

# APS Investigations Involving Allegations of Undue Influence

## Virtual Training



APS Professionals often investigate complex cases of financial exploitation. Cases may be especially difficult when they involve allegations of undue influence, that is, when the will of the perpetrator is substituted for the true wishes of the client, often contrary to longstanding patterns of conduct and against their best interests. Undue influence is difficult to define and can be frustrating when criminal justice professionals deem the matter as a civil case, without any criminal inquiry. Clients may have full decision-making ability, diminished ability, and/or other circumstances that make them vulnerable to undue influence. This course will offer definitions and frameworks to increase identification of undue influence situations, including introducing a tool developed for Adult Protective Services to use when undue influence is suspected. Using relevant laws, it will suggest situations in which undue influence may be part of a crime, explore how to investigate and document the elements, and will discuss common influencer explanations when undue influence is suspected.

### Goal

By the end of this course, participants should be able to distinguish cases of undue influence from other situations, know how to conduct the investigation, interview the client and others, and effectively document the evidence using the tool

### Learning Objectives

After completing this course, participants will be able to:

- Define undue influence through legal and psychological lenses, including cases in which the alleged perpetrator has a professional relationship with the person being harmed
- Describe how consent and decision-making ability relate to undue influence
- Describe investigative steps and how to document and undue influence investigation
- Describe how undue influence can be part of a crime in California

### Course Requirements

This workshop is intended for APS professionals and supervisors who have previously completed the course on financial exploitation investigations, the eLearning on Undue Influence titled *“Undue Influence: What APS Needs to Know”*, or have significant experience handling financial exploitation investigations.

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### VIRTUAL EVENT

#### Cohort 1:

**Date: November 14, 2023**

**Time: 8:30 a.m. - 1:00 p.m.**

#### Cohort 2:

**Date: November 16, 2023**

**Time: 8:30 a.m. – 1:00 p.m.**

This course will be conducted remotely through **Zoom**.

A link will be sent to participants a week before training.



### REGISTRATION

Please register through your respective county's training process.

**The registration deadline for this training is October 31.**



### AUDIENCE

This course is designed for APS professionals and supervisors who have previously investigated allegations of financial exploitation. The length of the course limits review of basic financial exploitation investigative principles. It will be particularly useful for APS professionals who are dealing with or have already dealt with cases in which undue influence was alleged or was discovered.

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## Meet the Trainer

Candace J. Heisler, JD, served as Assistant District Attorney in San Francisco for over 25 years, including 10 years as head of the Domestic Violence unit. A graduate of the University of California's Hastings College of the Law, she was an Assistant Adjunct Professor there for over 20 years. She now trains and consults for a variety of organizations and governmental entities in the areas of elder abuse and domestic violence. She has written numerous published articles and designed curricula on elder abuse and domestic violence for judges, law enforcement, protective services workers, medical personnel, and prosecutors. She coauthored Elder Abuse Detection and Intervention: A Multidisciplinary Approach and co-authored and edited Ethics and Vulnerable Elders: The Quest for Individual Rights and a Just Society (Cognella, 2020). She authored the chapter "Elder Abuse" in the book Victims of Crime: the chapter "Forensic Markers in Elder Abuse" in Elder Abuse: Research, Practice and Policy (X. Dong, ed, Springer, 2017); and multiple chapters in the Abuse in Later Life Bench Guide for California Judges.

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## Virtual Training Protocol

- Download or update the most recent version of [Zoom](#)
- Please log in 5 to 10 minutes prior to the workshop to allow for troubleshooting, if needed
- It is highly recommended to use a headset for this workshop, as participants will be asked to participate in group discussions and small break-out groups
- Use "Computer Audio" for optimal experience
- If you have access to a functioning camera, we ask that you turn it on for the full duration of the workshop as it offers a more conducive learning experience.
- If you are planning to log on to the training using two separate devices (one for audio, one for video), please be sure to mute one of the devices to prevent any audio feedback.
- Please be sure your screen name is your first and last name in Zoom. Learners who are not able to identify themselves within the first 15 minutes of training, and remain unresponsive after the moderator has attempted to make contact via chat or verbally multiple times will need to be removed from the training session.

## ADA

The Academy for Professional Excellence is committed to creating an inclusive and welcoming environment that appreciates and builds on diversity. In accordance with the Americans with Disabilities Act (ADA) of 1990, as amended, the Academy for Professional Excellence prohibits discrimination on the basis of disability. To request accommodations, please contact your county's Human Resources representative.

## Continuing Education

The above course meets the qualifications for 4 hours of continuing education credit for LMFTs, LCSWs, LPCCs, and/or LEPs as required by the California Board of Behavioral Sciences. The Academy is approved by the California Association of Marriage and Family Therapists to sponsor continuing education for LMFTs, LCSWs, LPCCs and LEPs, Provider #91928. The Academy maintains responsibility for this program and its content. CE certificates will be available for download one week after course completion. **There is no cost for CEs.** Click here to [learn more about CEs](#) and for the [CE Grievance Procedure](#).



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