



S. 178 – The Elder Abuse Prevention and Prosecution Act

The Elder Abuse Prevention and Prosecution Act (EAPPA) would improve the nation’s response to elder abuse and financial exploitation of seniors. It does so by encouraging the investigation and prosecution of perpetrators who prey upon seniors, enhancing data collection, and supporting robust elder abuse prevention programs.

Key Provisions:

- Ensures that at least one Assistant United States Attorney will be designated to serve as Elder Justice Coordinator in each Federal judicial district. (Each Coordinator would prosecute elder abuse cases but also serve as the judicial district’s point-person on these cases.)
- Calls for FBI agents to receive training on the investigation of elder abuse cases.
- Requires the Department of Justice to establish an elder abuse resource group to facilitate information sharing among Federal prosecutors and, more broadly, to support the prosecution of elder abuse cases.
- Ensures that those convicted of financially exploiting seniors through e-mail marketing will be subject to criminal penalties. Mandatory forfeiture and restitution provisions also are included in the legislation.
- Requires the Attorney General’s Advisory Committee, which is comprised of leading U.S. Attorneys from across the country, to establish an elder abuse working group to offer advice to the Attorney General on DOJ’s elder abuse policies and strategies.
- Tasks the Attorney General with publishing best practices for data collection, in consultation with State and local agencies. Also promotes data collection at the Federal level, as the bill directs the Department of Health and Human Services to provide the Department of Justice with its annual statistical data regarding adult protective services investigations and findings in elder abuse cases.
- Supports training and technical assistance for State investigative, prosecutorial, and prevention personnel. Specifically, the Attorney General is charged with creating, compiling, and disseminating materials to State and local agencies regarding the investigation, prosecution, and prevention of elder abuse.
- Authorizes and encourages States to enter into interstate agreements and compacts to collaborate and share resources and expertise in the fight against elder abuse and exploitation.
- Calls for the Attorney General to designate an Elder Justice Coordinator for the entire Justice Department within 60 days of the bill’s enactment. (Among other responsibilities, the Coordinator is expected to enhance DOJ’s understanding, prevention, and detection of, as well as its response to, elder abuse.)
- Requires the chairman of the Federal Trade Commission (FTC) to designate an Elder Justice Coordinator within the FTC’s Bureau of Consumer Protection. (This individual will be responsible for coordinating and supporting the enforcement and consumer education efforts on elder abuse and exploitation.)
- Makes state courts eligible for federal grants to be used to assess the effectiveness, safety, and integrity of adult guardianship and conservatorship proceedings.