

Testimony on Bill No. 36-0099

Angus Drigo

Executive Director of Disability Rights Center of the Virgin Islands

Good morning Honorable At-Large Senator Angel L. Bolques Jr., members of the Committee on Youth, Aging and Sports and Parks, other senators present and members of the listening and viewing public. I am Angus Drigo, Executive Director of V.I. Advocacy Inc., commonly known as the Disability Rights Center of the Virgin Islands (DRCVI).

Thank you for inviting the DRCVI to present on Bill No. 36-0099, a proposal on Elder Abuse Reform that seeks to amend Title 34, Chapter 15 of the Virgin Islands Code to enhance the territory's capacity to address elder abuse.

Studies show that individuals who have disabilities or who are older adults are at higher risk of abuse, neglect and exploitation.

According to the National Center on Elder Abuse, about 30 percent of individuals with disabilities who need assistance with daily care, maintaining health and safety, and accessing the community have experienced some form of mistreatment.

Further, the National Council on Aging estimates that one in 10 Americans, who are 60 years or older, have experienced some form of elder abuse.

The definitions of abuse and exploitation vary from state to state, but they are defined by the National Council on Aging as follows:

- Emotional abuse—Inflicting mental pain, anguish, or distress on a vulnerable person through verbal or nonverbal acts.
- Physical abuse—Inflicting, or threatening to inflict, physical pain or injury on a vulnerable person, or depriving them of a basic need.
- Sexual abuse—Non-consensual sexual contact of any kind, coercing a vulnerable person to witness sexual behaviors.
- Exploitation—Illegal taking, misuse, or concealment of funds, property or assets of a vulnerable person. Identity theft is also considered a form of exploitation.
- Neglect—Refusal or failure by those responsible to provide food, shelter, health care or protection for a vulnerable person.
- Abandonment—The desertion of a vulnerable person by anyone who has assumed the responsibility for care or custody of that person.

We've learned that abusers can be anyone: a family member, a friend, a stranger, a service provider or a neighbor. It is important, therefore, to be informed and on the lookout for the warning signs of abuse, neglect and exploitation.

The DRCVI is pleased that more attention will be paid to recognizing and preventing elder abuse. However, the proposal should clearly define the role of the Department of Human Services in the development of the multidisciplinary team under the proposed legislation.

Second, it should also clearly address its implementation and the authority to be vested in the department to resolve the issues relative to the abused – and the abuser.

The bill should also address measures to ensure support for those who will likely end up being punished for elder abuse, especially as it relates to emotional and physical abuse or neglect.

As an example, the Virgin Islands currently does not have adequate resources and/or facilities to help deal with what we see is an increase in the number of residents with dementia. Their care almost always falls on a family member with little to no experience dealing with what essentially is a mental health issue.

These individuals, based on information received during webinars we've hosted on elder abuse, are usually full-time workers unable to stay home to provide round-the-clock care or cannot afford to pay for a full-time care-person.

This of course sets off a chain reaction that usually results in abuse and/or neglect of loved ones, not out of a blatant desire to do so, but the result of the extreme stress they are under without adequate emotional or financial support to deal with such a situation.

Finally, there are some things that cannot be legislated, but what we do know is that any one of us can find ourselves in such a situation with elderly relatives. Therefore, this bill should address both the potentially abused and potential abuser so that we're not where we are today, looking to punish without first providing resolutions.

I am available for any questions you may have.