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WRITTEN TESTIMONY

**House Bill 892 – Criminal Law – Benefits Tracking
 Judiciary Committee**

February 20, 2024

Support with Amendments

Background: HB 892 would create a criminal statute of “benefits trafficking”. Benefits tracking would make it a felony to knowingly recruit, harbor, transport or obtain an individual for the purpose of appropriating the government benefits of an individual for the benefit of the person or another.

Written Comments: The Baltimore Jewish Council represents the interests of CHANA, an agency of the Associated: Jewish Federation of Baltimore. CHANA is a domestic violence, sexual abuse, and elder abuse agency that serves Baltimore County and City. CHANA provides safety planning, supportive counseling, shelter, crisis intervention, case management and legal advocacy.

Elder abuse is an act or failure to act that causes harm to an older adult. One in 10 community-residing older adults report being abused and an article cited by the World Health Organization reported that elder abuse increased by 84% during the initial months of the pandemic. Elder abuse includes physical, emotional, psychological, sexual, medical and financial abuse or neglect and perpetrators of elder abuse are most often adult children or spouses. Acts of elder abuse extend throughout the criminal justice system to include assault, sexual assault, theft, fraud and other crimes, none of which sufficiently cover the exploitation of benefits.

CHANA has served older adult abuse victims for financial gain, including to receive their benefits. CHANA supported an older gentleman who was physically assaulted, deprived of food and falsely imprisoned in his basement. His abusive relatives only let him out for trips to the bank on the day after his pension and social security benefits were deposited. They then forced him to give the funds to them. To date, Maryland law does not specifically address the exploitation of older adults, such as this client, to gain access to their benefits.

CHANA supports this bill with the following amendments:

- That the word trafficking be amended to exploitation throughout the bill;
- That the definition of coercion in section B be expanded to include as (B)(6) the deprivation of appropriate medical care.

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- That the definition of government benefits be changed in section (F) to include Social Security benefits, Social Security Disability benefits, Supplemental Security Income (SSI), veterans benefits and pension benefits.

We ask you to support this bill with amendments so that our older adult clients can receive the full relief and protection that they truly need when they have been abused and their benefits have been exploited.

For these reasons, we ask for a favorable report with the requested amendments on HB892.

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.