



**DEPARTMENT OF JUSTICE
GENERAL COUNSEL DIVISION**

MEMORANDUM

DATE: February 9th, 2016

TO: Honorable Jeff Barker, Chair
House Committee on Judiciary

FROM: Ellen Klem, Director of Consumer Outreach and Education

SUBJECT: HB 4013 – Vulnerable person fatality review teams

This testimony is presented in support of HB 4013 as modified by the -1 amendments.

BACKGROUND

Elder abuse is a serious and growing problem which will only increase as our population ages. Every year, an estimated 21 million Americans are the victims of some form of elder abuse. Oregon is no exception – in 2014, there were 38,000 reports of possible abuse or neglect of vulnerable adults. Given the chronic underreporting of elder abuse, the actual abuse figures are undoubtedly much higher. The capacity of the justice, health and social service systems to identify and respond to the signs of elder abuse lag far behind the ability to respond to similar problems of child abuse or domestic violence. The advent of fatality review teams has had a demonstrable impact on improving the responses of our statewide systems in these areas. HB4103 takes the important step of creating fatality review teams in the area of elder abuse.

HB 4013 authorizes and structures the creation of vulnerable person fatality review teams at the county level, while simultaneously creating a statewide interdisciplinary team to review elderly or vulnerable person fatality cases, identify abuse trends, make recommendations, and take action to correct statewide issues. Additionally, these teams will evaluate fatalities and make recommendations to prevent them by improving communication between public and private entities, identifying factors commonly associated with fatalities, identifying points of possible intercession and prevention, and providing accurate information about elderly or vulnerable person neglect to their communities.

The statewide team shall be tasked with acting as a coordinator and providing recommendations to the county teams. The statewide team would also possess primary responsibility for reviewing fatalities in jurisdictions where the county body had not elected to develop a fatality review team of their own. The -1 amendments would house this team at the Oregon Department of Justice. The Department of Justice is appropriately staffed and trained to serve this function.

February 9, 2016

Page 2

The combined work of these teams will help policy makers, program administrators and the public to determine whether the death of an older person was caused by or related to elder abuse, and through the identification of local, regional and statewide trends can prioritize protections and reforms to prevent similar future loss of life. The existence of these teams sends the clear message that the premature and/or unexplained death of an older person is taken just as seriously as that of a domestic violence victim or a child.

The Department of Justice anticipates a minimal fiscal impact. The Department of Justice supports the passage of HB 4013 as amended.

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