I can be a little more persuasive.

Ms. ERNST. Thank you, thank you.

Clark County—and this is just exactly what we are talking about—Clark County Metropolitan Police have a 3-hour course in their police academy instructions entitled "Ethics and Off-Duty Behavior." The title alone would indicate the vast range of subjects covered. And in this same 3 hours, the class touches upon sensitizing cadets to elderly crime victims. This is hardly sufficient. The aged usually lack experience in dealing with the police and the courts and the police and courts must respond to the problem.

Another area: The senior victim often feels betrayed by the criminal justice system. This system needs to be reoriented toward the needs of the victims. The Omnibus Victims Protection Act introduced in Congress on April 22 is the most comprehensive victims rights proposal in legislation form to date. Without additional

Federal outlays, this bill's intent is to end the legal insensitivity to the needs of all the victims and witnesses. Although this bill is not designed specifically to assist seniors, its provisions would be of particular benefit to them. One of the most important issues that this bill addresses is restitution to the victim which is particularly important to the senior victim. I urge that all of you support this bill.

Mr. BIAGGI. I would like to inject some facts at this point. Your Congressman is a cosponsor of that bill and so am I but more importantly, Jim Santini is. I think I addressed myself to it early on. We've made progress but we haven't gone as far as we'd like. We haven't seen enactment but we are underway.

Ms. ERNST. Good and I think that for all seniors, this is one of their priorities.

The last issue that I would like to address is a newly recognized but ancient problem that is also attracting attention. We call it elder abuse. The stunning and widespread victimization of senior citizens through abuse, exploitation or neglect by their children, other relatives, by caretakers in nursing homes or caretakers in their homes, according to a 1981 report from your own committee, 1 million older Americans are victims of elder abuse. And it is estimated again that only one in six cases is reported.

Our own State 2 years ago passed an elder abuse bill in the last legislature. It is primarily a statistic—gathering bill but from it we have found 255 cases reported since October 1981. Some solutions are needed, such as respite care and senior day care centers which could give relief to care givers. Changes in society's attitude about the elderly and family abuse are also critical but we firmly believe that one way to provide protection to the aged is to view elder abuse as a real crime and not as a private family matter. Old age may be inevitable but the stress and the fear often connected with it are not.

Thank you.

Mr. BIAGGI. Thank you, Ms. Ernst, for bringing in that other element of elderly abuse. You made reference to a study, a report of the Select Committee on the Aged. It is this subcommittee that has conducted those hearings. And it is another revelation. We have talked about child abuse for many years, which is a very important issue in our country, according to many polls that have been taken, and have neglected the elderly in this regard. We haven't been dealing with the realities of life.

There is a tremendous amount of elderly abuse which comes in many ways. And the most interesting part is that more often than not they are victimized by their dear friends or their families. And the kind of abuse varies but it's all devastating to the health, physical health, mental health of the elderly person.

Let me cite one illustration and it's probably one of the worst. The grandson of an elderly woman who was confined to a wheelchair, assaulted her with a piece of the wheelchair physically and raped her and robbed her. When the police were called in, she refused to press charges because he was her grandson. Oddly enough, there was a lady next door who testified to the woman's condition and to a number of things that she heard and the woman had told her. And notwithstanding the victim's failure to press charges or to

testify, the grandson was imprisoned for 7 years. Contemplate it, if you will—the woman was in her 80's and her own grandson did that. It isn't just a question of being disturbed, it was a question of robbing, taking money, and it wasn't the first time he had done it. Only this time he just went further and it happens more often than not.

The committee has introduced this legislation, and Congressman Santini is supporting it which would provide some additional moneys to make shelters available for those seniors so they won't be required to go back into the same environment.

Now we also have the other situation where a mother or father goes to live with a family and it's fine as long as the stresses and strains don't develop. And they develop when you have inflation. The same dollar doesn't go as far and you know what happens: The wife talks to the husband privately and the arguments develop and family troubles develop and they look to who is the most available person to use as scapegoat. And that's where that develops and the heretofore welcome parent is no longer welcome. And they just don't tell them to get out. They virtually mandate it by their conduct because they would feel more guilty if they asked them to leave. But they want to create an unfavorable atmosphere so that the parent will say, "I don't like it here anymore. Let me move." But it's a very important element and process that's taking place.

Elderly abuse is a major fact and we thank you for raising it today. I also want you to know that we recognize it and we're trying to do something about it.

Ms. ERNST. Thank you very much.

Mr. BIAGGI. Thank you.

Gene Simon, senior citizens coordinating officer.

Mr. SANTINI. Mr. Chairman, before Mr. Simon commences his testimony, in specific followup to the very excellent testimony of Ms. Ernst, I would like to cite for the committee record the example in north Las Vegas where the local law enforcement agency set seniors as law enforcement priority and the crime rate against seniors has seen a steady decline in 1982. So we have an example of a community that focused on what Suzanne was suggesting and made it work.

Mr. BIAGGI. Mr. Simon.

**STATEMENT OF GENE SIMON, SENIOR CITIZEN COORDINATOR,
CITY OF LAS VEGAS, NEV.**

Mr. SIMON. Chairman Biaggi, Congressman Santini, Congressman Evans, thank you for your invitation to testify at this select committee hearing on crime and the elderly.

After the fetus and the child, the elderly are certainly the most vulnerable targets of crime. Elderly persons have a desperate fear of physical attack and what we all fear happened to a local 85-year-old retired accountant on February 16. In an unprovoked attack, an attacker savagely beat him with his fist and kicked him until he dropped to the floor bleeding and unconscious. This happened not on a deserted back street or alley but while the victim was shopping in a supermarket in the late afternoon. The assailant was sub-

dued by five or six witnesses, taken to jail and within hours was back on the street after paying \$100 bail.

The victim, a mere shadow of his former self both physically and mentally, is in a wheelchair in a convalescent hospital, paying \$1,500 a month for his care. I understand he had about \$5,000 saving so that will last him about 3 months. He has no memory of what happened to him. A good friend whose bookstore he visited almost daily says he probably won't live long. When he dies, I contend that his assailant is as guilty of murder as he would be if he had pressed a gun against the victim's head and pulled the trigger.

Since that time I have learned that the assailant had pled guilty. He faces a maximum of 2 years in prison and \$2,000 fine. I will be at the arraignment next month and I hope he will receive the maximum but, frankly, I would bet that he does not.

Mr. BIAGGI. Mr. Simon, if you will permit me for a minute, we have seen that happen in many cities, many places and it infuriates you, frustrates you and you wonder about the system. What we've done in the Bronx, the terrible Bronx where I come from—it's not all that bad—we've organized senior groups and they have been very effective in this regard and when the case comes before the court, we have large numbers of senior groups attend the occasion. Somehow that conveys a message and the response on the part of the judiciary has improved considerably. The sentences have increased and the abuse that you've just illustrated seems to be on the wane.

I know you said you'll be there. Perhaps it might be a good effort, might be productive if you were to try to muster a large group of seniors to visit that day and let them know you're coming. Let the press know that you're doing it because you're sick and tired of this kind of treatment.

Here we have a senior citizen that in effect is consistent with what Mr. Santini said. Obviously this has to impact our lives, especially the frail elderly. You know, some elderly persons are very strong but the real problem is the frail elderly with any kind of untoward conduct. It develops an aberration in their health and their state of mind and it's reflected. Even if you don't strike, you've threatened, you've traumatized individuals and you have assaulted them in a sense. It might be a little more productive to do it as an ongoing program. I am sure the seniors would be happy to respond because in the end, they will be serving their own best interests as well as the community's interests.

Mr. SIMON. Thank you for your suggestion.

Because I believe others who testify will supply statistics, I will devote the rest of my testimony to suggestions for the rectification of some of the crime problems.

One, Federal dollars are needed for more prisons and all types of effective correctional institutions. As it is, seniors are prisoners in their homes and criminals are at large in the streets. Many taxpayers would prefer that their money go for this purpose rather than for additions to the defense budget, foreign aid, presidential vacation trips or perquisites for former Presidents.

Two, deter crime by making criminals uncomfortable in prison. The recreation facilities for criminals in Las Vegas have drawn

considerable criticism because of their cost and alleged unnecessary conveniences.

Three, parole laws should be severely tightened or perhaps abolished. Severely limit "good time" reductions in prison sentences.

Four, the elderly and others should have effective victim assistance provided. Counseling older victims is extremely important. You mentioned the incident in Portland, Oreg., where many people died within 6 months of a confrontation. A method must be devised whereby the convicted criminal is made to pay medical, hospital, burial expenses, as well as the cost of property damage which is not covered by insurance, all these which are incurred because of his crime.

Five, Nevada has a \$5,000 maximum which can be awarded to help pay expenses of victims of crime. This should be at least doubled.

Six, the criminal justice system certainly needs to be made more efficient. It should not take many months or even years for the accused to have his guilt or innocence proven.

Congressman Santini, you are a former district judge and are aware of public dissatisfaction with unwarranted delays, mild sentences for heinous crimes and unjustified plea bargaining. The judicial system needs reorienting toward the needs and rights of the victims instead of having its attention focused almost solely on the constitutional rights of the accused. Victims should not be mere statistics or principals in TV or newspaper features.

Seven, I am told that the Federal Government furnishes funds for police training and police programs aimed at control of crime. I was also told that the Reno area received a greater share than does the Las Vegas area. Perhaps Reno applies for more programs, makes better presentations or has more clout in Washington. If Reno receives more dollars to fight crime it appears that Las Vegas, based on population and crime statistics is being short-changed.

Eight, the Federal Government from which funding flows should insure that more attention is paid to security when housing for the elderly is built. Housing should never be erected in or near a high-crime area or where vandalism or harassment can be expected to be a problem. Consider surrounding each senior housing complex, including the parking area, with a high steel fence, have entry and exit control by each tenant, who might have an automatic door opener. I know this, in effect, puts seniors in a protected penitentiary or jail and it's a real shame that I must even consider saying this.

I hope that you, Congressman Biaggi and Congressman Santini, will support—at this time I know that you are cosponsors of the Omnibus Victim's Protection Act. The bill seeks to end the legal insensitivity to the needs of victims of crime and witnesses as they participate in making the criminal justice system effective.

So that efforts to reduce crime against the elderly are not fragmented, I would like to see a local standing committee made up of the best brains, leadership, and experience to conduct a thorough study of this complex problem. Publicity should be focused on the committee's work and the follow-up on its recommendations.

Metro, State, and local legislative bodies and all affected agencies be held responsible for implementing worthy and practical recommendations of such a board.

Thank you.

Mr. BIAGGI. Thank you.

Mr. Santini.

Mr. SANTINI. Thank you, Mr. Chairman.

I would sort of like to recognize and follow through on the conversation that you had with Mr. Simon earlier Mr. Chairman. If anybody in this community could lead that kind of public response charge and create a demonstration at the time of sentencing about the concern of the elderly for the elderly victims of crime, Mr. Simon could.

I saw Mr. Simon in action on January 29, this year. He phoned our office, said that funding for transportation under UMTA was clogged in the bureaucratic drainpipe and in approximately 2 weeks' time, we were to bust that clog loose and get that money down here for some critically needed transportation facilities and it was Mr. Simon leading the charge that got it done. Maybe it will be Mr. Simon leading the charge that will get it done on this sentencing.

Mr. BIAGGI. I'd like to comment, Mr. Simon, on two items in relation to housing for the elderly.

I understand the point you're making in not having them constructed in high-crime areas but at this point, I would be happy to have them constructed anywhere, period, because there has been a substantial reduction in funding in that area and it happened to be the best kind of expenditure of the tax dollar. It provides the best kind of housing and maintenance is easy. There is little if any destruction of vandalism, certainly not from the tenants, and it's one of the most humane programs we have had in our country.

As far as the LEAA is concerned—talking about Reno perhaps getting more money than Las Vegas, that might have been true in the past but we don't have that problem anymore. LEAA is nonexistent. So, again, that's been wiped out. But what we're trying to do and Jim and I have been talking about it, is trying to get some special moneys developed for the purpose of helping local law enforcement authorities in various programs. Las Vegas may not be in the same fiscal plight, difficult plight, as many other cities, but it is an area that we believe requires a substantial Federal response.

Crime fundamentally, although local, has an interstate aspect to it that brings in the Federal Government.

Thank you for your suggestions.

Mr. SANTINI. I would observe, Mr. Chairman, just for a discussion point here, that Clark County, the city of Las Vegas, the State of Nevada, are all experiencing serious financial shortfalls and we find ourselves, particularly in the area of crime, burdened perhaps more on a per capita basis than most communities in the United States of America because for some reason or other the criminal element in our society seems to find Las Vegas as a flame for criminals moths to come to fly around and to harass, attack, and victimize our citizens. So it is probably a more acute problem on per capita basis in the Las Vegas area, than most communities of the United States of America.

