



# Ohio Judicial Conference

The Voice of Ohio Judges

## House Criminal Justice Committee

Paul Pfeifer

### Interested Party Testimony on House Bill 419

November 15, 2022

Chair LaRe, Vice Chair White, Ranking Member Leland and members of the House Criminal Justice Committee, I thank you for this opportunity to submit interested testimony for House Bill 419 on behalf of the Ohio Judicial Conference.

It is the general policy of the Judicial Conference to defer to the legislature regarding penalty changes. However, the members of our Probate Law & Procedure Committee who have jurisdiction over Adult Protective Services cases believe this bill would make an appropriate change by increasing the penalty for failure to report elder abuse from an unclassified misdemeanor to a fourth-degree misdemeanor, commensurate with the penalty for failure to report child abuse. H.B. 419 also fills a needed gap by specifying a mental state for failure to report elder abuse. Under the bill, knowledge of the abuse is required, consistent with the *mens rea* for failing to report child abuse. Our Juvenile Law & Procedure Committee agrees that the mental state and criminal penalties for failing to report child abuse and elder abuse should be the same. We have no changes to recommend based on the feedback above.

We thank Representative Seitz and Representative Troy for sponsoring this update to the elder abuse law. We thank you for the opportunity to present our written testimony for H.B. 419. We are happy to follow up on any questions you may have.

Sincerely,

A handwritten signature in black ink that reads "Paul E Pfeifer". The signature is written in a cursive style with a large, prominent "P" at the beginning.

Paul E. Pfeifer  
Executive Director  
Ohio Judicial Conference