

NASW Maryland - 2025 SB 347 FAV - Adult Protective

Uploaded by: Karessa Proctor

Position: FAV

Testimony Before the Senate Judicial Proceedings Committee

January 28, 2025

Senate Bill 347 - Adult Protective Services - Investigations and Disclosure of Information

**** Support ****

The National Association of Social Workers is the largest professional association of social workers in the country, and the Maryland Chapter represents social workers across the state. On behalf of the National Association of Social Workers, Maryland Chapter (NASW-MD) Committee on Aging, we would like to express our support for Senate Bill 347 - Adult Protective Services – Investigations and Disclosure of Information.

As social workers who serve older adults, we are in favor of this bill because it would strengthen the ability of Adult Protective Services to investigate and seek resolution of cases involving abuse, neglect, or exploitation of vulnerable adults.

Maryland's Adult Protective Services conducts more than 7,000 investigations each year, based on reports received in local APS offices. Some of the allegations in these reports involve potential Federal crimes. One example is financial fraud, which could include identity theft, imposter scams, mail fraud, investment-related fraud, and other crimes. (In 2022, Maryland ranked sixth in the country for investment-related fraud.) Another Federal crime that APS investigates is human trafficking. In addition, other forms of abuse or exploitation that cross state lines may be considered Federal crimes.

This bill would allow Adult Protective Services investigators to share information with Federal law enforcement, including Postal Inspectors, who often have critical knowledge about crimes related to the mail that impact vulnerable adults. This information sharing strengthens APS' ability to complete its investigations, protect vulnerable victims, and hold perpetrators accountable.

For these reasons, we ask that you give a favorable report on Senate Bill 347.

Respectfully,

Karessa Proctor, BSW, MSW
Executive Director, NASW-MD

SB347_Montgomery County CE_FAV 2025-01-28.pdf

Uploaded by: Leslie Frey

Position: FAV



OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

January 28, 2025

TO: The Honorable William C. Smith, Jr.
Chair, Judicial Proceedings Committee

FROM: Marc Elrich
County Executive

RE: Senate Bill 347 - Adult Protective Services – Investigations and Disclosure of Information

Senate Bill 347 enables a local department of social services to disclose information to, and request assistance from, federal law enforcement entities such as the U.S. Postal Inspection Service to investigate cases of abuse or exploitation of a vulnerable person. Because Senate Bill 347 would facilitate greater information sharing and assistance from federal law enforcement entities in furtherance of the protection of vulnerable adults in Montgomery County, I strongly support the bill.

Relevant sections of the Family Law Article direct local departments of social services to investigate suspected abuse, neglect, self-neglect, or exploitation of vulnerable adults and enables them to request assistance of law enforcement. Family Law-Article §14-101(i) currently defines law enforcement as “State, county, or municipal police department, bureau, or agency”, but does not include federal law enforcement. When local departments of social services (in Montgomery County, Adult Protective Services (APS) within the Department of Health and Human Services) investigate suspected abuse or exploitation, the cases can involve the use of the mail to perpetuate the crimes. Investigation of mail fraud otherwise involves the U.S. Postal Inspection Service, a federal law enforcement entity, however, because the current relevant definition of law enforcement does not include federal entities, our local department is not permitted by State statute to share information with or request assistance from the U.S. Postal Investigation Service. Senate Bill 347 would enable the disclosure of information by APS to federal law enforcement such as U.S. Postal Inspection Service and permit APS to request assistance from the same.

Because our APS investigators could enhance their ability to protect vulnerable adults from being victimized by disclosing information to, and requesting assistance from, federal law enforcement entities, I support Senate Bill 347 and respectfully request that the committee issues a favorable report.

SB 347 - APS Disclosure of Information w feds Love

Uploaded by: Sara Love

Position: FAV

SARA N. LOVE
Legislative District 16
Montgomery County

Judicial Proceedings Committee



James Senate Office Building
11 Bladen Street, Room 222
Annapolis, Maryland 21401
410-841-3124 · 301-858-3124
800-492-7122 Ext. 3124
Sara.Love@senate.state.md.us

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

SB 347 – Adult Protective Services – Investigations and Disclosure of Information

Chair Smith, Vice Chair Waldstreicher, colleagues on JPR. I am bringing this bill to you at the request of my county, Montgomery. In short, this bill would allow our local department of social services to request the assistance of federal law enforcement officers when working on investigations of abuse, neglect, or exploitation of a vulnerable adult.

Local departments investigating victimization of vulnerable adults must follow Family Law 14-101 et seq. This section of the code states by when the investigation must begin, what it shall include, and with whom the local department may share information. It is that latter piece that SB 347 addresses. Currently, when conducting these Adult Protective Services investigations, there are two categories of entities that the local department may work with and share information:

1. The local State's Attorney or appropriate law enforcement agency;
2. The local office on aging or the Department of Aging, local geriatric evaluation service, or other agency providing services or care to the alleged vulnerable adult, or whose information or expertise may be of assistance in assessing risk or planning services.

Both of these groups of entities may assist in the investigation at the request of the local department. What our local department has found, however, is that there is no legal authority for them to work with *federal* law enforcement. For example, when our local department is investigating a case of mail fraud, they do not have the statutory authority to request the assistance of the U.S. Postal Inspector. It is this gap that SB 347 seeks to close.