**STATEMENT OF PATRICIA THACKER, DIVISION COORDINATOR,
VICTIM-WITNESS ASSISTANCE CENTER, CLARK COUNTY DIS-
TRICT ATTORNEY'S OFFICE**

Ms. THACKER. I am Pat Thacker. I am division coordinator of the Victim-Witness Assistance Center which is a unit within the Clark County district attorney's office and has been in existence since 1976.

Mr. Chairman, members of the committee, thank you for the opportunity to testify at this important and timely hearing. Crime against our older citizens is a local and national problem of great concern to those of us who work in the criminal justice system.

Until recently, criminal justice practitioners tended to focus attention on the criminal event and the offender. But over the past 10 years, this country has witnessed the emergence of a small but growing victims' movement in the criminal justice system.

Victims of crime and their advocates have begun to ask their government to recognize the plight of the victims and witnesses and to treat them with compassion and respect.

This increased concern over victimization has resulted in the closer examining of specific crimes and particular types of victims by criminal justice personnel. Based on research by the now-defunct Law Enforcement Assistance Administration, a number of surveys showed that the rates of crime against older citizens were comparatively low. However, the elderly have the highest victimization rates for strong-arm robbery, purse snatching, and pick-pockets.

Residential breaking and entering is a crime of high frequency against the elderly, due in part to the fact that many older persons live in high-crime areas. Victimization rates against the elderly living in public housing environments are higher than average.

The psychological impact of crime on the elderly is disproportionate to the crime statistics. Fear of crime is particularly pervasive among older citizens. This fear comes not only from the actual threat of crime but from the perceived threat of crime. Studies have shown that even when this fear may be unwarranted, based on crime statistics, the fear of being victimized may be extreme.

Findings from attitude surveys conducted in the midseventies showed that the elderly are much more afraid of crime than are younger people. In fact, 58 percent of those over the age of 65 who responded to the attitude surveys stated that they had changed their lifestyle based on fear of being victimized.

Unfortunately, the response of many of our older citizens to this fear is to withdraw from the community and remain behind locked doors. If victimized, the senior citizen may then be totally alone in coping with the after-affect of the crime.

For example, a 72-year-old woman we worked with was the victim of a robbery. She was approached from behind, pulled to the sidewalk and a knife put to her throat. Her purse was taken. For weeks afterward, that woman was afraid to venture out of her house after dark and left in the daytime only when absolutely necessary. She also had to have her telephone number changed because of fear that she would be harassed by her assailant because her identification papers were in the purse that was taken.

Another woman 65 years of age suffered multiple abrasions on her arms and face when her purse was snatched as she left the neighborhood grocery. That victim was afraid to return to her nearby supermarket where she had always shopped because of being reminded of the crime and she was afraid to return home because her home house keys were in the purse that was taken from her.

We also worked with an 80-year-old man who was assaulted in his own home when he answered the front door. That gentleman suffered a broken jaw from the beating he received from the robber who entered his house. He also suffered a mild stroke after the robber left his house and the doctors felt that the stroke was due in part to the stress he was under in having been robbed while he was on the street just 3 weeks before.

It is relevant to note that the victim-witness assistance center contacted a number of elderly victims with whom we have worked and asked them to speak before this committee today. Significantly, none of the victims that we contacted would consent to speaking here, citing fear as the overriding reason that they did not wish to speak in public.

No group has been more responsible for the success and growth of this city and this Nation than our older generation. Because of their sacrifices, the rest of us have prospered. It's time we provide the elderly with the peace and security they deserve by devoting more attention to the rights of victims. One way to do this would be the passage of the Omnibus Victims Protection Act recently introduced in Congress.

By reducing their fear of being able to walk safely in their neighborhoods, by reducing their fear of reporting crime without expecting retaliation, by providing compensation when their victimization results in impoverishment, we will be providing a measure of justice to our elderly citizens.

I would like to make a slight aside from my prepared remarks. Representative Santini is very aware of the reputation which Las Vegas has nationally for providing victim services. I, myself, moved here a year ago from another State, partly because I wished to work in victims' services here in Las Vegas, and one of the things that Las Vegas is most noted for is a group called the Citizens Committee on Victim Rights, which was formed in 1979, by District Attorney Bob Miller. This is an agency composed of a number of services here in Las Vegas which provides programs and services to crime victims.

The Citizens Committee on Victim Rights has this year, in a period of austerity and cutbacks in most places of the country, raised over \$65,000 to provide for emergency compensation to victims of crime, whether or not an assailant is ever caught.

The citizens committee has also had a lot of assistance from programs locally, such as Levi Strauss, the Nevada Car Dealers Association, Caesar's Palace, SUMMA and a number of other agencies locally which provide clothing, automobiles, meals, et cetera, through us to help victims locally.

Thank you.

Mr. BIAGGI. Mr. Santini.

Mr. SANTINI. It is important to emphasize in our record, Mr. Chairman, the special initiative of this citizen's committee on victim rights and the victim's assistance program here in Clark County.

I think it is innovative, though it is not encompassing, or solves all problems, but it represents some community initiative that could serve as an example for other communities throughout this country.

We know it's a start and we want to see it grow and expand. And that's part of the reason it has gone so well, since Pat's arrival here.

Mr. BIAGGI. Mr. Evans.

Mr. EVANS. I just wish to congratulate you on your efforts here and keep up these kinds of programs because we need them all over the country.

Mr. BIAGGI. I am impressed by your commitment to crime victims. Could you detail some of the things your center does?

Ms. THACKER. The Victim-Witness Assistance Center provides services to all victims or witnesses so the elderly are a part of those people that we deal with. We notify them both by letter and by telephone of the status of their case, how it's progressing, what the next court date is. We explain to them what to expect when they come to court. The criminal has usually been in court several times. The victim has often never even been inside a courthouse. So it might be something as simple as taking them to a courtroom, showing them around, letting them sit in the witness chair and so forth. We provide transportation to the courthouse.

We will sit with the victim or witness during the time of trial if they need moral support and comfort. We make social service referrals for them. Generally we do anything we can do to provide services for the victim or witness and let them know that people within the criminal justice system do care about them.

Mr. BIAGGI. That is excellent, really excellent. I am impressed by the fact that you realize that most seniors have never been in court and they are overwhelmed by the notion of going to court and, in a sense, intimidated, really intimidated. They go in the presence of this very august judge, very somber atmosphere with a great deal of formality and they are just bewildered to a large extent.

Whereas on the other side of that you have the criminal who more often than not has been through that thing time and time again, and even being in prison doesn't really upset him too much because it has become a part of his life.

That sensitivity is to be commended. Congratulations.

Ms. THACKER. Thank you.

Mr. BIAGGI. Ellen Barker, crime victim.

**STATEMENT OF ELLEN BARKER, CRIME VICTIM, LAS VEGAS,
NEV.**

Mrs. BARKER. Thank you for having me here. I am not prepared to have this talk. I am just an ordinary housewife.

Mr. BIAGGI. There is nothing ordinary about a housewife. My mother was a housewife, my wife is a housewife. She produced some great products for this country and that's what they do.

Just be comfortable. We're your friends. We understand that you have had an experience and we want you to tell us about it.

Mrs. BARKER. Last Monday, I went to the shop for a short time. When I came back, I found my front door open, my house disarranged, and in the kitchen a briefcase. I knew that I hadn't left those things. I just took a peek and I thought I saw a guy. I ran to my neighbor, frightened, and crying. When I finally got back the neighbor had phoned for the police, but the person had gone.

We had one break-in the week before at a next door neighbor. It seems that they know when we're away. They come when we have cashed our social security checks and know where we hide the money. They ransacked my house. It was terrible. I hope I never experience it again.

Also the week before that, we had a guy hanging around the house. I had my sprinkler on and he knew I would have to come out to put it off. And he didn't go away. He kept coming to the door. The police didn't arrive. So I called the television station next door, channel 3, and they came down with men in a truck and moved him away. Otherwise I would have been a victim again. And I thank channel 3 very much for their help that day.

I still have not gotten over it. It was only 2 weeks ago. I know what it's like to be one of those victims.

Mr. BIAGGI. You are fortunate in the sense that you weren't physically injured.

Mrs. BARKER. Yes, sir.

Mr. BIAGGI. But clearly you've been injured psychologically. I am afraid that's going to linger with you for awhile.

Do you get the feeling that the house is not as clean as it was?

Mrs. BARKER. Right, right, very much so. And I am still frightened that they are coming back. In no way did I leave any windows unlocked, no doors unlocked, we have a deadbolt. They did vice grips, as the police called it, to get in. So I didn't neglect security.

Mr. BIAGGI. As an old law enforcement officer, I know one thing and I guess most of you by this time know because there is a lot of attention being given to security of a household, is that a good burglar—a real, professional burglar—can enter any house. He can open practically any lock. It's just a question of how much time it takes. A better lock takes a little longer.

What impresses me is that channel 3 responded. Nonpolice, nonlaw enforcement personnel responded. I think that's excellent community response.

Mr. Evans and Mr. Santini may have something to say but I'd just like to say something on a personal note: There was a time when I had my home burglarized. I was furious to begin with. I was hoping the burglar was in the house. There would have been a different ending to that story.

But not being there, I felt that the house wasn't clean. He violated my home, our home, and it took months before that feeling went away. It will take awhile but it will go away.

Just have all the numbers available so you can call the police. Did the police finally arrive?

Mrs. BARKER. Yes, sir, very quickly. They did look around the area. There were two police who arrived and scoped the area around but they got away.

Mr. BIAGGI. Well, be thankful that you weren't injured.

Mrs. BARKER. Yes, sir, I am that.

Mr. BIAGGI. In the future if you see anyone at all, if you are suspicious or people you feel shouldn't be there, call right away. Don't worry about having the police officer tell you, "He belongs here," or, "There is nothing to him," or "There is nothing we can do about it."

If they just respond and he is given a little attention, I assure you he will go away. He doesn't want his victims aware nor does he want the police aware. That represents an additional peril to him. He might be arrested, unless he has a completely psychotic twist where he likes to be arrested. We have people like that, too. He will go elsewhere.

Mr. Santini.

Mr. SANTINI. Yes, Mr. Chairman, Congressman Evans, I asked Ellen last weekend if she would share her most recent experience because it is demonstrative of what I encounter almost every single weekend upon returning to Las Vegas. Last weekend it was the case that I was at the Archie Grant Housing Project for an installation of officers, a luncheon event. It was a very pleasant experience sitting there eating and at that time I had occasion to say hi to Ellen and her experience came out.

Mr. Chairman, this is a commonplace occurrence. I am finding senior after senior after senior, who shares with me some personal tragedy, some fright, some horrible experience on a week-in, week-out basis. It's almost inevitable that if I am in the senior population, I am going to get a senior crime story. I can imagine the multiples. This means that there are hundreds of seniors experiencing the same kind of frightening and in some cases injurious, damaging kinds of personal experience.

I am glad, Ellen, you were not one of those injured. You are a very good example and I appreciate your mustering the courage and with your marvelous accent you do it better than anyone might hope, because it is necessary for this message to be communicated to the community at large, State at large, and to the Congressmen back in Washington, D.C., and I thank you for doing it.

Mrs. BARKER. Thank you very much.

Mr. EVANS. I just echo what you said, Jim.

Thank you for making the effort to come here this morning.

Mrs. BARKER. Thank you very much, happily.

Mr. BIAGGI. William Collier, inspector, U.S. Postal Service.

Mr. Collier.

STATEMENT OF WILLIAM W. COLLIER, INSPECTOR, UNITED STATES POSTAL SERVICE, LAS VEGAS, NEV.

Mr. COLLIER. Mr. Chairman, I have submitted my prepared statement to be read into the record.

Mr. BIAGGI. Without objection it will be included in the record in its entirety.

Mr. COLLIER. I might also mention that later this afternoon I will display some posters and describe some typical mail fraud schemes, if any of the seniors are interested.

I am a postal inspector. That is a law enforcement officer associated with the law enforcement arm of the U.S. Postal Service. I am a mail fraud investigator and have investigated mail fraud schemes for the past 16 years.

I will discuss three types of cases which are representative of frauds where elderly persons seem most susceptible. The elderly comprise a large and significant segment of our population and to paraphrase, are generally trusting, loyal, honest, and friendly.

These attributes can make them prime victims of mail fraud schemes, especially those schemes which offer a proven method of supplementing one's income or offer a cure-all for one's illnesses.

