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WRITTEN TESTIMONY

Senate Bill 702 (SB702) – Criminal Law – Exploitation of Vulnerable Adult or Elderly Individual – Undue Influence

Senate Judicial Proceedings Committee

February 20, 2020

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Background: SB702 redefines “undue influence” in the context of exploiting a vulnerable adult to obtain property. Individuals may not exert excessive persuasion over an adult who is at least 68 years old to obtain property. Additionally, it expands the ability of a court when hearing a case regarding the exploitation of a vulnerable adult and allows it to consider additional factors such as the victim’s health and mental status among others. Moreover, it allows the court to take into consideration the defendant’s relationship with their victim.

Written Comments: The Baltimore Jewish Council represents The Associated: Jewish Community Federation of Baltimore and its agencies. Through the agency CHANA, the Jewish response to abuse, trauma and neglect, community members of all ages are able to receive crisis intervention, legal services and counseling on abuse in all forms, including elder abuse.

For many years, CHANA has worked with vulnerable seniors who have become the victims of unimaginable abuse and trauma. Much of this is financial abuse at the hands of family members and people with close prior relationships to the victims. This type of abuse can result in seniors who are already experiencing financial distress, ending up in financial ruins, losing their homes, and effectively becoming homeless. This can take an incredible toll on a victim’s health perpetuating the problem even further.

The fact is that elder abuse has changed in recent years. Cases can be complex and involve multiple abusers. Judges need the discretion to weigh all factors pertaining to both the victim and the abuser.

With this in mind, the Baltimore Jewish Council urges a favorable report on SB702.

The Baltimore Jewish Council, a coalition of central Maryland Jewish organizations and congregations, advocates at all levels of government, on a variety of social welfare, economic and religious concerns, to protect and promote the interests of the Associated Jewish Community Federation of Baltimore, its agencies and the Greater Baltimore Jewish community.