



ATTORNEY GENERAL'S ELDER ABUSE COMMISSION
 RICHARD CORDRAY, OHIO ATTORNEY GENERAL

AUGUST MEETING MINUTES
VERN RIFFE CENTER FOR GOVERNMENT AND THE ARTS
77 SOUTH HIGH STREET, 31ST FLOOR
WEST B & C CONFERENCE ROOM
MONDAY, AUGUST 24, 2009
9:30 AM – 3:30 PM

MEMBERS PRESENT

<u>NAME</u>	<u>REPRESENTING</u>
Andrew Capehart	Ohio Coalition for Adult Protective Services
Kristen Castle	Ohio Department of Public Safety
Carol Dayton	Ohio Coalition for Adult Protective Services
Deb Downing	County Commissioners Association of Ohio
Dustin Ellinger	Ohio Department of Health
Gene Fischer	Buckeye State Sheriffs' Association
Frank Fleischer	Ohio Association of County Behavioral Health Authorities
Steve Hanson	Supreme Court of Ohio
Roland Hornbostel	Ohio Department of Aging
Cindy Kuhr	Ohio Victim Witness Association
Vicki Jenkins	Ohio Department of Developmental Disabilities
Beverley Laubert	Office of the State Long Term Care Ombudsman
Leslie McGee	Ohio Department of Job and Family Services
Barbara Riley	Ohio Department of Aging
Wayne Summerville	Ohio Department of Job and Family Services
Tom Swift	Ohio Association of Probate Judges
Adreana Tartt	Ohio Department of Alcohol and Drug Addiction Services
John Thatcher	Ohio Prosecuting Attorneys Association
Karla Warren	Ohio Department of Aging
Ginger Kauble	Ohio Attorney General's Office
Ursel McElroy	Ohio Attorney General's Office

WELCOME – Ursel McElroy

- Opened the meeting by welcoming members.
- Agenda and housekeeping items reviewed.

REVIEW JUNE MEETING MINUTES – Commission

- June meeting minutes approved as corrected.

ANNOUNCEMENTS – Commission

U. McElroy

- The Ohio Attorney General's Office was awarded a grant from the U.S. Department of Justice, Office on Violence Against Women, to support systemic change in the justice system response to elder abuse victims.



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- A grant adjustment was prepared, seeking permission to expand grant activities to include the Commission's work (i.e., payment for lunch and consultants will be covered). The adjustment was approved July 2009.

COMMISSION OPERATIONS - Commission

- It was resolved that the rules contained in Robert's Rules of Order shall govern the Commission meetings to which they are applicable and in which they are not inconsistent with Ohio Sunshine Laws and any special rules of order the Commission adopts.
- Copies of "Ohio Sunshine Laws: An Open Government Resource Manual 2009" were given to subcommittee chairs for reference during subcommittee meetings.
- Copies of Robert's Rules of Order will be distributed at the September meeting.

COMMISSION WEBPAGE – Commission

- The sample Commission webpage was not available for viewing. Additional features remain in progress (e.g., public comment tool, Commission e-mail address).
- Draft language for the webpage was provided to the Commission for review.
- Substantive changes were not made, but it was suggested the wording be rearranged to emphasize that the Commission is not an investigative body.

ELDER JUSTICE ACT – Ursel McElroy

- The Elder Justice Act (H.R. 2006; S. 795) was reviewed (*see PowerPoint presentation*).
- Commission identified common ground between its work and provisions of the Elder Justice Act.
- Provisions aligned with Commission's work were assigned to subcommittees for consideration. Those not assigned will be reviewed, pending passage of the Elder Justice Act, when more detail is available.
 - Awareness – 1
 - Justice – 4, 6, 9, 10,
 - Policy – 5, 7,
 - Research – 2, 3,4,7, 8

FUNDING – Commission

- Discussion postponed until next meeting.

OTHER – Commission

- Tom Fields, an Ohio resident, would like to address the Commission for a period greater than established through public comment period.
- Commission agreed to dedicate the full 30 minute public comment period to Tom Fields at the September 21st meeting as follows: 10 minutes for core presentation delivery; 20 minutes for questions and discussion from the Commission.

