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## MEMORANDUM

TO: Chair Keny-Guyer and Members of the House Committee on Human Services and Housing.

FROM: Patrick W. Henry, Senior Assistant County Attorney

DATE: April 10, 2015

SUBJECT: HB 3323 – Authorizing Area Agencies on Aging to Seek Civil Penalties Against Persons Who Engage in Abuse of a Vulnerable Person

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### Testimony of Multnomah County: **SUPPORT**

According to the Department of Human Services, Oregon's population of people 65 and older will increase by 33% by 2020. In light of the aging of the "Baby Boomer" generation, Oregon will need to respond at the state and local levels to provide protective services and to seek perpetrator accountability. Oregon law currently gives the State Department of Human Services, the Department of Justice, and the District Attorney the authority to bring a civil claim against an alleged perpetrator of abuse of a vulnerable person. *See* ORS 124.125. HB 3323 adds Multnomah County, as a type B Area Agency on Aging that conducts vulnerable adult abuse investigations, to the list of entities that are authorized to bring a civil elder abuse claim under ORS 124.125.

ORS 124.125 authorizes state agencies that conduct criminal or protective services investigations to seek a penalty of up to \$25,000 for each occurrence in which a person engages in conduct that meets the definition of physical or financial abuse of vulnerable person. Although the law permits vulnerable people to file civil claims in such cases on their own behalf, ORS 124.125 permits a government agency to hold the perpetrator accountable if the vulnerable person is unwilling or unable to do so on their own behalf. By including type B agency like Multnomah County on the list of government entities that can seek perpetrator accountability, HB 3323 gives local agencies an additional tool to protect and support vulnerable Oregonians.