The first type of scheme they are susceptible to, are medical-type fraud, as we refer to them, and spurious medical cures and potions have been with us for many, many years. A contemporary case is one known as Herbal Educational Center in the State of Vermont. The operator of this scheme sold various formulas which offered prevention against cancer, arthritis, rheumatism, and other serious illnesses through a combination of secret herbs and spices.

All the aforementioned illnesses are often associated with old age. The operator mailed 800,000 catalogs nationwide, heralding these miracle herbs. More than 30,000 persons responded and his initial sales response was \$750,000.

Mr. BIAGGI. I think that's worthy of emphasis. You know, we get older and we feel pains that we didn't always have. And like your doctor tells you, there is not much he can do. He may prescribe some medicine now and then. And really, the pain becomes increasingly difficult to endure and you look anywhere, any area for relief. And it may be on television, it may be in a magazine, it may be in literature. They may have some people involved with it that you like or you just might like the idea out of the desperation that you will try anything.

That's what Mr. Collier is talking about. Here's one of those programs underway where more than 30,000 people placed orders and paid \$750,000 for these magical cures. We had hearings dealing with this in Washington and New York. And the most ridiculous things were offered, such as if you stood on a scale with a number of other instructions, some difficulty you had would go away. If you bought a pair of foot pads, you'd stand on it and your arthritis may diminish. Some of the most ridiculous things, but it represents at least a hope for those who are ill. I understand it. But be careful, be careful. Because I know that the elderly generally cannot afford to waste money. If they had any real merit, you would know more about it from your doctor and your community.

If a number of your neighbors have some cure, some beneficial result as a result of something their mother or grandmother may have told them, I'd pay more attention to that than I would to this phony advertising that goes on to victimize people, because we find that some of our grandmother's cures are now being synthesized into pharmaceutical corporations and sold at very substantial sums. So our grandmother was smarter than we thought. They are just being formalized into regular medical channels.

So be careful because you are easily victimized.

Mr. COLLIER. That's a good point, Mr. Chairman, particularly when they are seeking medical attention because of these types of things.

Another prevalent fraud of the elderly is the so-called work-at-home scheme. Most of these offerings are addressing envelopes or making a product such as aprons or baby shoes. The operator will usually allege there is a market for such services when there is not. It is further alleged by the operator in some of these schemes that he will buy all the products made by the customer when, in fact, he will not. Most of us are familiar with that type of advertisement in newspapers. Help wanted, "General, \$480 a week addressing envelopes."

An example of that would be the American Switchboard Association in the State of New York. They advertised \$200 a week part-time taking short phone messages at home, which sounds very reasonable. However, the people were to pay \$20 to get the information and to enter the association and essentially they were told to place ads exactly as the operator placed and they would get \$20. The loss in that scheme was \$120,000; 6,000 persons fell for that.

During times of inflation, people will look for ways to invest their savings as a hedge against the future. Those on fixed or low incomes seek ways to supplement their income.

We come to the third type, which is the investment scheme. Elderly people seem to be susceptible to this type of scheme.

An example of that type is a distributorship operation. This usually involves displaying a product for a manufacturer or working a vending machine where the product is in there and servicing it. An example was a California case who advertised in newspapers for people to sell Wrigley's Gum, implying that they were associated with Wrigley's Chewing Gum and also several brand cigarettes. The cost to join this program was \$6,000, and the firm known as Central Distributors described the business as a multimillion-dollar industry and again reiterated that they had some association with Wrigley's Chewing Gum when they didn't.

They also promised to set up these machines in top quality locations. They were excellent machines, maintenance guaranteed, training, so forth. Half the investors did not receive any machines at all. Those who did found the locations provided were worthless and unprofitable.

In all, 82 victims lost a total of \$500,000. There were many elderly victims in this scheme. One of whom was a 70-year-old double amputee who lost his life savings.

I want to state that phony mail fraud operations comprise a very small percentage of the total mail order business in this country but there is a substantial dollar loss and there is a lot of suffering caused by these dishonest promoters.

[The prepared statement of Mr. Collier follows:]

STATEMENT OF WILLIAM W. COLLIER, POSTAL INSPECTOR, U.S. POSTAL SERVICE, LAS VEGAS, NEV.

Mr. Chairman, my name is William W. Collier and I am a Postal Inspector. I have investigated various mail fraud schemes for the past 16 years. I want to thank you for this opportunity to discuss the efforts of the Postal Inspection Service in investigating mail fraud schemes directed against the elderly.

I will be discussing actual cases which are representative of the types of frauds where elderly persons seem most susceptible. The elderly comprise a large and important segment of our population and to paraphrase a well known phrase—"are trusting, loyal, honest, and friendly." These attributes, which are praiseworthy on one hand, can make them prime victims of mail fraud schemes, especially those schemes which offer a supposedly "proven" method of supplementing one's income or offer a "cure-all" for one's illnesses.

Spurious medical cures and potions have been with us since time immemorial. A contemporary illustration is the scheme operated under the name Herbal Educational Center located in the State of Vermont. The operator of this scheme sold various formulas as illustrated here which offer prevention against cancer, arthritis, varicose veins, and other serious illnesses through the use of a combination of secret herbs and spices. All of the aforementioned afflictions are often associated with old age. Over 800,000 catalogs were mailed nationwide heralding the miracle herbs. More than 30,000 persons placed orders, with the initial sales response estimated at \$750,000. Due to a combined federal and state action, the scheme was brought to a halt and the operator was convicted of mail fraud in February of this year.

Other false medical claims have dealt with the aging process. These promotions prey upon our vanities and desire to recapture the vitality and appearance of youth. I am sure you have seen some of the phrases used to promote the purchase of these products: "Do I really look older than my friends?" "Look ten to fifteen years younger." "Make wrinkles disappear."

These products are usually offered in the form of pills or creams, all claiming to possess the magic formula for regaining a youthful appearance.

The Great Life Laboratories in New Jersey advertised an "amazing skin formula which would lift aging skin right off your face . . . in just seven seconds." It also claimed to be F.D.A. approved. The price was only \$12.50 for this jealously guarded and treasured beauty secret known throughout Europe and America. The doctor who refuted these advertising claims stated, "washing with soap and water would accomplish the same results."

With direct mail advertisements, the promoter also claimed a significant breakthrough in the fight against aging by taking RNA tablets. He employed appealing phrases such as, "no aging diet" and "scientific breakthrough of our time" to entice people to purchase the pills. As a further service, the operator offered to "conquer fat forever with a complete contentment pill." None of the operator's claims were medically sound and his promotion was stopped by a Postal Service consent agreement.

Another promoter offered something different from the patent medicine approach when contacting his victims through nationally distributed publications. He promised to "get rid of body pain without medicine." Those interested were to write to Zeldcoe, Santa Ana, California, for free details. In return, the promoter sent victims a letter soliciting \$15.50 for a product called The New Health Restorer—a device which the promoter claimed, when used just a few minutes per day, would give lasting relief from body pains and miseries, would restore normal body functions and enable the user to live longer with a more active life. The device was guaranteed to be safe.

What the victims received for their money was a fiberboard, approximately six inches by twelve inches in size with three plastic cushions attached to one side. The instructions for using the new health restorer told the purchaser to place the device on the floor, sit on it, rock back and forth, and at the same time, move the knees from side to side. Despite a diligent search, we could find no one who had the dexterity or coordination to accomplish this feat.

A medical expert who examined the device stated, "it is beyond my comprehension how this ridiculous device and exercise can possibly result in the claimed benefits. The use of this device can actually aggravate the condition of the user, especially if the user were elderly, and could cause even greater suffering."

Approximately 2,100 persons purchased this worthless device before we were able to put the firm out of business.

We are frequently asked to place a dollar value on the cost of medical fraud, but any effort to do so would be a guess. We do know that the losses are substantial. But the problem goes beyond the mere loss of money. Reliance upon nostrums and devices to produce miracle cures can cause victims to defer seeking needed medical care.

Another prevalent fraud aimed at the elderly is the so-called work-at-home scheme. Most offerings are for addressing envelopes or the making of a product such as baby booties or aprons. It is usually alleged there is a market for such services when there is none. It is further alleged in some schemes that the promoter will buy

all products made by customers when, in fact, the promoter will not. Most of us are familiar with the kind of advertisements I am talking about. "Help wanted, general. \$480 weekly possible mailing circulars."

More than 9,800 persons invested \$12.00 each in a work-at-home promotion advertised by Habco Sales, Lufkin, Texas. The operators placed advertisements in national publications offering employment mailing circulars. Those who responded were advised that Habco Sales represented 50 companies who paid commissions to have circulars mailed. This was the "hook" used to entice victims to send in their money. The victims received instructions advising them to place advertisements in newspapers similar to the one which enticed them to invest their \$12.00. The operators of this scheme were convicted of mail fraud, fined and sent to jail.

The American Switchboard Associations of Peekskill, New York, advertised help wanted by stating, "Earn \$200 weekly, part-time, taking short phone messages at home." The persons who responded to this offering, after paying \$20, were instructed to place ads exactly like the one that enticed them to respond. Six thousand persons lost \$20 each before this fraud was closed down.

In our efforts to expose these operations, we have distributed brochures which describe the typical work-at-home schemes with cautionary guidelines for the consumer. It also requests the consumer to notify us of suspicious advertising and has a tear-off card for this purpose. This brochure has been quite successful as we have put out of business, through false representations orders, consent agreements, or criminal proceedings, literally hundreds of these phony work-at-home promotions.

During times of inflation, people look for ways to invest their savings as a hedge against the future. Those on fixed or low incomes seek ways to supplement their income. Frequently, the victims of investment schemes are elderly people who have been induced to invest their life savings.

A typical distributorship swindle involved the sale of jewelry franchises with a base of operations in the Hartford, Connecticut area. Investment Service International was formed for the purpose of selling jewelry distributorships nationwide. Sales representatives hired by the firm solicited people to invest in the distributorships by using various misrepresentations such as high profits and money back guarantees. For an investment of \$3,474, victims were told they would receive five jewelry showcases, each containing 100 pieces of fine costume jewelry. The showcases were guaranteed to be placed in good, high-traffic locations guaranteed to produce at least 100 sales per week, per showcase. Victims were shown a photograph of the showcase and jewelry they would be receiving, and, as you can see, it appears impressive. So impressive, that at least 160 people invested \$600,000 in this phony enterprise in the six short months it was in operation. After closing down Investment Services International, the operators started similar schemes, independent of each other, using the same sales techniques, but different products. In a little over a year, 400 additional persons throughout the country lost \$1.6 million to these swindles.

To ensure the success of their fraud schemes, the operators encouraged wary prospective buyers to contact their local Better Business Bureau. The Operations Manager of the Hartford, Connecticut, BBB, was bribed by the operators to send false reports reflecting a favorable reputation of their firm to all the Better Business Bureaus throughout the country. The BBB representative and the operators of this jewelry business were convicted of mail fraud and received sentences ranging from 18 months to 2 years in prison. Seven other individuals were also convicted of participating in this fraud.

Two salesmen involved in the Investment Services International swindle started another scheme under the name Cash Card. They solicited investors across the United States promising earnings of up to \$720 a week. Cash Card Corporation represented that the Cash Card holder would receive significant savings when paying cash at stores located throughout the United States and abroad. However, no stores honored Cash Card. Investors lost over \$183,000 to this promotion. The operators were subsequently convicted of mail fraud and their business closed down.

Over a nine-year period, a Boston attorney had swindled 100 of his elderly clients by convincing them to invest in a variety of promotions with promises of 15 to 20 percent annual interest and a full return of their principal in one to three years. He gained the confidence of many of his victims as a result of his position as president of a religious organization. In many instances, he knew the financial status of his victims because he had prepared wills for them. As soon as they received an insurance settlement upon the death of a spouse, he would induce them to invest money with him. Most of the money received was invested in his name or in the names of members of his family. To prevent his clients from knowing what actually happened

to their money and enable him to continue his swindle, the attorney sent them some interest payments. This attorney received a one-year prison sentence.

