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April 17, 2025

The Honorable Donna Bailey, Senate Chair  
The Honorable Kristi Mathieson, House Chair  
Joint Standing Committee on Health Coverage, Insurance and Financial Services  
100 State House Station  
Augusta, ME 04333

Re: LD 1445, *An Act to Prevent Financial Exploitation of Maine Residents 62 Years of Age or Older*

Dear Senator Bailey and Representative Mathieson:

I am writing in strong support of LD 1445, *An Act to Prevent Financial Exploitation of Maine Residents 62 Years of Age or Older*.

Maine's older residents continue to be targeted by scammers for financial fraud. I am sure the Committee has heard about the wide variety of scams that older adults are bombarded with, including investment scams, romance scams, tech support scams, sweepstakes scams, and fake relative scams. Whatever form the scams take, they often hinge on a transaction at a financial institution. This transaction is the critical and usually final opportunity to prevent financial harm. It can be either an "off-ramp" for victims or a successful culmination for scammers. Of course, the scammers know this too, and they are skilled at coaching victims through the transaction, often convincing them that they cannot trust anyone, even their own bank or credit union. Although employees are often able to spot the red flags of fraudulent transactions targeting their older customers, existing law prevents banks and credit unions from doing little more than trying to persuade their customers that they are being scammed. Unfortunately, they are often unsuccessful.

My office typically does not learn about a scam involving an older adult until after it has taken place. This means that by the time the victim or a family member or friend of the victim reaches out to my office, the financial harm has been inflicted and is usually irreversible. LD 1445 attempts to change that. It would empower banks and credit unions to temporarily delay suspicious transactions involving financial exploitation of adults 62 years of age or older and, if a delay is imposed, require them to promptly notify my office and share the results of any internal review. A bank or credit union must notify the customer and other parties authorized on the account of the delay, the reason it was imposed, and provide contact information for the responsible employee. A delay may not last longer than 15 days, unless there is a court order extending it.

LD 1445 also permits banks and credit unions to adopt policies under which a customer may designate a "trusted contact person" who can be contacted in the event of concerns about a particular transaction. This optional designation adds another layer of fraud prevention and protection for older adults.

I do have a few suggestions for improving the bill. First, the Committee might consider clarifying that the Attorney General is among the parties who can seek a court order to extend a delay of a transaction. Second, the Committee might include language in Section 245 making confidential all documents provided to the Attorney General by the bank or credit union. Finally, because some scams involve an initial transfer of funds to the victim, the Committee should consider expanding the bill to allow financial institutions to flag incoming transactions.

To summarize, LD 1445 fills a critical gap in first-line prevention by authorizing banks and credit unions to slow down transactions suspected of involving financial exploitation and facilitating my office's investigation of suspicious transactions so that we can take appropriate action to protect Maine's older residents from fraud. I believe this bill will substantially protect older residents from the devastating financial losses caused by scams. I therefore urge you to vote Ought to Pass on LD 1445.

Sincerely,



Aaron M. Frey  
Attorney General