



March 11, 2019

Chair Prozanski and Members of the Senate Judiciary Committee:

Elders in Action is a nonprofit organization that educates, advocates for, and serves low income older adults in Clackamas, Washington and Multnomah Counties through the active engagement of volunteers. Our organization receives hundreds of calls each year from older adults who have been impacted by elder abuse. We also train teams of older adults to do presentations in the community regarding the signs of and appropriate responses to elder abuse. We urge you to support SB 783 which would increase the potential of successful prosecution of elder abuse cases.

One in ten seniors is abused each year in the United States, yet only one in every 23 cases is reported. Further, the number of reported cases that are able to be prosecuted is very small. With such dismal statistics, Oregon must do what we can to enhance the legal process available to older adult abuse victims. Under our current rules, defendants in elder abuse cases may use the failure to provide notice in advance of case filing to dismiss suits that might otherwise be successful. We feel strongly that defendants should not be allowed to delay, dismiss or run up costs on these cases based on the technical requirement to give the Attorney General notice.

SB 783 would modify the requirement to notify the Attorney General of an elder abuse proceeding by making it clear that failure to do so is not a jurisdictional defect, but a procedural one that can be cured prior to the entry of a judgment. We urge you to support this procedural change that will allow older adults to push back against elder abusers.

Thank you for considering this important bill.

Sincerely,

JoAnn Herrigel  
Deputy Director