

Lawmaker Looks to Prevent Elderly from Being Preyed Upon

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Olympia

Among the bills that didn't make the cut during this year's abbreviated session was one that targeted those who prey on their parents' finances.

State Rep. Jim Moeller, D-Vancouver, had proposed a bill that would have provided a means to relinquish a predator's right to an inheritance.

The law would have been modeled after one recently passed in Oregon. The bill was referred to the House Judiciary Committee, but it never got a hearing.

Had the bill made it through this session, it might have had an impact on cases such as one in Bremerton, in which a 42-year-old Bremerton woman was charged with stealing thousands from her 71-year-old mother.

According to the probable cause statement filed by Bremerton police, Michelle Wilkins was given power of attorney for the finances of her mother, 71-year-old Nanette Cox.

Cox was hospitalized and stayed in the Albright House for rehabilitation. Albright House officials told police Cox was \$6,677 behind in rent payments. Police were able to verify that Wilkins had used Cox's ATM card several times over nine months and charged vacations and online purchases.

Wilkins denied it and said she paid the Albright House in cash. Albright House officials said they never accept cash payments.

The Kitsap County Prosecutor's Office charged Wilkins with first-degree theft. The case is set for trial in April.

There's no indication whether Cox will have anything to leave her heirs when she dies. If she does and if Wilkins is eventually convicted, the bill could have meant she would be banned from getting part of Cox's will.

Moeller said the idea for the bill came from his involvement with a Clark County vulnerable adult task force and a law passed in Oregon.

The intention, he said, was to provide a disincentive for those who might steal from vulnerable adults. He said the law might stop some tempted by the idea that they were going to inherit the money someday anyway.

Moeller said there are remedies for such abuse in place currently, but that the experience of people who have tried to enforce existing rules is that it's been difficult.

Opponents of the bill said they believed the concept to be a good one, but that Moeller's bill was too broad.

Robert Nettleton, a Tacoma attorney, called the measure "a far-sweeping bill with good motives," but said the Oregon bill included a statute of limitations and requires a criminal conviction.

Moeller's bill didn't provide those stipulations.

"I think it's a great idea because it's a problem. People are stealing money," Nettleton said.

Moeller said he probably introduced the bill too late in a short session, especially given some of the concerns other members had expressed.

He said he'll take the next year to convene the stakeholders to make sure everyone understands the bill's impact and to implement any changes needed to make the bill more palatable.

"All things are on the table," he said.

Assuming Moeller is re-elected in November, he said he'll reintroduce the bill during the 2009 session.