



Delaware House of Representatives House Majority Caucus

**For Immediate Release:
July 16, 2010**

**Contact: Drew Volturo
Work: (302) 744-4001
Cell: (302) 593-5969**

GOVERNOR SIGNS BILL PROTECTING VULNERABLE AND INFIRM ADULTS FROM ABUSE

Rep. Longhurst's legislation backed by Attorney General Biden, disabilities community

MIDDLETOWN – Standing among dozens of Delaware's elderly residents at the MOT Senior Center, Governor Jack A. Markell signed legislation on Friday designed to protect them and other vulnerable and infirm adults from abuse.

Sponsored by House Majority Whip Rep. Valerie J. Longhurst and Sen. Bethany A. Hall-Long, House Substitute 1 for House Bill 348 would create enhanced penalties for those who commit crimes against a vulnerable or infirm adult. The legislation was drafted by Susan Del Pesco, director the state Division of Long Term Care Residents Protection, and backed by Attorney General Beau Biden.

“One of the primary roles of government is to protect our citizens,” Governor Markell said. “This is a great example of people working together to make a law that makes sense and helps fulfill the promise of protection that government offers. I’m grateful to all those here today for their efforts to care for our elderly and vulnerable neighbors.”

The legislation would increase the penalties for about 50 offenses if those crimes are committed against someone determined to be a vulnerable or infirm adult. In most cases, the charges would be increased by one class, such as a class A misdemeanor becoming a class G felony, a class G felony becoming a class F felony, and so on. Class A and B felonies would remain the same grade, but the minimum sentence of imprisonment required by law for the offense would be doubled.

“People who have physical or mental limitations or disabilities face a much greater risk of someone taking advantage of them,” said Rep. Longhurst, D-Bear. “No one should have to live in fear of being targeted because of their personal situation. Those who commit these crimes are just preying on the vulnerable, and they should face tougher punishment.”

“It’s my hope that these new penalties serve as a warning to people that we aren’t going to tolerate this behavior and that the enhanced penalties protect our vulnerable and elderly populations.”

HS 1 for HB 348 creates a new criminal offense, crime against the vulnerable or infirm, which imposes enhanced penalties for offenses including reckless endangering, assault, abuse of a pregnant female, terroristic threatening, unlawful sexual contact, fraud, rape, robbery, burglary, identity theft and forgery.

“As a nurse, I have witnessed firsthand the impact that neglect and abuse has on our special populations.” said Sen. Hall-Long, D-Middletown. “I am pleased to have worked with our governor, Attorney General Biden, Rep. Longhurst and the community on this legislation that will act as a tool with stiffer penalties for those who abuse.”

Attorney General Biden said that the new law would provide protection to a segment of Delaware’s population that has never before benefited from added safeguards under the law.

“One of government’s core responsibilities is to protect the safety of Delawareans, especially the most vulnerable among us,” Biden said. “Today we are increasing our efforts to protect those who cannot protect themselves. We will be going after criminals who target vulnerable adults with enhanced penalties that reflect the deplorable nature of the crimes they commit. Criminals who prey on vulnerable adults in Delaware now face tough new penalties.”

A retired Superior Court judge, Ms. Del Pesco noted that she is among the first wave of “Baby Boomers” who will greatly increase Delaware’s elderly population in the coming years, which makes this new law even more essential.

“This new law is important now and will be even more essential in the future,” Ms. Del Pesco said. “In 2000, there were 10,500 Delawareans ages 85 or older, a number that will triple by 2030.”

###