



CARE BRAVELY

HB320 – Criminal Law - Exploitation of Vulnerable Adult or Elderly Individual - Undue Influence
House Judiciary Committee – February 4, 2020
Testimony of Adam Rosenberg, Vice President of Violence Prevention and Intervention
Position: **SUPPORT**

I write in SUPPORT of HB320. LifeBridge Health is a regional health system comprising Sinai Hospital of Baltimore, Levindale Geriatric Center and Hospital in Baltimore; Northwest Hospital; Carroll Hospital and Grace Medical Center (formerly Bon Secours). It also now comprises a comprehensive violence program – the first of its kind in the nation -- that addresses violence through the lifespan, and includes the Baltimore Child Abuse Center (BCAC), domestic violence programs, street violence interruption programs and an elder abuse program. At LifeBridge Health, we are committed to convening national best practice and trauma experts to respond to violence, abuse and exploitation of our area’s most vulnerable populations.

Abuse of adults is a serious public health problem that many experts believe harms 1 in 10 seniors in our country. (National Council on Aging). The impact of that harm reverberates to families, businesses, non-profits and government agencies who must step in to mitigate the damage. The Maryland Department on Aging reported over 12,000 complaints of suspected financial and other forms of abuse against older and vulnerable adults in 2018 alone. And it is estimated that only 1 in 14 cases are reported (National Center on Elder Abuse). The Governor’s Office of Crime Control and Prevention spent an approximated \$4 million in support of approximately 300 victims 60 years and older. And as our citizens in Maryland grow older, so will this problem grow larger.

LifeBridge Health’s Elder Justice Program was created to provide an evidence-based approach to the growing -- but often overlooked -- problem of serious harm caused to older adults by family, caregivers and other trusted adults. The project convenes a multi-disciplinary team of experts, including forensic interviewers, law enforcement, medical and mental health professionals to review cases to identify gaps in services and systemic improvements that will better protect Maryland’s senior populations.

Changes definition of “undue influence” on an elder or vulnerable adult. LBH supports HB32’s expansion of the definition of “undue influence” from its current meaning, “domination and influence amounting to force and coercion” to “excessive persuasion.” The distinction better captures the nature of vulnerability of older and vulnerable adults.

Factors amounting to “excessive persuasion.” The bill also provides courts a list of factors that provides an educational window into how abuse occurs. It directs the court to examine the victim’s capacity, illness, isolation, dependency. It also focuses on defendant’s actions such as controlling medication and sleep, using affection, or using secrecy or haste, or making changes at inappropriate times and places. Experience tells us that where there is financial exploitation, there is also often emotional, physical and/or sexual abuse of elders and vulnerable adults.

For all of the heretofore stated reasons, we request a **FAVORABLE** report for HB320.