
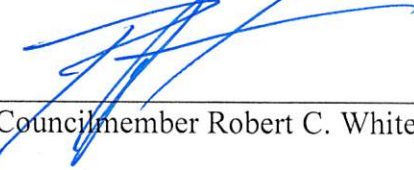
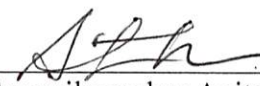
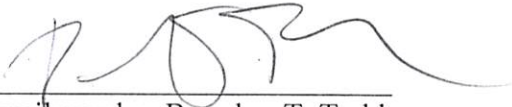


1   
2 Councilmember David Grosso

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6 Councilmember Robert C. White, Jr.

  
Councilmember Anita Bonds

  
Councilmember Brandon T. Todd

  
Councilmember Vincent C. Gray

13 A BILL

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15  
16 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
17 \_\_\_\_\_  
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19 To establish an Elder Abuse Response Team to coordinate the functioning of victim services,  
20 medical forensic care, investigations, and prosecutions available to victims of all types of  
21 elder abuse.

22 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA; That this  
23 act may be cited as the “Elder Abuse Response Team Act of 2019”.

24 Sec. 2. Definitions.

25 (a) For purposes of this subchapter, the term:

26 (1) “District of Columbia Forensic Nurse Examiners Program” means the  
27 501(c)(3) non-profit, organization of forensic nurses that provides compassionate, victim-  
28 centered, medical forensic care for victims of sexual assault and intimate partner violence in the  
29 District of Columbia.

30 (2) “Elder abuse” means:

31 (A) The criminal abuse of an elderly person as defined by § 22-933;

32 (B) The financial exploitation of an elderly person as defined by

33 § 22-933.01; or

34 (C) Criminal negligence suffered by an elderly person as defined by  
35 § 22-934.

36 (3) "Elderly person" is a person 65 years of age or older.

37 (4) "Legal Counsel for the Elderly" means the 501(c)(3) non-profit organization  
38 that provides free legal and social work services to low-income, older District of Columbia  
39 residents including stopping home foreclosures and eviction, representing seniors victimized by  
40 scams and predators, overseeing and administering guardianships, and drafting wills, powers of  
41 attorney, advanced health directives, and other "end-of-life" legal documents.

42 (5) "Long-Term Care Ombudsman Program" means the program of the Legal  
43 Counsel for the Elderly charged with advocating for District residents receiving long-term care  
44 services and support.

45 Sec. 3. Establishment of an Elder Abuse Response Team.

46 (a) There is established the Elder Abuse Response Team ("EART") as a commission of  
47 the Office of the Attorney General.

48 (b) The EART shall be a partnership of public and private agencies that coordinate a  
49 high-quality, multidisciplinary, victim-centered response to elder abuse.

50 (c) Membership on the EART shall include the following individuals:

51 (1) The United States Attorney for the District of Columbia, or his or her  
52 designee; provided, that the designee is an attorney assigned to the Sex Offense and Domestic  
53 Violence Section;

54 (2) The Attorney General, or his or her designee;

55 (3) The Chief of Police of the Metropolitan Police Department for the District of  
56 Columbia (“MPD”), or his or her designee; provided, that the designee is a member of the  
57 Financial and Cyber Crimes Unit with the rank of Captain or above;

58 (4) The Director of the District Office for Victim Services and Justice Grants, or  
59 his or her designee;

60 (5) The Director of the District of Columbia Office on Aging, or his or her  
61 designee;

62 (6) The Commissioner of the District Department of Insurance, Securities, and  
63 Banking, or his or her designee;

64 (7) The Director of the Adult Protective Services (“APS”) at the Department of  
65 Human Services of the District of Columbia, or his or her designee;

66 (8) The Long-Term Care Ombudsman, or his or her designee;

67 (9) One member appointed by the chairperson of the Council committee that  
68 oversees the system of health, education and social services for the District’s older adults, people  
69 with disabilities, and their caregivers;