In another distributorship operation, a Palo Alto, California, promoter, who was described by a juror as being able to sell freezers to Eskimos, advertised the sale of gum, cigarette and popcorn vending machine distributorships for approximately \$6,000 each. Operating under the name of Sentinel Distributors, the promoter falsely described the business as a multimillion dollar industry associated with manufacturers of nationally advertised products such as Wrigley's Chewing Gum and several well known brands of cigarettes. Although delivery and installation of top quality machines, profitable locations, and maintenance were guaranteed, half of the investors did not receive any machines at all, and those who did, found that the locations provided were worthless and unprofitable. In all, 82 victims lost a total of one-half million dollars to this fraud. One of the victims, a 70 year old double amputee, who had faith in the promoter's promise that he would recover his \$5,000 investment in his vending machines within a matter of months, wrote a letter to the U.S. district court judge presiding at the operators trial for mail fraud. He stated, "I don't think a person like that should go unconvicted as he * * * preyed on people like me." The operator was later sentenced to three years in prison, fined \$1,000 and placed on five year's probation, with a stipulation that he make restitution.

Phony mail fraud promotions comprise a very small percentage of the total mail order businesses in this country, but the substantial dollar loss and the cost in the terms of human suffering caused by the dishonest promoters warrants all of our effort and attention.

I have appreciated this opportunity to make you aware of the efforts of the Postal Service to serve and protect all of its customers, but in particular, the elderly.

I will be happy to answer any questions you may have.

Mr. BIAGGI. Thank you very much, Mr. Collier.

Mr. Santini.

Mr. SANTINI. Do you have any statistics on cost of mail fraud, Clark County, 1981?

Mr. COLLIER. No, I don't have that.

Mr. SANTINI. Do we have any numbers that would give us an indication of how many victims of mail fraud, senior and junior, in Clark County in 1981?

Mr. COLLIER. No. Part of the problem is that they are victims in this town and they respond to ads that are placed in publications where the address may be in New York, Florida, Texas, and those statistics would be in those States and they don't break them down as to where the victims originated.

Mr. SANTINI. How many mail fraud cases were reported by local victims to the Postal Service in 1981?

Mr. COLLIER. There was a substantial amount dealing with mail order merchandise, failure to receive merchandise they had ordered. Not quite as large an amount on the investment or the work-at-home type.

[See appendix, p. 56 for material subsequently received from Mr. Collier.]

Mr. SANTINI. Or health care?

Mr. COLLIER. Or health care; right.

Mr. SANTINI. Are those numbers that the Postal Service would on an annual basis collect and report? What is the usual practice there, William?

Mr. COLLIER. OK, if the case originates, that is, the promoter is in this town, yes, we can come up with some type of statistic. But the problem there is they are advertising nationwide and the victims would be in other States. So it is very hard to break down generally how many victims are from one particular area.

Mr. SANTINI. How many people do you have to support your effort to try and ferret out mail fraud in southern Nevada?

Mr. COLLIER. Two persons.

Mr. SANTINI. You just can't do it. You've got a problem as big as a mountain that you are expected to attack with a trowel.

Thank you, Mr. Chairman.

Mr. BIAGGI. Mr. Evans.

Mr. EVANS. Persons may not have heard earlier but you said this afternoon, you would have a display available for persons to examine on these types of mail order schemes?

Mr. COLLIER. My original statement had nine different schemes and I have posters illustrating those schemes and I can describe them and also point out what to look for so people will not be targets of these schemes.

Mr. EVANS. And that will be here this afternoon?

Mr. COLLIER. Yes.

Mr. EVANS. Thank you, Mr. Chairman.

Mr. BIAGGI. I'd like to go further on Mr. Santini's question in relation to employees. Obviously, despite the commitment of the Postal Service, and I know many of them, I am aware of the dedication you have. You just can't do the job unless you're properly funded. And I would just like to note for the record that the Postal Service, under the Latta amendment, under the Latta substitute budget, which was passed by the House of Representatives which Mr. Santini and I voted against, provides a reduction of \$713 million in budget authority. So that condition is not going to improve any. It only means a reduction of service and the sad commentary is that we get less when we really should get more.

Thank you, Mr. Collier.

Mr. SANTINI. Mr. Collier, your dedicated labors remind me of that poster—speaking of posters—about that cat that's hanging there on the end of the wall just about ready—all I can say is hang in there, baby.

Thank you very much.

Mr. BIAGGI. Peggy Grover, assistant director, RSVP senior crime prevention project.

**STATEMENT OF PEGGY GROVER, ASSISTANT DIRECTOR, RSVP
SENIOR CRIME PREVENTION PROJECT, LAS VEGAS, NEV.**

Ms. GROVER. My name is Peggy Grover and I am the assistant director of the retired senior volunteer program. Pat Keltner is scheduled to speak after me but she is ill so I will give both parts of the presentation, short and sweet, OK?

First of all, we have been collecting crime statistics on the elderly since 1978, with the cooperation of the metropolitan police department. We are the only agency in the entire State of Nevada, to my knowledge, that does any kind of collection of statistics on seniors and crime.

Mr. BIAGGI. Are you collecting for the State or for Clark County?

Ms. GROVER. Just for the county. I don't think anyone else in any other counties collect at all so the information we have available is only in Clark County.

I did hand the gentlemen of the committee the information we have collected for the year of 1981. And the numbers for most people sound pretty high. The average numbers of victims is about 140 to 150 per month, mostly burglary and robbery as far as crimes

go. But that's still only 7 percent of all the crime in the Clark County area and that's about the average nationwide, from what I understand.

[See appendix for crime statistics by Ms. Grover.]

Mr. SANTINI. Peggy, pausing there: About 7 percent, if you take a statistic that was offered earlier that only one in seven crimes were reported.

Ms. GROVER. Yes, that's right, so you can extrapolate from there to believe that the percentage is probably much higher.

Male victims tend to outnumber female victims, sometimes as high as 2 to 1; usually about a third more men are victims of crime.

We have found that time of day does not make a difference. Daytime and nighttime are not a factor in crimes in Las Vegas. That's probably because of our 24-hour town where seniors are out in the middle of the night, as opposed to other cities where they are not out quite so late or where there are enough people wandering around with free hours, various times of the 24-hour day.

You will see that the dollar loss averages about \$100,000 per month that we can figure. The crime reports do not always list total loss and this is in money and in goods.

I also gave you figures that showed the highest amount per month in a single incident and the lowest. The lowest reported figure for one incident was a male who was robbed for 13 cents. The highest was a man who was robbed of \$36,000 cash.

Mr. BIAGGI. What did they do to that man who had 13 cents?

Ms. GROVER. They beat him severely for that 13 cents because that wasn't enough money.

Mr. BIAGGI. That's a message, by the way.

Ms. GROVER. Yes, he was not carrying enough money.

Mr. BIAGGI. What Peggy Grover stated is two illustrations: The highest amount and lowest amount that seniors were robbed of. There was one that lost \$36,000 and they probably didn't beat that fellow, did they?

Ms. GROVER. No, no, they were happy with what they got.

Mr. BIAGGI. They were happy with what he had.

But the man who had 13 cents was severely beaten. Now that is not an uncommon development. That's why I am staying with the point to emphasize it, if you're traveling, always have some money in your pocket. Really. I am serious about that. It's a very important factor. It doesn't have to be just in Clark County; everywhere, and not only with seniors. All robbery victims.

Ms. GROVER. That's an interesting point to make. However, there are many seniors who do not have more than 13 cents to their name at the end of the month with their social security checks.

Mr. BIAGGI. I am aware of the difficulty. But I advise, have a few dollars in your pocket and don't use it for any other purpose except your own physical well-being. I think that's an important piece of advice, given our bitter experience with the situation. It is a sad commentary but a fact of life. If you like to deal in wishful thinking, fine. You have deluded yourself and you will be out there and be treated, if you are robbed, in the same fashion as that man with 13 cents. You must deal with reality. And you have all been

through a lot of years of living and you know that life is not the bowl of cherries that the song and poem make it out to be.

Ms. GROVER. Contrary to popular opinion, you will notice that firearms and other weapons are not used very often in crimes and that leads us to believe the threat of violence is enough to obtain whatever the criminal wants, just the instilling of fear. We think that that's probably enough.

The only good news that comes from our study is that forced entry is required in most burglaries in about 50 percent, so people are learning to lock their homes, lock their windows, and take precautions before answering the door.

To move on from the statistics, the numbers are important and they are horrifying but they still tell only part of the story. And our seniors were raised in an era of trust and honesty. They were taught from a very early age to help their neighbor. A friendly, "Come on in," was all that was needed as far as answering the door; a chance to help a stalled motorist was a chance to do a good deed for the day. You didn't have to fear that they were lying in wait for you, just waiting for someone to come along.

Now all too often that friendly hello turns into a robbery or a rape that for a younger person may be difficult to cope with but for a senior becomes a devastating situation.

We talked to Rose recently. She was one of the victims in our office and she was attacked while taking out the trash. She did not try to fight the attack but he decided she wasn't moving back to the house quickly enough to suit him so he beat her unmercifully. Rose doesn't leave her house at all now. Her husband has to do the shopping. Someone has to take her to the doctor and back and forth because she will not go out even into the yard to do the gardening that she used to.

Ed followed all of our crime prevention techniques. He locked his doors, carried his money correctly, never walked alone at night and when the man from the bank asked him to help catch a con artist by withdrawing his life savings, it never occurred to him to disagree with the man or to check the man's credentials. He gave the man his life savings of \$25,000, lost it all and he also lost his will to live. He died about 2 months later after the incident because there was no way to recover the funds.

Mr. BIAGGI. That confirms the result we found in the Portland report.

Ms. GROVER. I was going to mention the Portland report as far as purse snatches go. They have found that over 50 per cent of purse snatch victims over the age of 65 died within 1 year of the incident and it is not from the injuries sustained during that.

Mr. BIAGGI. Psychologically traumatized.

Ms. GROVER. They just fade out, can't function any longer.

Mr. SANTINI. Over 50 percent?

Ms. GROVER. Yes. That's incredible.

Mr. SANTINI. Purse snatching?

Ms. GROVER. Just from purse snatching.

People are fighting back. RSVP has had a crime prevention program since 1978. We were first recipient of a grant under the EOB community anticrime program with LEAA. Presently our program

exists with no funds. We are doing that among our other volunteer duties.

During the first year of the program, with two paid part-time employees and 10 volunteers, RSVP inspected 272 homes of seniors for security purposes. We marked 397 pieces of personal property like television sets, radios, stereos, thousands of pieces of educational material were dispensed to seniors to keep them alerted to their needs and responsibilities regarding crime so that crime may be lessened to themselves individually and to the community as a whole.

Window decals have been affixed denoting that the residence has been secured and checked and that all property has been marked to help keep the burglars away.

744 decals with police and fire emergency numbers were affixed to the phones of seniors so that if there should be a fire or other emergency where help is needed the number is available immediately.

While conducting home security tests, RSVP volunteers make a list of items marked and each senior's name is sent to the police department for their records.

If there should be a robbery in the residence of the seniors, the police then have the number which was engraved on their property for easy identification when and if it is recovered.

Another benefit to seniors who live alone is the early alert program of RSVP, along with the U.S. Post Office. When a crime prevention worker sees the seniors in their homes, they will ask if he or she would like to be on the early alert program. This is a system of allowing letter carriers to be alerted when a senior's mail has not been picked up for 24 hours. He then contacts the RSVP office, who will check the early alert file, contact a relative or friend listed thereon and then either visit or telephone the senior's home. If emergency help is required, RSVP is called and they will contact ambulance, police or other services to go and aid the senior.

For seniors living alone, this is an excellent way to keep from becoming isolated and to cut down the fear of either being attacked or maybe falling and laying for days with a broken hip or some other damage.

Seniors who have had security checks are contacted from time to time by the office to learn if they have been victimized or if they are having other problems. With this program, we can keep aware of just how effective the home security check program is and if the window decal is helping prevent crimes in those homes that we checked.

Last year out of the 500 home security checks we did, and placed decals in the windows, only two had reported burglaries following the check.

Mr. BIAGGI. How many seniors here are involved with this alert program? Raise your hands. That's a good program. It's a very good practice. It serves its purpose. We have it in New York. It works well. What appears to me is that there is more public attention focused on it, more than an education.

Wherever there is an assemblage of seniors, this should be on the agenda. It should be repeatedly made reference to, as a number of

these things should, because we don't hear it all the time, even though it's said all the time.

Yes, ma'am.

VOICE. There is a monthly paper issued by seniors called the "Rocket" and that would be a very, very good place to advertise it and bring it to the attention of the average person.

VOICE. Senior citizens have a negative way of listening. Now, there are a lot of things that happened this morning to me, which I stated to this young lady. She, in turn, will tell it to Mr. Santini. Now I wouldn't say that all citizens aren't alert. But most, I would say, have that negative way and I speak to a lot of people. I was a volunteer in California, and I saw what was going on. I was a volunteer for 5 years. And I saw the reaction, how senior citizens act. I speak from the voice of experience.

Mr. BIAGGI. What is your name?