I respectfully request your favorable report on SB 347.

SB 347 APS Investigation Disclosure of Info.FAV.AA

Uploaded by: Tammy Bresnahan

Position: FAV



One Park Place | Suite 475 | Annapolis, MD 21401-3475
1-866-542-8163 | Fax: 410-837-0269
aarp.org/md | md@aarp.org | twitter: @aarpm
facebook.com/aarpm

SB 347 Adult Protective Services – Investigation and Disclosure of Information
Senate Judicial Proceedings Committee
January 28, 2025

Good afternoon, Chair Smith and members of the Senate Judicial Proceedings Committee. My name is Tammy Bresnahan. I am the Senior Director of Advocacy for AARP Maryland. Thank you for the opportunity to testify in support of, **SB 347 Adult Protective Services – Investigation and Disclosure of Information** which seeks to strengthen protections for vulnerable adults by authorizing local departments of social services to request assistance from federal law enforcement officers during investigations and by expanding provisions relating to the disclosure of information in adult protective services cases.

As you are aware, vulnerable adults—those who may be elderly, disabled, or otherwise unable to advocate for themselves—often face unique risks, including abuse, neglect, and exploitation. The proposed changes in this legislation are critical to ensuring their safety and well-being.

Key Provisions of the Bill

1. Authorization to Request Federal Law Enforcement Assistance

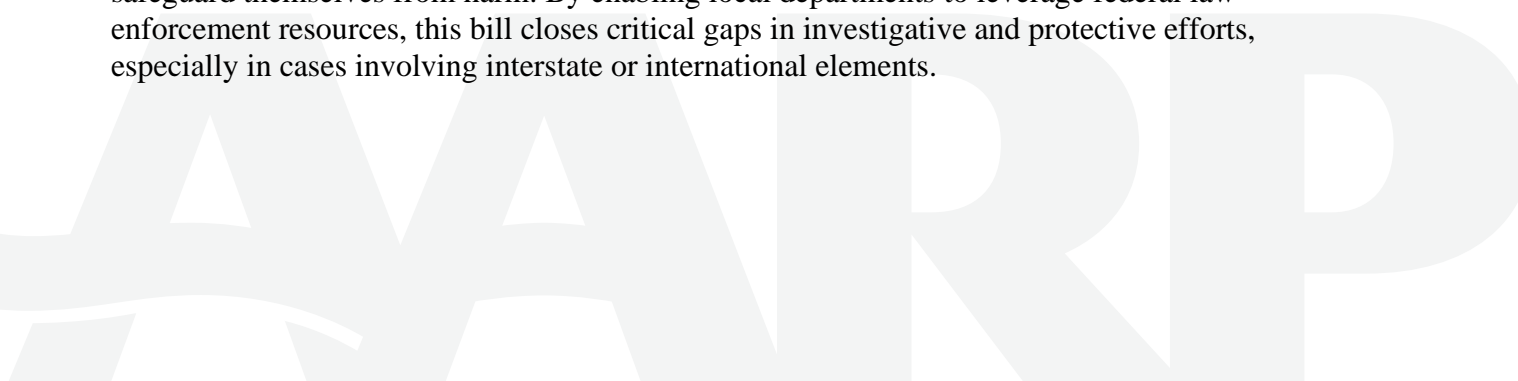
This legislation empowers local departments of social services to collaborate with federal law enforcement officers in investigations involving vulnerable adults. This provision is essential in cases where federal expertise, jurisdiction, or resources are required to address cross-state or complex criminal activity, such as financial exploitation schemes, human trafficking, or internet-based abuse.

2. Enhanced Information Sharing

By amending existing provisions to include adult protective services within the scope of allowable disclosures, this bill ensures that necessary information can be shared with relevant agencies. Timely and accurate information sharing is pivotal for thorough investigations, coordinated responses, and effective interventions to protect vulnerable adults.

Why This Legislation Matters

Protecting vulnerable adults is not merely a legal obligation; it is a moral imperative. Many adults who fall under the protection of adult protective services lack the capacity or resources to safeguard themselves from harm. By enabling local departments to leverage federal law enforcement resources, this bill closes critical gaps in investigative and protective efforts, especially in cases involving interstate or international elements.



Additionally, the expansion of disclosure provisions balances the need for privacy with the urgent necessity of ensuring safety. It allows for appropriate information sharing among trusted agencies, preventing delays that could jeopardize an individual's well-being.

The Broader Impact

By passing this legislation, Maryland will reaffirm its commitment to protecting its most vulnerable residents. This bill demonstrates a proactive approach to addressing abuse and neglect and sends a clear message that we are unified in our efforts to hold perpetrators accountable while prioritizing the safety of those at risk.

Closing

In closing, I respectfully urge the Committee to support SB 347. This legislation provides vital tools to enhance the protection of vulnerable adults, strengthens partnerships between local and federal agencies, and ensures that our social services can act effectively and swiftly in the face of complex challenges. Thank you for your time and consideration. If you have questions or need follow up, please contact me at tbresnahan@arp.org or by calling 410-302-8451.