



COMMISSION ON AGING

February 26, 2019

The Honorable Dereck E. Davis
Chair, House Judiciary Committee
231 House Office Building
6 Bladen Street Annapolis, MD 21401

dereck.davis@house.state.md.us

Re: HB 485: Office of the Attorney General – Senior and Vulnerable Adult Asset Recovery Unit

Dear Delegate Davis,

I am writing on behalf of the Montgomery County Commission on Aging to express our support for HB 485. The Commission on Aging was established in 1974 to advise County government on the needs, interests, and issues of older adult residents, and to advocate on their behalf.

HB 485 would establish a Senior and Vulnerable Adult Asset Recovery Unit in the Office of the Attorney General for the purpose of protecting seniors and vulnerable adults from financial crimes under § 8-801 of the Criminal Law Article. It would authorize the Unit to bring civil actions for damages and if successful, to recover costs against certain persons. It would also require the Governor, beginning in fiscal year 2021, to appropriate at least \$450,000 for the Unit, including for specific staffing of the Unit.

HB 485 builds on Commercial Law Article § 13-204, enacted in 2016, which authorizes the Attorney General to bring civil actions for damages and costs against those who knowingly and willfully obtain by deception, intimidation, or undue influence, the property of an individual that the person knows or reasonably should know is a vulnerable adult with intent to deprive the vulnerable adult of property.

What Commercial Law Article § 13-204 does not do, is provide the Office of Attorney General with the resources necessary to engage in this work.

In recent years, Maryland has made strides in strengthening services and protections for vulnerable and older adults through laws, training, education, and creation and funding of services and programs. Despite these efforts, financial exploitation continues to grow. In Montgomery County, the caseload for Adult Protective Services (which investigates referrals of abuse, neglect, self-neglect and financial exploitation of vulnerable adults) is at an all-time high. Investigations increased 24% from FY13 to FY17, compared with an increase of 11.4% from FY17 to FY18. August 2018 saw the highest caseload in the program's history, with 119 open cases. In FY18, 34% of APS cases involved financial exploitation of a vulnerable adult.

By establishing and funding a Senior and Vulnerable Adult Asset Recovery Unit, HB 485 would provide the Office of the Attorney General with the resources it needs to fulfill the intent of Commercial Law Article § 13-204. We urge your support of this bill.

Thank you for your consideration of the Commission on Aging's support for HB 485.

Sincerely,
Jean M. Dinwiddie, Chair

cc. Delegate Dana Stein
MC Delegation
Leslie Frey
Mario Wawrzusin
File