Mrs. LASKOWITZ. My name is Belle Laskowitz.

Mr. BIAGGI. Belle, we are going to have a senior speak-out after the witnesses.

Mrs. LASKOWITZ. I know, but I had to let you know.

Mr. BIAGGI. In the beginning there was the word.

Mr. GROVER. Another aspect of our program is crime prevention workshop. We try to conduct about two a month for seniors who are members of clubs or organizations, at schools and the community centers or the housing buildings.

The Las Vegas Metropolitan Police Department may be contacted to furnish a speaker or a film on crime or both. We have had government representatives to feature.

Another aspect of the RSVP program is that it provides some social services for seniors who often do not know about governmental social services and have been granted this knowledge indirectly through RSVP and its crime prevention programs.

When a senior needs transportation to the food stamp office, the social security office, the doctor or other as a result of his victimization, the RSVP counselor will pick him up at his home and transport him to the required destination, wait and take him back home.

Many seniors have been helped in this manner and are receiving more benefits than previously because of this kind of help.

In 1980, we added a victim assistance counselor and she aids in replacing lost or stolen papers, provides transportation, dispenses crime prevention information, does the victim counseling, and depending on the senior's specific needs, acts as an advocate for victims.

We can also help provide emergency food, housing, and medical assistance. We can help replace glasses, hearing aids, canes, walkers, things of that sort, to help the people recover from their injuries. And we do this, as I said, with no funding at the present time. There are other social agencies that you have heard from who are involved in crime prevention and victim assistance. There is a current victim assistance law that was mentioned but the amount of money to fund it is very small and can take up to 6 months to reach the victim.

Legislation currently exists which makes the penalty for crime against the seniors double. But when the charges are changed in

justice court from robbery with a deadly weapon against a senior to just robbery, the law, in effect, is negated. There is also a situation of double victimization, either intentionally or unintentionally, policemen or other people in the law enforcement field or attorneys are not conscious of the problems associated with the senior victim as opposed to an underage victim of crime. And sometimes they are abrupt, they don't explain things. They do not make it clear that you need to appear in court on a certain date and time. They don't take the time to listen and be as kind as they need to be when they come out and see that your home has been ransacked. They take their report and leave. So we have to do something about the double victimization.

We are in this together and we must work with a single thought in mind, using education, victim assistance, and strong legal penalties. We can make the community safer for the seniors and restore the dignity to their lives that they deserve.

Thank you very much.

Mr. BIAGGI. Mr. Santini.

Mr. SANTINI. Thank you, Mr. Chairman.

Excellent testimony. You are providing a very valuable information gathering service—well, valuable information communication service because it's very difficult to set about trying to solve a problem unless you understand the dimensions of that problem. And the critical numbers that you are putting down tells the very, very serious story of crime and the elderly in southern Nevada.

This will give all of us in the Federal, State, county, and municipal level an opportunity to sort of home in on the details in an attempt to deal with limited resources in a very critical problem area.

You summarized your testimony very, very well and I don't know how you accomplish all this without money. It would be remarkable if you ever got money.

Ms. GROVER. Volunteers are an amazing asset.

Mr. SANTINI. And you are making it work. Thank you.

Mr. BIAGGI. Mr. Evans.

Mr. EVANS. I have no questions.

Mr. BIAGGI. Our staff director has some questions he would like to pose to you.

Mr. BLANCATO. Our subcommittee is conducting an investigation into a report that individual RSVP projects have received notices from Washington and from the agency about additional cutbacks forced upon them because of the continuing resolutions passed last December. That calls for a 4-percent cutback in programs and we have discovered that the Action administration has not reduced their administrative budget in any sense but have sent notices out to individual projects calling for further cutbacks.

I am curious as to whether you have received such a notice. We have gotten letters in our office from 15 States so far and we are just curious as to whether or not you have received any notice or any instructions on reducing in any fashion either the volunteers or anything to do with your operating budget?

Ms. GROVER. We have been told to not plan for a year budget at a time, as we have done in the past. We were given a 7-month budget and told that at the end of that we would be reevaluated for

either another 5 months or they will start a fiscal year at a different time and we will get funding.

Mr. BLANCATO. And that's the first time that's been done?

Ms. GROVER. Yes.

Mr. BLANCATO. Thank you.

Mr. BIAGGI. I am curious. Due to the fact that we have 3.5 widows to every widower, I am curious why we have more male victims than female victims.

Ms. GROVER. I think men are out in the community more. This is especially true with robbery victims, except in the case of a purse snatch. Men are out there at the casinos at different times. They are around. They have more mobility.

I think we find a lot of widows who moved here from the east who don't drive, who don't have a lot of mobility and with the limited transportation system; they stay home.

Mr. BIAGGI. What you are saying is the men should stay closer to home?

Ms. GROVER. That's right, or closer to their neighbor's home.

Mr. BIAGGI. That seems to be a message that's been sent from time immemorial.

Thank you very much.

Ms. GROVER. You're welcome.

Mr. BIAGGI. George King, victim of crime.

STATEMENT OF GEORGE KING, CRIME VICTIM, LAS VEGAS, NEV.

Mr. KING. Yes, sir, my name is George King. I am a crime victim. I am not angry at anybody. I do have a background in education. I am very appreciative, even though I am broadly—talented, that I can give of these few talents to the RSVP office.

To give you a little bit of my background, I am from the Midwest. I am probably one of the last of an old family. My great-grandfather, Paddy Brown, built the Atchison Topeka & Santa Fe Railroad. On my father's side, my Grandfather King was mayor of Atchison, Kans., at one time and some of the streets in town still bear the King name.

I have a BS degree—a little one—but I majored in physical education. I have earned a living as a radio announcer, a vacuum cleaner salesman, counselor at Boys Town, a coach in tennis and basketball. At the present time I am giving my services free of charge to RSVP. I am working as a host on the radio station.

I don't know exactly what to say except that I have been a victim of two muggings. Peggy won't even know some of these things. Two entrapments.

Mr. BIAGGI. What do you mean by entrapment?

Mr. KING. Well, I was always taught to respect my relatives and parents and to cooperate with the police. A lot of my problems lately have been when cooperating with the police, I get entrapped. It happened right out in front here.

Mr. BIAGGI. How so?

Mr. KING. Well, I was going to get out of my car. I had parked the car. It wasn't a driving problem of any sense whatsoever. I swung my door open. The door of my car happened to be wide enough and close enough to the adjacent car so that it scratched

the paint job. I immediately got out and tested the paint job and it was so damp—it was not a dry paint job—so anything that touched it was going to make a mark. I didn't think much of it. I walked on toward the entrance here to the building and just as I go in, the man who owns the other car comes out and says, "You are going to pay for that." I said, "How do you know what I did? Your paint job has been scratched, yes, but it is not dry yet."

And he said, "Well, you're going to pay for it." And I said, "Well, I don't know, but a dollar's worth of burnt umber would cure it and I really don't have the dollar with me at the present time."

He said, "Well, I am going to call the police." So he called the police. I encouraged him to and I sat back and waited for them. When the police came they immediately took his side because he was the one who was claiming that he was wrongly treated. They asked me to go out with them. I was not worried about the police since they are supposed to be representing both taxpayers if there was a little argument. This was no crime. I went out with them.

When I got outside, they handcuffed my arms behind me and I was arrested.

When I came to court, the whole thing was titled "Disturbing the Peace" and I paid a \$50 fine. And that's the end of it. But, of course, Las Vegas is the only place. Let me give you the other side.

I was entrapped in Chicago, too. I am a very gregarious person and yet I am a loner so I am somewhat of a problem and I realize it.

Mr. BIAGGI. What about the muggings?

Mr. KING. Well, one mugging took place here and the other in Kansas City.

The mugging took place about 4 or 5 years ago. I take my lumps and keep my mouth shut really.

Mr. BIAGGI. Why do you do that?

Mr. KING. Why do I?

Mr. BIAGGI. You know, you're not performing a service. I understand if you are a loner, individualist.

Mr. KING. Let me give you a little bit of my family background and I will tell you why, because it's been brought up here before.

I come from a family of people who originate from Paddy Brown on down. I am a grandson of his oldest daughter. He left one of the largest estates in land in the State of Kansas. We would have a family business meeting and there would be a great deal of weeping, wailing, and gnashing of teeth and then decide to sell 80 acres to 100 acres of land and divide it up.

So I respect my relatives and most of them were characters.

Mr. BIAGGI. Let's get back on point, Mr. King. Where were you mugged?

Mr. KING. I was mugged at a night club, out in the back.

Mr. BIAGGI. Were you injured?

Mr. KING. He blacked my eye.

Mr. BIAGGI. Did you have any loss of funds?

Mr. KING. No. He was trying to find out if I had any money on me and I rolled up the window on him. At that point he broke the window with a metal object which later turned out to be a gun.

Mr. BIAGGI. The extent of your injury was a black eye?

Mr. KING. That's all.

Mr. BIAGGI. You lost no money. Did you report it?

Mr. KING. Yes. I reported it and the police came. This was reported.

Mr. SANTINI. George, thank you very much for coming here.

Mr. KING. You're welcome.

Mr. SANTINI. Thank you, Mr. Chairman.

Mr. BIAGGI. We were scheduled to have a lunch break and return for a senior speakout. In light of the fact that we moved ahead rather rapidly, I'd like to find out if it would be advisable to proceed now and conclude the hearing without a lunch break.

How many people are interested in speaking out?

[Show of hands.]

Mr. BIAGGI. Let's go right ahead; limit 2 minutes.

First, Belle, why don't we get you? I think we heard most of what you have to say. It's going to be a close 2 minutes and when the bell rings, it's like a fight. It stops.

Mrs. LASKOWITZ. I feel I can get up and speak as a senior citizen.

Mr. BIAGGI. I imagine you were able to speak as a younger person, too.

STATEMENT OF BELLE LASKOWITZ

Mrs. LASKOWITZ. At least I can say good morning to everybody, hope you had a pleasant day.

Now, my name is Belle Laskowitz, and I live at the Stella Fleming Towers. But I am going to refer to the incident when I lived in California. Now, I lived in California near Hollywood Boulevard, around the corner from the Grauman Chinese Theater. This was 7:30 in the evening.

Mr. BIAGGI. Forgive me for interjecting but I must ask this question. Everyone knows about the Grauman Chinese Restaurant.

Mrs. LASKOWITZ. This is important,

Mr. BIAGGI. I know, but let me ask, do they serve good Chinese food in that restaurant?

Mrs. LASKOWITZ. I love it. I could eat it now if somebody would take me. Oh, I always get to the point. I am not a bashful lady, although I was when I was a little girl.

Now, this was 7:30 in the evening and I was watching television. There is a knock on the door at 7:30. I was a little startled because I had let everybody know that nobody called me—my own son never calls me, knows I go to bed early.

Nevertheless, I say, "Who is it?" And then this mumble with a low voice that says something about insurance. I was a little scared and then I said, "Speak up. What do you want?" I raised my voice in a very, very loud manner and I said, "Explain yourself." The door is closed and we're speaking through the door. And he mentioned some kind of insurance. I said, "You are very wrong; get going." I was scared, you know, so I called my son who lives long distance and I explained to him what happened.

And I say, "Your mother isn't scared but nevertheless, don't worry, I had inward pangs." But I say, "If he calls, I have on my telephone the police and fire and so on." He never did because I raised my voice so loud and thank the Good Lord, he never called.

But nevertheless, inwardly I was shaking. And, thank God, everything was OK.

And another thing, I am very, very happy to say that I fear God and I hope it never happens to me. I haven't been mugged or approached. Now, I moved away from California because of what was going on, especially at Hollywood Boulevard and that's during the day, I never go out in the evening.

Mr. BIAGGI. There's the bell.

Mrs. LASKOWITZ. But this is important.

Mr. BIAGGI. Now, wait a minute. You gave us two important messages, whether you realize it, or not.

Mrs. LASKOWITZ. No.

Mr. BIAGGI. Now listen to me. You spoke.

Mrs. LASKOWITZ. And now you know me and this is important to me.

Mr. BIAGGI. Well, I will never forget you. But here is what you did: No. 1, you didn't open the door to a stranger. You didn't open the door.

Mrs. LASKOWITZ. You know, my house—

Mr. BIAGGI. Stop, now. I am really saying this because I want everybody to listen; not just you because you've done it. She didn't open the door. We're inclined to do that as a matter of conduct, to believe in people, trust in people, open the door, say, "What is it; how can I help you?" Don't open the door to a stranger.

