



Sacramento County District Attorney's Office
THIEN HO
District Attorney

July 2, 2025

The Honorable Bunmi Awoniyi
Presiding Judge, Sacramento Superior Court
720 9th Street
Sacramento, CA 95814

Subject: Response to Grand Jury Report – *“No Equal Justice for Victims of Elder Abuse”*

Dear Honorable Bunmi Awoniyi,

This letter will serve as my response pursuant to Penal Code sections 933 and 933.05, as invited by the Grand Jury, concerning the portion of the Sacramento County Grand Jury Final Report 2024-2025 entitled, *“No Equal Justice for Victims of Elder Abuse.”*

I respectfully submit the following responses to the findings and recommendations by the Grand Jury pertinent to the District Attorney's Office:

FINDINGS

Finding 4: The Grand Jury finds the DA's Elder Abuse Unit does not prosecute financial abuse cases unless accompanied by physical abuse, allowing many abusers to avoid consequences.

The District Attorney's Office disagrees with this finding. The District Attorney's Office does prosecute elder financial abuse cases regardless of whether accompanied by physical abuse. Although prosecutors in the Elder Abuse Unit may primarily handle physical cases, including assaults, neglect, attempted murders and murders involving the elderly, those prosecutors also handle financial abuse cases. The District Attorney's Office additionally assigns felony elder financial abuse cases to our Special Investigations Unit in which highly trained prosecutors who specialize in financial crimes prosecute the cases. Furthermore, our Real Estate Fraud Unit also prosecutes financial cases involving elderly victims.

The additional portion of the finding that the District Attorney's Office allows “many abusers to avoid consequences” is disputed. The District Attorney's Office filed 81% of elder financial abuse cases submitted for review. The overall filing rate for all cases involving all crimes is around 66%. Not every case submitted by law enforcement is filed because prosecutors must

evaluate each case individually and file only when supported by sufficient admissible evidence. Elder financial abuse cases are not rejected for lack of prosecution staffing. Our filing rate on elder financial abuse cases demonstrates the District Attorney's Office commitment to prosecuting such matters when charges are supported.

Finding 5: The Grand Jury finds the DA's Financial Crimes & Real Estate Fraud Units prosecute only when the dollar amount is high or multiple victims are impacted, allowing many abusers to avoid consequences.

The District Attorney's Office disagrees with this finding. The Special Investigations Unit and the Real Estate Fraud Unit in the District Attorney's Office do not prosecute cases only when the dollar amount is high or multiple victims are impacted. Although the Special Investigations Unit typically handles cases exceeding a certain loss amount, cases assigned to that unit do not necessarily require a specific dollar loss. The Real Estate Fraud Unit does not have any threshold financial amount. Neither unit requires multiple victims on cases. Moreover, the fact that some cases are not assigned to these units does not mean that the cases are not prosecuted. Regardless of the dollar amount or number of victims, the District Attorney's Office filed 81% of elder financial abuse cases submitted to the District Attorney's Office. The overall filing rate for all cases involving all crimes is around 66%. As such, the finding that the District Attorney's Office allows "many abusers to avoid consequences" is disputed.

Finding 7: The Grand Jury finds the DA's elder abuse unit [sic] does not have a prosecutor and investigator who are trained and specialize in prosecuting elder financial abuse, so many financial abuse cases are not being prosecuted allowing abusers to avoid consequences.

We agree that the deputy district attorneys assigned to the Elder Abuse Unit have not received specific training on financial abuse cases. However, the District Attorney's Office has assigned a 28-year veteran deputy district attorney as the supervisor of the unit. Further, an additional prosecutor with nearly three quarters of a decade of experience as a litigator is assigned to the unit. Both have extensive experience handling theft cases. Moreover, attorneys and investigators assigned to the Special Investigations Unit and Real Estate Fraud Unit do receive extensive and ongoing training in financial abuse crimes. These personnel are available as a resource in all financial crime cases, including those involving elder victims. We do not agree that this division of cases results in financial crime not being prosecuted allowing abusers "to avoid consequences." As noted, the District Attorney's Office filed 81% of all elder financial abuse cases submitted to the District Attorney's Office. The overall filing rate for all cases involving all crimes is around 66%.

Finding 10: The Grand Jury finds The DA's office [sic] no longer has a dedicated victim advocate who specializes in working with elderly victims of either physical or financial abuse, thereby leaving victims without proper support.

For nearly 10 years, the District Attorney's Office received a grant from the California Governor's Office of Emergency Services (CalOES) that was dedicated to funding a victim advocate for all forms of elder abuse. This funded an advocate and allowed the District Attorney's Office to partner with the Court Appointed Special Advocates (CASA) and Sacramento Regional Family Justice Center (FJC). CalOES entirely dissolved the Elder Abuse grant in 2024. We sought replacement funding as part of the FY24-25 budget from the Board of Supervisors to allow us to continue this position, but funding was not obtained.

Despite this, the District Attorney's Office has continued to maintain a dedicated elder abuse victim advocate by reallocating staffing within the Victim Witness Unit to support the Elder Abuse Unit. The District Attorney's Office disputes that victims are left "without proper support." The District Attorney's Office continues to do more with less. Advocates are available for victims of elder financial abuse and will continue to be supported through the court process.