ACTION STEPS

- Ohio Attorney General staff to provide copies of Robert's Rules of Order.
- Ohio Attorney General staff to continue webpage progress and revise corresponding language.
- Ohio Attorney General staff to notify Tom Fields of the Commission's decision.

SUBCOMMITTEE REPORTS

Awareness Subcommittee - K. Warren, Chair

- Present: K. Warren, A. Tartt,



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- Commission must determine: 1) the awareness campaign's purpose 2) action steps desired from the public, once made aware of elder abuse and how to recognize it and 3) if key agencies will have the capacity to handle the expected increase in demand from the awareness campaign.
- Will evaluate current message, if any, about elder abuse in Ohio.
- Will consider appropriateness of social media sites for public awareness (e.g., Facebook, Twitter).
- Anticipate partnering with prominent state directors and leaders as one avenue to carry the message.
- Must identify a funding source to develop many campaign elements.

Justice Subcommittee – R. Hornbostel, Chair

- Present: D. Ellinger, G. Fischer, S. Hanson, R. Hornbostel, C. Kuhr, V. Jenkins, W. Summerville, J. Thatcher
- Reviewed a specially prepared report on penalty enhancements that currently exist in the Ohio Revised Code for offenses listed in the 2005 Ohio Elder Abuse Task Force Report (recommendation #20). Advantages and disadvantages of penalty enhancements were discussed.
- E.g., Ohio Prosecuting Attorneys Association is generally opposed to establishing special classes of victims, although no formal position will be taken until legislation has been introduced.
- E.g., given current state of budget, Ohio Department of Rehabilitation and Corrections is releasing prisoners and jails are lowering their populations.
- Consensus that current law suffices and allows judges to make sentencing decisions.
- Discussed expansion of APS statute beyond current “caretaker” definition as recommended in the 2005 Ohio Elder Abuse Task Force Report (recommendation # 14). Subcommittee unclear on the rationale of the recommendation.
- Consider having an estate attorney attend to further discuss the issue.
- Ohio Criminal Justice Services informational pocket cards for law enforcement on the topics of mental illness and mental retardation were shared with members.
- Currently, Ohio Criminal Justice Services does not have similar cards for older/elder abuse victims and may be interested in producing this resource. Will follow up.
- Examined Provision #6 of the Elder Justice Act. Subcommittee members will look into existing forensic resources in Ohio.

Policy Subcommittee – B. Laubert, Chair

- Present: A. Capehart, K. Castle, F. Fleischer, C. Kuhr, B. Laubert, L. McGee
- Examined legislation introduced as HB 563 in 126th General Assembly.
- Discussed ways to assess the potential cost of training Adult Protective Services workers. Will obtain the following information for review: cost of training Children Services workers, cost of Finding Words Ohio program, and current Adult Protective Services curriculum.
- Examined Provision #5 of the Elder Justice Act. Requested the Research Subcommittee obtain information on shelters and safe places for older individuals.
- Sample Memorandum of Understanding will be reviewed at next meeting. Victim assistance organization should be included.
- Requested information related to elder abuse and underserved populations from Research Subcommittee (e.g., Appalachia).

Research Subcommittee – C. Dayton, Chair

- Present: K. Bobulski (social work intern), C. Dayton, D. Downing
- Subcommittee will begin efforts around Provisions # 2, 3, 8 of the Elder Justice Act with assistance to other subcommittees in Provisions # 4, 7.



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- Subcommittee will develop a survey to gather information on education of Adult Protective Services workers and structural changes that have resulted from recent budget cuts.
- Spreadsheet for data collection has been started.
- In an effort to yield a high response to the survey, the following approach will be used:
 - 1) Emphasize the link to pending federal legislation (Elder Justice Act).
 - 2) Use simple questions and explanation.
 - 3) Specify a two-week turnaround.
 - 4) Get updated contact information from the Ohio Department of Job and Family Services.
 - 5) Mail letter from the Ohio Attorney General's Office with a return envelope included.
 - 6) Have the letter signed by the Ohio Attorney General and Director of the Ohio Department of Job and Family Services.

ADJOURN