No. 2, she responded in a very forceful fashion, notwithstanding that inwardly she was panicked. She didn't convey any notion of fear. So that man, whoever he was and whatever his purpose was had to think twice. He thinks, "Well, she's not afraid. She's a strong person. She is not a frail, quiet person."

So those are two important factors. Speak out. Don't be intimidated and speak in a whisper. Speak out and keep the door locked. Don't open the door to be curious. I wouldn't open the door at any time to a stranger. Doesn't have to be at 6:30, 7:30; it could be noon. You've heard witnesses testify that most of the crimes committed against the elderly are during the day.

So remember, two important lessons. Thank you, Belle.

Next and state your name, please.

STATEMENT OF ERNESTINE HOWARD

Mrs. HOWARD. Ernestine Howard.

I want to state that I live in Model Manor. Mr. Santini knows me very well. My house has been robbed three times and this is the point that I want to get over to all the police. I want to know if we can have more police protection there because of the robberies that have happened over in that area, I see the robbers back out on the street and they begin to crowd up around over in the area where we live. I am afraid myself. I want to know if we can get more police protection since they say it is so crowded that they can't keep the robbers in jail. I had three TV's when I retired. I only have one piece of one now because they stole one, and they busted my remote control to my upright TV and it couldn't be repaired. But they live in jail and have TV's to watch when I don't have anything but a piece of one.

Mr. BIAGGI. Color TV, too; not just black and white.

Mrs. HOWARD. Yeah; all I got is one piece of a colored one now. I want to know since they can't keep people in prison, can we have more protection? I am really afraid because I see them out in that area around back out on the streets again. And when they begin to crowd up like that, our houses will be robbed.

Mr. BIAGGI. Thank you.

Mr. SANTINI. Three times in what time period?

Mrs. HOWARD. Well, that wasn't all in 1 year. I've been robbed three times.

Mr. BIAGGI. Let me give you the benefit of my experience as a police officer.

As a committee of homeowners—not just yourself—visit the local precinct, speak to the commanding officer. Tell him what the problem is and tell him of your concerns and what happens when you have a congregation of people in the area. It inevitably follows that there is difficulty developing. What the police will do is come along and move them on. If the police give them enough attention, they will just move them into another area. That's all that really can be done unless we can get more police officers visibly out in the street where they can be seen. And be constantly vigilant and keep moving these young groups of people along. And they will know that they have to be more careful.

But that's what I would do. The other way, call the police yourself, and the difficulty with that is that there is a possibility that you may be identified.

Mrs. HOWARD. That's what I am afraid of.

Mr. BIAGGI. I know. I would organize a committee of people in your neighborhood, just on your block, half a dozen people. Just go in as a committee.

Mrs. HOWARD. I have asked but they are afraid.

Mr. BIAGGI. Well, you have to at least help yourself. Do it another way. Write a letter and sign it "The committee of homeowners". Tell them very clearly you are afraid to identify yourself but you have a problem. Write a letter to the local police captain. I would do that and get some response. I am sure you will get some response.

Sir.

STATEMENT OF CARNIG PHILLIPS

Mr. PHILLIPS. My name is Carnig Phillips.

I hope I can get this in in 2 minutes. First I want to start off with maybe some suggestions that legislation might help a little bit.

For example, on mail fraud, if they would make the publishers responsible for ads before they print them, there might not be so much fraud from these ads.

Another one, if we would remove the constitutional rights of these criminals, as they have from the disabled veterans, not allow them due process, that might deter them a little bit because it seems the system thinks more of the comfort of these criminals than it does the victims.

Another one, if the parents were made to pay the penalty for the crime that their children commit, they might know where their children are.

For example—I don't know if you remember seeing it on TV; it was on national television—this little boy got a new car from his father one day. That night he went out and stole a car. The police picked him up at 4:30 a.m. They know him. They said, "What did you steal a car for? Your father just bought you a new car this morning."

He said, "The old man will know I am alive now, won't he?" And there was two girls—bellring—may I continue, sir, please?

Mr. BIAGGI. 30 seconds.

Mr. PHILLIPS. Two girls; one of them, she was with a bunch of boys in the sex act. Another was a prostitute, both teenagers. When they were caught, they told the police, "Well, if my mother can do it, why can't I do it?"

If they could make the parents suffer, I think it would settle a lot of things.

Mr. BIAGGI. That's 30 seconds; stop.

Mr. PHILLIPS. This is important.

Mr. BIAGGI. Can't let you do it. If I give it to you, Belle would be offended and Ernestine. I'm sorry.

You've dealt with enough issues, due process; you know that, you can't deal with it and I can't and I know it. Everyone knows it. Due process is there for everyone. Everyone's protection, even for the criminals, due process, and that's the greatness of this country. You're not guilty until you're proven guilty and you're provided with every remedy and you're permitted to exhaust every avenue of appeal. So sometimes you say, "Well, they shouldn't be allowed." Your anger was talking; not your intellect.

Because if we eliminate due process, we can go back to where we were a couple hundred years ago when we had chamber proceedings and the law enforcement was vigilante in nature. Clearly, we don't want that. As far as parents are concerned, that's a proposal that has been entertained by many, proposed by many. But certainly you have to confine it to those children who are unemancipated. If you have a young man 18 years of age, voting age, it would be difficult. Suppose you're living away from home.

I share your sentiment. I think it would be difficult to implement; not impossible but difficult.

With mail fraud, we do have areas—and in New York State, the attorney general has a special fraud division which reviews the ads that they find in magazines and newspapers and they call the advertiser in and they are subject to fine or some other negotiated conclusion. You generally find that people who advertise in good faith will say, "We will eliminate the objectionable materials." If it's not in good faith, you and I know that they can't function unless they do what they are doing.

Mr. SANTINI. I had a very bad experience in appealing a disability rating through the administrative system of the Veterans' Administration. It gets pretty arbitrary and unfair. The reality is in some of those judgments, the average person accused of burglary and robbery gets a better shot at due process than he got on ap-

pealing his disability rating. That is another problem we can grapple with VA.

Your comment on parents is very well taken. It's really the gut, the heart, the soul, the whole issue of crime. Elderly and all American citizens are victimized by crime. If parents take the responsibility in the first place, we wouldn't have to consider proposals about having parents pay for their kids' crimes. But we are and both State and local government are looking at it and evaluating it.

Mr. PHILLIPS. I am not referring to paying by cash. I mean if the sentence calls for a term in prison, the parents have to serve right along with them. Then I guarantee you they will know where their children are at all hours of the day and night.

Mr. SANTINI. They'd have Johnny chained in the cellar.

Mr. PHILLIPS. That might be a good idea if that's the only way they can control them.

Mr. BIAGGI. Mr. Evans.

Mr. EVANS. Nothing.

Mr. BIAGGI. I understand how you feel. I am not even quarreling with your sentiments. I said that. Many people say something should be done, especially when you consider that most of the crime against the elderly is by young people. That's an important factor.

What bothers me about this is whatever happened to the attitude that we had toward the elderly people generations ago? Elderly people were never victimized. You just didn't physically assault elderly people. There's a change in attitude. And it's unhealthy and it's not fair and it doesn't do our country any real good.

If you care to submit a written statement for the record, you can do that and you can mail it to Congressman Jim Santini in Washington, who will give it to the committee and it will be included in the report.

Thank you.

VOICE. These crime perpetrators are getting younger and younger. But I don't hear anything about make the criminals responsible for the cost to the victims. The Government is doing it but what about the criminals that perpetrate these crimes?

Mr. BIAGGI. That's very interesting. By the way, it has a lot of support. And there are legislators that have debated the issue. It hasn't, in fact, been translated into law yet. There are some proposals in addition to the basic penalty that's currently in place. There would be some additional fines that those moneys could be contributed to the general revenues of the locality or for additional law enforcement. And that they be required to compensate the victims of crime.

Now, it's not being done by legislation but it's being done by court decision. Many judges are saying, "In lieu of prison terms, you make full restitution."

Generally speaking, where that principle is applied, the kinds of crime is where there have been large amounts of money fraudulently obtained from victims.

Sir.

STATEMENT OF BILL SASTAUNIK

Mr. SASTAUNIK. Congressmen, Mr. Chairman, I would like to bring up the fact that the multitude of changes necessary in the Federal, State, and local laws pertain to the prison system and the judicial system in general.

Mr. BIAGGI. What's your name?

Mr. SASTAUNIK. Bill Sastaunik.

I'd like to point out a recent article in the news media about the Clark Center, where the prisoners are held with colored television, queen sized beds, stereos, telephones, all for \$8.25 a day, and I'd like to be able to pay my room and board for that fee myself and I know a lot of other senior citizens who would too.

The halfway house there has had a record of 68 walkaways since it began in January. Consequently, the citizens, particularly the seniors surrounding the area, have imprisoned themselves, like someone else mentioned previously.

In the area I live in, there is an establishment called Talbert House. It is also a halfway house. I produced along with the other senior citizens a petition of some 80 names against this institution being established in our neighborhood. And at one time, the city and commissioners killed the issue and did not give a permit. However, due to a rezoning technicality, it was brought up again and it went on the agenda and a permit was released on a 6-month trial basis.

Those senior citizens who were the primary objectors of this have now confined themselves. They won't come out of their houses. They live in fear. There is a lot of trauma involved and they are making themselves sick.

We understand that the city commissioners voted for the 6-month term of the permit due to a technicality and feared some kind of a lawsuit on the basis of the issue of the permit.

Mr. BIAGGI. Time is up. I know what you're talking about. You're talking about Clark County prisoners.

Mr. SASTAUNIK. No, I'm talking about the Talbert House.

Mr. BIAGGI. Are you talking about a halfway house where 64 people walked away?

Mr. SASTAUNIK. That's Clark County.

Mr. BIAGGI. I will tell you about prisons. Prisons in early American history were terrible places to be, not that they are ever a nice place to be in. But in the judgments of many, they were inhuman. And there has been a whole progressive move and talk of improving the status. And some of them are better than others. The law requires certain standards.

Mr. SASTAUNIK. I am aware of the Federal law.

Mr. BIAGGI. The law requires certain standards. In New York, we have the problem, in addition to television in a recreation room—I have no problem with a color television in a recreation room—but one of the things that annoyed me was that phones were available to them. They could make any kind of phone call anywhere in the world and did. Until we brought it to the attention of the administration and they changed that. At least they modified it. The calls were kept local. But the fact of the matter is, as a society, we have

to be concerned about everyone. And I am not a bleeding heart individual.

Also, just by depriving a person of his or her freedom, that's sufficient punishment. We don't want to harden them and embitter them to the point that when they come out, there is really no hope for them.

Mr. SASTAUNIK. Well, the Federal law stated that they could only have two prisoners per room at the jailhouse on Stewart Street. They moved those buildings in there from the Air Force headquarters where four of our guys who put their lives on the line were allowed to live four to a room, but now the Federal Government says they are only allowing two to a room.

Mr. BIAGGI. That was a court decision, my friend.

Mr. SASTAUNIK. I know.

Mr. BIAGGI. Well, that's the law of the land. That's not for you or I to deal with.

Mr. SASTAUNIK. But the law should be changed.

Mr. BIAGGI. No, not necessarily. Apparently those cells may have been entirely too small for four people. Now I don't think that's exactly right. I am not against two in a cell if the cell is a proper dimension. We're not out to destroy people. We're out to deny them their liberty for a period of time according to the process and hopefully they will learn a lesson. And when they come out, as I said before, they will not be that embittered.

Now that's the situation as it is today. If you think otherwise, institute an action and maybe another court will give you another decision.

Mr. Santini.

Mr. SANTINI. Bill, I think you've expressed frustration that are not just in your neighborhood but felt throughout southern Nevada and the United States of America. That frustration deals with the failure of the penal system. It is a responsibility I think we all share.

An interesting thing about it, as a judge who tried criminals and who believes in swift, sure punishment as the one effective way to start deterring crime, but, also as a person who recognizes the money limitations, if the people of Nevada or Indiana or New York are willing to pay for adequate penal facilities, we can get away from the kind of problem you are talking about.

But bond issue after bond issue gets dumped every time they try to get the jail, get the prison, get the facilities to put people there who should be in that facility and put them there for as long as they deserve to be there and without phones and all the TV's and outrageous amenities that I hope are not part of the Clark County jail system, but is part of our halfway house system.

Mr. SASTAUNIK. Well, I just feel there are more prisoners walking around in the daytime and up to 11 o'clock at night in the predominantly senior citizens' area, than in judicial system. If that's how they handle criminals, they are contributing to crime by allowing this.

Mr. BIAGGI. We don't take issue with you. We never said the judicial system was perfect. We take issue with many of their decisions. But in the end, it is society that produces the system. If society wants to change it, we need more people speaking out like you.

