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## Senate Introduces Elder Justice Act

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NEWS

# SENATE INTRODUCES ELDER JUSTICE ACT

By Jessica Hunter

**T**his past September, Sen. John Breaux (D-LA) and Sen. Orrin Hatch (R-UT) introduced the first-ever federal legislation to address elder abuse. S.2933, 107<sup>th</sup> Cong. (2002). Better known as the Elder Justice Act (“Act”), it is a comprehensive and long-awaited response to the epi-

500,000 and 5 million every year. The great range in estimation is due to the fact that approximately 84 percent of these crimes go unreported. *See, National Committee for the Prevention of Elder Abuse, available at <http://www.preventelderabuse.org/new/legup.html>.*

The bill’s supporters

The Act has been criticized as drawing a troubling line between those that are above an arbitrary age and those below that age. Critics argue that there will be some people who would not qualify under the age requirement of the Act and yet may still be in need of its services. However, even these critics are likely to see this as an unavoidable problem inherent in addressing elder issues and are committed to its passage.

The Elder Justice Act is the culmination of over two decades of congressional hearings. While testimonial and statistical evidence throughout the past 20 years has presented elder abuse as a burgeoning national problem, no federal law has been enacted to address elder abuse in a comprehensive manner. In fact, presently there is not a single federal employee who works full-time on elder abuse, neglect and exploitation issues. Proponents of the bill argue that elders have been left behind on the national agenda to prevent and protect Americans from abuse. They point to the substantial steps that Congress has taken to address both child abuse and

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***“In the next 30 years, nearly 60 million baby boomers will reach retirement age, pushing the elder population to 20 percent of the total population.”***

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demic of elder abuse in America. The primary aim of the Act is to raise national consciousness around the issue. Presently, states lack even a uniform definition of elder abuse. Supporters hope the Act will catalyze the development of a standardized legal language with which to address the problem.

Generally, elder abuse is a term that encompasses physical, sexual and emotional abuse along with financial exploitation, neglect and abandonment of the elderly. The prevalence of abuse is uncertain because research in this field is scarce. Estimates of American elders victimized by such abuse range from anywhere between

argue that elder abuse should no longer be ignored and programs to combat it go under-funded. Presently more than 35 million U.S. residents are age 65 and over, representing twelve percent of the population. In the next 30 years, nearly 60 million baby boomers will reach retirement age, pushing the elder population to 20 percent of the total population. This near doubling of the elderly population will only yield more incidents of abuse unless victimization of the elderly is dealt with on a federal level. *See, United States Special Committee on Aging, available at <http://aging.senate.gov/whatsnew/107th/091302>.*