



State of Connecticut
DIVISION OF CRIMINAL JUSTICE

TESTIMONY OF THE DIVISION OF CRIMINAL JUSTICE

IN SUPPORT OF:

**S.B. No. 896 (RAISED) AN ACT CONCERNING PROTECTIVE SERVICES FOR
SUSPECTED ELDERLY ABUSE VICTIMS**

JOINT COMMITTEE ON HUMAN SERVICES

February 19, 2015

The Division of Criminal Justice respectfully recommends the Committee's **Joint Favorable Report** for S.B. No. 896, An Act Concerning Protective Services For Suspected Elderly Abuse Victims. S.B. No. 896 offers important protections for vulnerable elders who may no longer be able to make sound decisions about their personal safety and financial well-being or who have been subjected to coercive influences by those who do not have the elder's best interests at heart. Specifically, the Division of Criminal Justice supports Section 9 of the bill, which would give the Commissioner of Social Services the ability to apply to the Probate Court for an order to enter the premises of an elderly person in order to assess that person's need for protective services.

Over the past several years the Department of Social Services (DSS) and the Division of Criminal Justice have worked closely to protect the physical safety and financial interests of elderly persons who, as a result of physical or mental health issues, are susceptible to the influences of those who might take advantage of them. In order to properly protect the elder and to prevent potential criminal activity, DSS often relies upon an assessment of the elder's living conditions. Unfortunately, the very people who are suspected of taking advantage of the elderly person often improperly influence him or her to prohibit entry into the home by DSS personnel. And, in these preliminary stages of an investigation, there frequently is not enough information to meet the probable cause standard that would allow law enforcement to obtain a criminal search warrant. As such, the State of Connecticut is unable to ensure that the elderly person is safe and both physically and financially secure.

The Division of Criminal Justice notes that S.B. No. 896 is properly tailored to protect the privacy of all involved. The bill requires DSS not only to identify the reason for its belief that the elderly person may be in need of protective services, but also narrowly circumscribes the circumstances under which the DSS employee, accompanied by a law enforcement official, may conduct the assessment.

The Division of Criminal Justice believes that providing DSS with this valuable tool will enable the department to more expeditiously determine whether, in fact, an elderly person is in need of services and has been victimized by physical or financial abuse, thereby enhancing the state's ability to protect these citizens and their assets.

By providing DSS with the ability to make a limited examination of the residence of a person suspected of abuse, the State of Connecticut can ensure that its most vulnerable citizens are being protected and that those who attempt to take advantage of them, either physically or financially, may be properly prosecuted.