We need more people speaking out constantly and also following through as Mr. Santini said. Is society prepared to pay the bills? My experience is they are not. If they are, they will be kept in prison and they will be in prison in the first place.

It's interesting. Do you know that judges make decisions, their sentences on whether or not they have housing capacity in the prison for these individuals? That's true. Practical fact of life; wrong, I agree. Sad, of course. That's the fact of life.

Mr. SANTINI. Phil, just one more parting thought.

Crime is a frustration that is all over America today. And it is the price, in small part, of a democracy that presumes the individual is superior to the state. The Soviet Union has no problems with or concerns about people's rights. It is a hard realization because I am a hardnosed person about those who break other people's property or personal rights. But it is the price, a small part at least, of a democracy. I think Russians are far more efficient in their police state approach than a democracy which tries to accept and presume, that the individual is superior to the state. Our society is less efficient in prosecuting its criminal element when it says the individual is more important than the state. But it's coming to the point, and I think rational minds would agree, that we've got to spend a little less time worrying about the rights of the criminal and a little bit more time worrying about the rights of the victims. Because that's where the center of the problem is.

Mr. BIAGGI. Next, please.

STATEMENT OF BEATRICE MARTIN

Ms. MARTIN. On July 27, 1980, at 8 p.m., I walked to the parking lot at the Rainbow Vegas Hotel where I was employed. A young black man jumped from behind a car and hit me on the jaw. The blow knocked me down a concrete ramp. My neck was dislocated, the skin was torn, causing extensive bleeding and I received a concussion.

The witnesses called police and paramedics, who gave me immediate and very excellent care, and transported me to emergency Southern Memorial Hospital.

For some time, I could not raise my head or turn to the side without vomiting.

My neck is still in a bad condition. I have to be very cautious about my pillow and sleeping situation, and avoid turning too quickly or I become dizzy and lose my balance. My eyes are also affected.

Mr. BIAGGI. Yes, ma'am.

STATEMENT OF ANN MARCH

Ms. MARCH. I am Ann March.

To begin with, I would like to thank you gentlemen for what's happening now. It is so important to us and to everyone. The crime rate is increasing constantly, regardless of efforts made by the judiciary, and there seems to be no halt to it, but there certainly will be a resolution sometime or other to make some improvements.

We are all infuriated, I think, speaking for the public in general, of the mollycoddling of the criminal. His welfare seems to be taken

into more concern than the welfare of the one who has been victimized.

I was thinking of the younger generation. If you recall, in the early 1700's, they used the stock for putting these young people in their place. They were put in the stock and were subject to public ridicule.

Mr. BIAGGI. In the middle of the square, almost the Puritan days.

Ms. MARCH. Yes, sir, that's correct. I think that possibly something like that might deter them.

Mr. BIAGGI. I understand that but can you imagine the cry that would come out from this country?

Ms. MARCH. Yes, the bleeding hearts.

Maybe something like that would make them think twice.

Mr. BIAGGI. Well, what you're really saying is some form of discipline as a child in the family and the community.

Ms. MARCH. But it isn't.

Mr. BIAGGI. Well, most of the young folks in our country today are good, productive young folks.

Ms. MARCH. No question about it.

Mr. BIAGGI. But it's that small group that gets involved and they are working very hard at what they do.

Ms. MARCH. Regardless of that, there is a penal code and there are penal institutions but they are not penalized.

Mr. BIAGGI. Once they are inside they are, I will tell you, in most prisons.

VOICE. The first thing it does is hide their face.

Mr. BIAGGI. Let me tell you something: They are behind prison doors. They are denied their liberty, my friend, and if you don't think that's an important privilege that they are surrendering, I would suggest that you just sit in a cell once.

VOICE. I've been there twice.

Mr. BIAGGI. I am sure it was not a happy occasion,

Ms. MARCH. Thank you very, very much.

Mr. SANTINI. Ann, you're right, too—if I might, Mr. Chairman—about the fact that we have got to start thinking about some more innovative effective ways of punishment and deterrent for criminal conduct. We haven't done a very good job of it in my estimation, either at the county, State, or Federal level, and there are some very real and difficult problems in that.

We must be willing in the 1980's to start thinking of, just as the witness here observed, paying back the victim and making that part of the punishment sentence. Some kind of public work can be done by the person accused of the crime so he isn't just sitting in a cell block for 24 hours a day.

Ms. MARCH. Anything to show the people that there is a move in that direction.

Mr. BIAGGI. Two brief statements because we've clearly gone beyond our time.

STATEMENT OF DUSTE PURCELL

Ms. PURCELL. My name is Duste Purcell and I live in California. I inherited a great deal of money, and an attorney with a forged power of attorney drew up agreements splitting the amount that I

inherited among various people, saying that he represented me. No attorney ever represented me in any capacity whatsoever. This went on for many years and when I finally found out what they were doing, a massive slander campaign was started against me. One of the things they did was they had someone make a recording of my voice in which I said that I didn't want the money.

In addition, they threatened my life and I had to run away to Canada.

I was afraid to come back to the United States.

Mr. BIAGGI. What you're talking about is what Mr. Donaldson referred to before, the power of attorney, it clearly was forged. You had two recourses: One, go to the local prosecuting attorney; two, go to the bar association. Not either; you can do both. That's what you should have done and it should have been prosecuted. It is clearly a crime. That attorney should be brought to the attention of the bar in California and that attorney's conduct should be brought to the district attorney's office.

If you choose to make a further statement, you can write to us, ma'am.

Yes, ma'am.

STATEMENT OF BERTHA WARRICK

Ms. WARRICK. My name is Bertha Warrick. I am Director of the Senior Citizens Protective Services of Clark County.

Briefly, Clark County applied in 1977 for a Federal title III grant to provide senior citizens protective services. We observed a need in the county homemaker program for protective services. Some seniors referred to that program had friends or relatives who attempted to get control of the senior's assets for their own personal gain, while others were sometimes verbally and physically abused by their care givers. The vast majority of those seniors needing protective services, however, suffered from some type of neglect.

Within this category of neglected seniors, the perpetrator could usually be identified as the senior, himself. Elderly persons who, because of limited resources, mental or physical disability or generalized fear could not adequately care for themselves. Often the neglect would be so severe that it would be life threatening.

After 5 years, the Senior Citizens Protective Services program serving Clark County only is still discovering seniors who suffer these types of indignities.

On the average, the program staff provides social work services to 200 unduplicated seniors annually who are in jeopardy or who suffer from abuse, neglect, or exploitation. Additionally, in excess of 1,000 seniors with short-term or referral services to assist them with their problems.

A client profile compiled from these cases reveals that on the average, our client is 73 years old, caucasian, has an educational background between 6th and 12th grade. Fifty-two percent have resided in the county 5 years or longer, while the average family income is \$5,780.

Fifty-four percent of the seniors live alone, 37 percent have no providing family, 16 percent were abused, 58 percent neglected, 16 percent exploited, while the other percent needed help with

health-related, psychological, or nursing home placement problems.

Mr. BIAGGI. If you want, you can give us your statement and we will put it in the hearing record.

[The following material was subsequently received from Ms. Warrick.]

CLARK COUNTY SOCIAL SERVICE,
SENIOR CITIZENS PROTECTIVE SERVICES PILOT PROJECT,
Las Vegas, Nev., June 22, 1982.

Hon. JAMES SANTINI,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN SANTINI: The following is testimony we would like to submit as an addendum to a public hearing held on June 18, 1982, in Las Vegas, Nevada, by the House Select Committee on Aging on the subject of crime as it relates to the elderly.

When one typically thinks of crime against the elderly, thoughts come to mind of purse snatchings, muggings and burglaries. The elderly are thought of as easy targets as their physical conditioning usually provides little resistance and the time of month when they are receiving their pension is almost universally known. There are more insidious crimes perpetrated against our senior population; however, there are crimes which occur more frequently than reported. I am speaking of the abuse, neglect and exploitation of our elderly population.

Because of deteriorating health and reduced earning power against an ever inflating economy, more and more seniors are having difficulty coping with their environment. As a result, they develop dependencies on others who will hopefully intercede on their behalf against a hostile world. Sometimes, unfortunately, these so-called "interested others" have interests and intentions which are much less than honorable. They manipulate the vulnerability of the senior for their own purposes and gain.

In 1977, Clark County applied for a federal Title III grant to provide protective services to the elderly as a result of a need observed by County Homemaker Home Health Aide staff. Some seniors referred to that program had friends or relatives who attempted to get control of the senior's assets for their own personal gain, while others were sometimes verbally/physically abused by their "caregiver". The vast majority of those seniors needing protective services, however, suffered from some type of neglect. Within this category of neglected seniors, the perpetrator could be usually identified as the senior his/her self. Elderly persons who because of limited resources, mental or physical disabilities or generalized fear could not adequately care for themselves. Often the neglect would be so severe as to be life threatening.

After five years, the Senior Citizens Protective Services program, serving Clark County only, is still discovering seniors who suffer these types of indignities. On the average, program staff provides social work services to 200 unduplicated seniors annually who are in jeopardy or who suffer from abuse, neglect or exploitation. Additionally, in excess of 1,000 seniors receive short-term or referral services to assist them with their problems in this service area.

A client profile compiled from cases received this fiscal year revealed that our average program senior receiving protective services is 73 years old, Caucasian and has an educational background between a sixth and twelfth grade level. Fifty-two percent have resided in the County five years or longer while the average family income is \$5,780—slightly above poverty level. Fifty-four percent of program seniors live alone; 37 percent have no surviving family. Sixteen percent were abused, 58 percent neglected and 16 percent exploited, while the other 10 percent needed help with health related, psychological or nursing home placement problems. Referrals to our program came predominantly from individually concerned citizens and other agencies while only 13 percent of the seniors referred themselves.

As a result of an elderly abuse reporting law in effect statewide as of July 1, 1981, the State Division for Aging Services has begun to collect data on cases of abuse, neglect and exploitation among the elderly. Like most child abuse laws, certain professionals are required to report any suspected incidences of elderly abuse. During the first six months, data gathered revealed 255 reported cases of elderly abuse in Nevada; 58 percent were substantiated—of these, 82 percent accepted helping services from some agency. Eight percent of the abusers were spouses, 7 percent daugh-

ters and 4 percent sons, 3 percent were friends and the rest a variety of relatives/acquaintances.

To summarize, there are crimes perpetrated against the elderly that are not typically thought of nor adequately addressed in most criminal codes. They are infrequently reported by the victim for fear he/she will be abandoned in an uncaring world; yet, they can cause the most economic, psychological and health related problems seniors can face. We must all make ourselves aware of the elderly abuse, neglect and exploitation that secretly occurs in our society and make ourselves available to provide protective services to alleviate these crimes against our elderly.

Respectfully submitted.

BERTHA J. WARRICK, Project Director.

STATEMENT OF GEORGE D'AMARO

Mr. D'AMARO. I am George D'Amaro and I live in the Regency Village. We are presently working on neighborhood watch, The metropolitan police department sent several men down and showed us how we could prevent crime by organizing ourselves. I am a block captain and the people on my block watch the people across the way and the people on that side watch our side. They showed us how to protect our homes and I think a lot of people here probably would benefit if they would get together and go to the police station, as you say, speak to the commander and find out what they can do because this neighborhood watch is actually a crime preventer. Once the burglars know that there is neighborhood watch going on in the neighborhood, they are afraid to go in there because, first of all, they know that all the merchandise is already tagged with numbers. But they also know that everybody is watching to see if somebody that doesn't belong is there.

Now, this is very important. I think the public should know about it.

Mr. BIAGGI. It is a good program. It is in operation in other parts of the country and, clearly, it is a community function to help itself.

That's what I was recommending and that's a program that should be used by communities, by just the residents on a single block. Look about, call each other.

Some of the testimony revealed that many of the seniors that were victimized were alone. You travel two and three in a group. The possibility of being victimized is reduced substantially. If you see someone that's suspicious, call your neighbors, call two or three of them, have them come and visit your house and they will see that kind of activity and you would be surprised how quickly that individual will go away.

Clearly, it's a good program.

Mr. Santini.

Mr. D'AMARO. I was amazed to find out that there were 13,000 burglaries every month in Las Vegas.

Mr. SANTINI. That is a terrible statistic, George.

How long have you had your neighborhood watch going?

Mr. D'AMARO. It's about 3 weeks now.

Mr. SANTINI. Please keep me and my office and I will keep the committee posted on how you're doing I'd like to use you as a case study.

Mr. D'AMARO. I'd be happy to keep you informed.