70 (10) The chief executive officer of Legal Counsel for the Elderly, or its successor  
71 organization, or his or her designee;

72 (11) The chief executive officer of a legal services organization that primarily  
73 represents District residents who are 60 years or older in areas of consumer fraud and financial  
74 abuse, landlord and tenant, and public benefits, or his or her designee;

75 (12) The chief executive officer of the District of Columbia Forensic Nurse  
76 Examiners Program, or its successor organization, or his or her designee;

77 (13) The chief executive officer of the community-based advocacy organization  
78 that coordinates DC TROV, as defined in (a)(5) of this subchapter, or its successor program, or  
79 his or her designee; and

80 (14) The chief executive officer of an organization representing residents who are  
81 50 years old and older, or his or her designee.

82 (d) The EART shall hold its initial meeting within 90 days after the effective date of this  
83 act.

84 (e) The EART shall be co-chaired by the representatives of the Office of Attorney  
85 General and Legal Counsel for the Elderly.

86 (f) The EART shall meet at least 6 times each calendar year.

87 (g) The EART shall establish its own procedures and requirements with respect to the  
88 place and manner in which the EART will conduct its meetings, and how any additional  
89 members of EART shall be appointed.

90 (h) The Office of the Attorney General shall provide administrative support for the  
91 EART.

92 (i) The Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official  
93 Code §2-571 *et seq.*), shall not apply to meetings of the EART or its subcommittees.

94 Sec. 4. Responsibilities of the EART.

95 (a) The EART shall:

96 (1) Work to improve the coordination and functioning of victim services, medical  
97 forensic care, investigations, and prosecutions available to victims of all types of elder abuse;

98 (2) Conduct regular case reviews, through the Case Review Subcommittee  
99 established in section 5, of all parties involved in elder abuse responses, including a review of

100 elder abuse reports and investigations by the APS and the MPD, and cases reported to any  
101 member of the EART;

102 (3) Develop a protocol to ensure that feedback and recommendations from the  
103 Case Review Subcommittee established in section 5 are reviewed by EART governmental  
104 agency members for potential inclusion in policies, procedures, practices, training, and decisions  
105 to re-examine investigations, if applicable.

106 (4) Establish a Case Review Subcommittee, which shall:

107 (A) Conduct case reviews a random sample of investigations that involve  
108 elder abuse and specific cases as identified and requested by members of the EART or the Case  
109 Review Subcommittee;

110 (B) Develop a case review protocol, including a standard review form and  
111 appropriate safeguards to protect confidential or privileged information and other personal  
112 information that is protected from disclosure by federal or District law.

113 (i) The protocol shall be reviewed on an annual basis and revised  
114 as determined by the EART.

115 (ii) The standard review form required by this subsection shall  
116 include any prosecutorial actions taken and the use of forensic evidence in the investigation and  
117 prosecution of the case; and

118 (C) Submit feedback and recommendations to the EART when the  
119 subcommittee identifies concerns or problems during the case review process.

120 (b) All non-governmental organizations participating in the work or activities of the  
121 EART shall follow the ethical requirements and confidentiality policies required by their  
122 organization and the Case Review Subcommittee, including when participating in the review of

123 cases.

124 (c) If a decision is made by a District agency not to implement a recommendation made  
125 by the Case Review Subcommittee, the District agency shall submit an explanation to the  
126 Council containing the reasons why a recommendation was not implemented or was  
127 implemented in a manner that varied from the recommendation, within 180 of the decision to not  
128 accept the recommendation.

129 Sec. 6. Fiscal Impact Statement.

130 The Council adopts the fiscal impact statement in the committee report as the fiscal  
131 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,  
132 approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(3)).

133 Sec. 7. Effective date.

134 This act shall take effect following approval by the Mayor (or in the event of veto by the  
135 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
136 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
137 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(1)), and publication in the District of  
138 Columbia Register.