Finding 11: The Grand Jury finds the DA lacks enough funding to create and fill elder financial abuse prosecutor, investigator and victim advocate positions, to be able to prosecute more cases of elder financial abuse.

For the last three fiscal years, to aid in our ability to prosecute criminal activity, the District Attorney's Office requested additional funding in the budget process for positions for additional attorneys, investigators, advocates, and paralegals. We did not receive approval for funding for the vast majority of those positions. Despite limited resources, as previously noted, the District Attorney's Office filed 81% of elder financial abuse cases submitted to the District Attorney's Office. The overall filing rate for all cases involving all crimes is around 66%. If law enforcement submittals increase, the District Attorney's Office agrees that additional funding would be needed to be better able to prosecute more cases of elder financial abuse.

Finding 12: The Grand Jury finds Sacramento County has no active Financial Abuse Specialist Team (FAST), therefore there is inadequate coordination between agencies to combat the growing problem of elder financial abuse and protect elderly victims.

The District Attorney's Office agrees that there is no active Financial Abuse Specialist Team (FAST). FAST began in approximately 2004. It was co-chaired by APS and the McGeorge Elder Legal Clinic. In Sacramento, it functioned as a meeting that featured presenters and a multidisciplinary review of complex financial abuse cases. However, the Covid pandemic, staffing changes, and resource issues resulted in the team pausing. We disagree that there is inadequate coordination between agencies to address elder financial abuse. In spring 2025, APS, WEAVE and the District Attorney's Office formed an elder abuse financial crime working group to evaluate how to achieve best practices for these types of cases.

Finding 13: The Grand Jury finds that there is insufficient community outreach by agencies within Sacramento County to educate elder citizens and their families and caregivers about financial abuse, so the signs of abuse may not be recognized.

Through our Community Collaboration and Legislation Bureau, participation in Elder Death Review, Elder Abuse MDT, Domestic Violence Prevention Cabinet and other community-based outreach, the District Attorney's Office strives to provide the community with information relating to all crimes, including elder financial abuse. Partner agencies and community-based organizations, such as WEAVE and the Family Justice Center, also provide outreach. However, the District Attorney's Office agrees that with additional resources all partners could achieve additional outreach.

RECOMMENDATIONS

Recommendation 4: The Grand Jury recommends that the DA prosecute the crime of elder financial abuse regardless of whether it is combined with physical abuse, to begin September 30, 2025.

The District Attorney's Office prosecutes elder financial abuse regardless of whether it is combined with physical abuse. No change in position needs to be implemented. If a case is provable and warrants filing, the case is prosecuted.

Recommendation 5: The Grand Jury recommends that the DA begin to consider the full impact of financial abuse on the elderly victims, regardless of the dollar amount lost, in deciding whether to charge a financial abuse crime, no later than September 30, 2025.

The District Attorney's Office considers the full impact of financial abuse on elderly victims regardless of the dollar amount lost. The District Attorney's Office has and will continue to prosecute elder financial abuse. No change in position needs to be implemented. If a case is provable and warrants filing, the case is prosecuted, without any threshold amount of dollar loss.

Recommendation 7: The Grand Jury recommends that the DA add both an attorney and investigator specializing in elder abuse to prosecute financial abuse, by September 30, 2025.

This recommendation cannot be implemented. The ability to add positions in our budget by September 30, 2025, is closed.

Recommendation 10: The Grand Jury recommends that the DA add a dedicated victim advocate to the elder abuse unit [sic] who has specialized training and experience in working with elderly victims, by September 30, 2025.

This recommendation cannot be implemented. The ability to add positions in our budget by September 30, 2025, is closed.

Recommendation 11: The Grand Jury recommends that the DA seek the funding needed to create and fill the elder financial abuse prosecutor, investigator and victim advocate positions from the Board of Supervisors or other funding sources such as grants, with funding to begin no later than the 2026/2027 fiscal year.

This recommendation requires further analysis. Growth requests submitted as part of each fiscal year's budget process are made based upon critical needs of the office, recognizing that there are limited funds allocated to request any growth. This recommendation will be taken into account at the beginning of the fiscal 2026/2027 budget process. Furthermore, we will continue to monitor additional funding sources, such as grants, as they become available, to determine if any are applicable and appropriate for this office related to elder financial abuse.

Recommendation 12: The Grand Jury recommends that the DA reactivate the FAST team, by September 30, 2025.

The recommendation requires further analysis. Additional time for planning and coordination may be required. Our ability to reactivate the FAST team will be based upon available resources. That being said, the District Attorney anticipates the FAST team could be reconstituted by the end of 2025.

Recommendation 13: The Grand Jury recommends that law enforcement agencies, APS, the DA's Office, and the FAST team develop and implement a coordinated plan for more widespread community outreach by all parties, by December 31, 2025.

The recommendation requires further analysis. Additional time for planning and coordination is necessary. The District Attorney's Office remains committed to working with our law enforcement and agency partners to increase community outreach on elder financial abuse. Additional resources would greatly assist in achieving that outcome.

Sincerely,



THIEN HO
DISTRICT ATTORNEY

Cc: Erendira Tapia-Bouthillier, Grand Jury Coordinator
Sacramento County Board of Supervisors