Mr. SANTINI. You're really on the right track.

Mr. BIAGGI. Mr. Evans.

Mr. EVANS. Mr. Chairman, I just want to thank Congressman Santini for requesting this hearing. I think it has been most helpful, most informative and we are able now to take back some statistics and I think, perhaps, it contributed to a little bit more awareness of the problem and things to be done to prevent crimes against the elderly right here in Nevada. I appreciate being part of this hearing.

Mr. BIAGGI. Thank you, Mr. Evans.

Clearly, let me repeat what I said at the outset.

The hearing is here simply because of the respect that we have for Congressman Jim Santini and, moreover, his contribution to the Aging Committee. I, like most Congressmen, would prefer to be home in our own district and with our families. But there are certain moral obligations that develop when you work closely with individuals who genuinely contribute to the production of good legislation and to the efficiency of an important committee, the Select Committee on Aging. Jim Santini has proven to be that kind of individual.

Before we adjourn, I would like to make this announcement, that there will be another meeting starting at 1 o'clock, which will deal with crime prevention tips with many demonstrations. It will be very interesting. How to make yourself less vulnerable to personal assaults. Lt. Simmons, metro police, will be here. How to organize a neighborhood watch program. Detective Spezzano of the metro police, how to spot mail fraud. Again, Inspector Collier, and fraud and other con games with a slide show presentation provided by the American Association of Retired Persons. I am sure you will find it very beneficial and very helpful and also interesting.

Thank you for being such a wonderful audience. To all the witnesses, we thank you for your contribution.

[Whereupon, at 12:30 o'clock p.m., the subcommittee was adjourned.]

APPENDIX

RETIRED SENIOR VOLUNTEER PROGRAM

Crime Prevention for the Elderly

VICTIMS ASSISTANCE—PROGRAM FUNDED BY LEAA THROUGH EOB

Patricia Keltner, Director

Crimes Against Seniors

January 1981

Total number of victims	146
Male	82
Female	64
<i>Age breakdown</i>	
55-60	57
61-65	46
66-70	31
Above 70	12
<i>Time of crimes</i>	
Days	43
Nights	53
Unknown	50
<i>Type of crime</i>	
Burglary	129
Robbery	17
<i>Additional data</i>	
Forced entry	99
Strong arm	9
Firearm used	4
Other weapon	2
Firearms taken	2
Hotel	9
Store parking lot	4
<i>Dollar loss</i>	
Total	\$110,346.72
Highest amount	\$20,251.00
Lowest amount60

February 1981

Total number of victims	148
Male	91
Female	57

Age breakdown

55-60.....	52
61-65.....	37
66-70.....	37
Above 70.....	22

Time of crimes

Day.....	41
Night.....	52
Unknown.....	55

Type of crime

Burglary.....	155
Robbery.....	13

Additional data

Forced entry.....	104
Hotel.....	6
Firearm used.....	1
Other weapon.....	3
Strongarm.....	8
Grocery store.....	2
Firearms taken.....	7

Dollar loss

Total.....	\$111,531.95
Highest amount.....	\$12,600.00
Lowest amount.....	2.60

March 1981

Total number of victims.....	123
Male.....	73
Female.....	50

Age breakdown

55-60.....	53
61-65.....	28
66-70.....	19
Above 70.....	23

Time of crimes

Days.....	38
Nights.....	38
Unknown.....	47

Type of crime

Burglary.....	105
Robbery.....	15
Other.....	3

Additional data

Forced entry.....	87
Strong arm.....	8
Firearm used.....	3
Other weapon.....	3
Firearms taken.....	5
Hotel.....	3
Store parking lot.....	4

Dollar loss

Total.....	\$139,020.50
Highest amount.....	\$40,000.00
Lowest amount.....	.75

April 1981

Total number of victims.....	135
Male.....	85
Female.....	50

Age breakdown

55 to 66.....	52
61 to 65.....	33
66 to 70.....	20
Above 70.....	30

Times of crimes

Days.....	41
Nights.....	37
Unknown.....	57

Type of crime

Burglary.....	104
Robbery.....	24
Other.....	7

Additional data

Forced entry.....	74
Strong arm.....	6
Firearms used.....	6
Other weapon.....	1
Firearm taken.....	5
Hotel.....	18
Store lot.....	4

Dollar loss

Total.....	\$92,573.84
Highest amount.....	36,300.00
Lowest amount.....	.13

May 1981

Total number of victims.....	147
Male.....	95
Female.....	52

Age breakdown

55 to 60.....	56
61 to 65.....	40
66 to 70.....	21
Above 70.....	30

Time of crimes

Days.....	52
Nights.....	68
Unknown.....	27

Type of crime

Burglary.....	86
Robbery.....	36

Additional data

Forced entry.....	55
Strong arm.....	9
Firearm used.....	17
Other weapon.....	3
Firearms taken.....	4
Hotel.....	8

Store parking.....	4
<i>Dollar loss</i>	
Total.....	\$100,778.60
Highest amount.....	9,100.00
Lowest amount.....	3.50
<i>June 1981</i>	
Total number of victims.....	137
Male.....	64
Female.....	73
<i>Age breakdown</i>	
55 to 60.....	40
61 to 65.....	38
66 to 70.....	21
Above 70.....	18
<i>Time of crime</i>	
Day.....	54
Night.....	83
<i>Type of crime</i>	
Burglary.....	117
Robbery.....	17
Other.....	3
<i>Additional data</i>	
Forced entry.....	70
Hotel.....	
Firearm used.....	3
Other weapon.....	1
Strong arm.....	4
Grocery store.....	
Firearms taken.....	1
<i>Dollar loss</i>	
Total.....	\$136,630.65
Highest amount.....	13,180.00
Lowest amount.....	1.35
<i>July 1981</i>	
Total number of victims.....	133
Male.....	81
Female.....	52
<i>Age breakdown</i>	
55 to 60.....	54
61 to 65.....	35
66 to 70.....	20
Above 70.....	24
<i>Time of crimes</i>	
Day.....	33
Night.....	46
Unknown.....	54
<i>Type of crime</i>	
Burglary.....	98
Robbery.....	16
Other.....	19

<i>Additional data</i>	
Forced entry.....	54
Firearm used.....	7
Strong arm.....	9
Other.....	19
Firearm taken.....	3
Hotel.....	5
Parking lot.....	4
<i>Dollar loss</i>	
Total.....	\$73,238.84
<i>August 1981</i>	
Total number of victims.....	133
Male.....	80
Female.....	53
<i>Age breakdown</i>	
50 to 60.....	43
60 to 65.....	37
66 to 70.....	20
Above 70.....	30
<i>Time of crime</i>	
Days.....	29
Nights.....	28
<i>Type of crime</i>	
Burglary.....	90
Robbery.....	26
<i>Additional data</i>	
Forced entry.....	58
Strong arm.....	9
Firearm used.....	15
Other weapon.....	22
Firearms taken.....	5
Hotel.....	8
Store parking.....	6
<i>Dollar loss</i>	
Total.....	\$204,071.49
<i>September 1981</i>	
Total number of victims.....	84
Male.....	49
Female.....	35
<i>Age breakdown</i>	
55 to 60.....	31
60 to 65.....	24
65 to 70.....	17
Above 70.....	12
<i>Time of crime</i>	
Days.....	12
Nights.....	18
<i>Type of crime</i>	
Burglary.....	53
Robbery.....	20

Additional data

Forced entry.....	44
Strong arm.....	12
Firearm used.....	8
Other weapons.....	2
Hotel.....	4
Store parking.....	7
Firearms taken.....	2

Dollar loss

Total.....	\$74,748.81
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October 1981

Total number of victims.....	101
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Male.....	65
Female.....	36

Age breakdown

55 to 60.....	46
60 to 65.....	16
65 to 70.....	21
Above 70.....	18

Time of crimes

Days.....	44
Nights.....	46

Type of crime

Burglary.....	67
Robbery.....	24
Others.....	8

Additional data

Forced entry.....	53
Strong arm.....	5
Firearm used.....	12
Hotel.....	2
Store parking.....	1

Dollar loss

Total.....	\$60,435.89
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November 1981

Total number of victims.....	123
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Male.....	69
Female.....	54
55 to 60.....	40
60 to 65.....	36
65 to 70.....	25
Above 70.....	22

Time of crimes

Day.....	50
Nights.....	55

Type of crime

Burglary.....	83
Robbery.....	40

Additional data

Forced entry.....	66
Hotel.....	2

Strong arm.....	6
Firearm used.....	12
Store parking.....	1

Dollar loss

Total.....	\$93,133.40
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December 1981

Total number of victims.....	138
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Male.....	100
Female.....	38

Age breakdown

55 to 60.....	53
60 to 65.....	26
65 to 70.....	33
Above 70.....	26

Time of crimes

Days.....	49
Nights.....	57

Type of crime

Burglary.....	115
Robbery.....	19

Additional data

Forced entry.....	83
Strong arm.....	2
Firearm used.....	3
Hotel.....	6
Firearms taken.....	0
Store parking.....	4

Dollar loss

Total.....	\$276,505.78
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BUTLER, GEORGE
POSTAL SERVICE: GENERAL

July 20, 1982

Mr. George Butler
Government Relations Liaison
U.S. Postal Service
475 L'Enfant Plaza, SW
Washington, DC 20260

Dear Mr. Butler:

Last month Mr. William Wayne Collier testified before the Subcommittee on Human Services on the subject of postal fraud at a hearing in Las Vegas. During questioning of Mr. Collier I asked some questions to which answers were not readily available. I was wondering if you might look into those questions and see if answers can be found, though I understand from the testimony that day that statistics are not kept on certain fraudulent practices. In any case, these questions follow and I would appreciate any relevant answers you can provide to them.

1. Are there any statistics on the cost of mail fraud to consumers in Clark County, Nevada for 1981?
2. Are there any statistics that give an indication of how many victims of mailfraud, senior and non-senior, live in Clark County?
3. How many mail fraud cases were reported by Clark County victims to the Postal Service in 1981? Can these cases be separated by type, i.e., health, investment, work-at-home, etc?
4. Are there statistics on mail fraud schemes that originate in Clark County?

Thank you for your attention to this matter. I'll look forward to hearing from you soon.

Sincerely,

JAMES D. SANTINI
Member of Congress

JDS;rd

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ASSISTANT POSTMASTER GENERAL
Government Relations Department
Washington, DC 20260-3500

August 11, 1982

Honorable James D. Santini
House of Representatives
Washington, D.C. 20515

Dear Congressman Santini:

This is in response to your July 20 letter to George H. Butler of my staff posing a number of questions for the record of your June 18 field hearing on mail fraud. Although our systems of records cannot reproduce the precise information which you requested, we have made an effort to develop information which might be helpful to you.

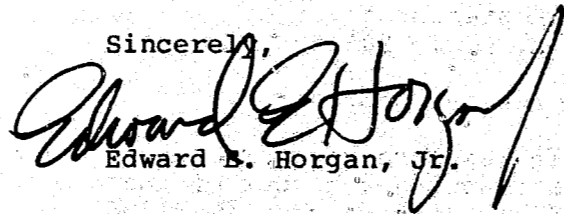
During Fiscal Years 1981 and 1982, to date, the Inspection Service has received 333 complaints from individuals throughout the country concerning allegedly fraudulent promotions operating within Clark County, Nevada. The potential loss involved in these complaints is \$68,836. During Fiscal Year 1981, Clark County residents registered 68 complaints concerning possible fraud schemes located within our Los Angeles Division's multi-state area of responsibility. This figure does not include complaints filed by citizens of Clark County relating to operations outside of the Los Angeles Division area. Our system of records also cannot differentiate between the types of fraud schemes involved or whether or not complainants are senior citizens.

The Inspection Service concluded twelve investigations of promotions operating within Clark County, Nevada, during Fiscal Years 1981 and 1982, to date. These cases involved five firms which were misrepresenting or failing to provide merchandise or services, three which conducted work-at-home schemes, and one each which operated insurance, advance fee, distributorship, and failure to pay schemes. There are currently twelve open investigations in Clark County; three

concerning possible insurance frauds and nine which involve the misrepresentation or failure to render goods or services. The most significant of these cases deal with telephone solicitations offering office supplies and advertising speciality items to be delivered C.O.D. These promotions seek to victimize small businesses throughout the country. Three of these schemes have been discontinued due to administrative action, or threatened administrative action, under the False Representation Act. Six other cases are in various stages of civil or criminal action.

I hope that the information which we have been able to develop is of interest to you. If I can be of further assistance, please let me know.

Sincerely,



Edward B. Horgan, Jr.

END