

**Testimony of:
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I would like to thank Chairman Senator John Breaux and the members of the Special Committee on Aging for inviting me to testify as to law enforcement's efforts to address nursing home abuse at this hearing on "Crimes Against the Elderly in Nursing Homes." It is my hope that this testimony will help to improve the "quality of life" for older adults residing not only in nursing homes but in any type of residential care facility.

By initiating the first Triad Program (Exhibit 1: Triad Program Overview), in the nation on August 30, 1989, I have an established and longstanding record of commitment to older adults that is recognized as extending beyond the boundaries of my jurisdiction in St. Martin Parish, Louisiana. The Triad Program has proven to be a successful crime prevention program aimed at older adults. Currently, there are some 800+ Triad Programs in 47 states. Additionally, England, Canada and Australia have expressed interest in utilizing the concept in their countries. The strength and success of Triad comes from the combined efforts of both law enforcement (as the deliverer of police services) and senior citizens (with their vast wealth of knowledge and experience) who provide support to law enforcement in an advisory capacity and as volunteers. In St. Martin parish and in many other areas throughout our country, this has proven to be a winning combination.

In Louisiana, Triad caused us to take a deeper look at the multi-faceted issues of crime and the elderly. We began to understand that older persons were more likely to be victimized by someone they know and trust rather than by strangers. Examples of this include the large number of cases of abuse/neglect/ exploitation (ANE) of the elderly by their caregivers in the home setting. In our concern to respond to these issues, the St. Martin Parish Sheriff's Office expanded beyond traditional law enforcement type services to become involved in two programs. The first one serving elderly victims of violent crimes. The second program serving suspected victims of ANE. In 1990 the St. Martin Parish Sheriff's Office initiated the state-wide Elderly Crime Victim Assistance (ECVA) Program (Exhibit 2: Louisiana Map of ECVA Program Headquarter and Satellite Programs and Exhibit 3: ECVA Brochure) through grant funding from the Louisiana Commission on Law Enforcement and Administration of Criminal Justice. In 1992 the Elderly Protective Services (EPS) Program was initiated in the state of Louisiana. The St. Martin Parish Sheriff's Office was awarded the contract by the Governor's Office of Elderly Affairs to provide these services in Region III, which currently encompasses 10 parishes in the Acadiana Region (Exhibit 4: Louisiana Map of EPS Region III Service Area and Exhibit 5: EPS Program Brochure). These two programs serve to heighten our understanding of the severe vulnerability of infirmed older adults, especially when they are in the care of those persons they know and trust.

During the 1994 legislative session in Louisiana, legislation was enacted creating the "Committee for Law Enforcement Services to the Elderly" (Exhibit 6: Chapter 8-A Victimization of Senior Citizens - LA. R. S. 1231-1236). Appointment to this committee is subject to gubernatorial approval with jurisdiction established within the Louisiana Commission on Law Enforcement and Administration of Criminal Justice. Representation on this committee includes members from: the Louisiana Commission on Law Enforcement and Administration of Criminal Justice (1), the Louisiana Sheriffs' Association (2), the Louisiana Municipal Chiefs of Police Association Police (2), the State of Louisiana, Justice Department (1), the Governor's Office of Elderly Affairs (1), parish volunteer Councils on Aging (2), American Association of Retired Persons (2), and the Louisiana Association of District Attorneys (1). I have the honor of serving as chairperson of that committee since its inception in 1995.

A brief description of the committee's duties and responsibilities include:

- 1) To study and evaluate programs that will assist in providing an effective response to the problems of crime against elderly persons;**
- 2) To consult with experts, service providers and representative organizations engaged in the protection of the elderly and recommend the development of programs to assist the elderly to avoid criminal victimization; and**
- 3) To recommend policies and programs to assist law enforcement agencies to implement training, crime prevention standards and technical assistance related to the elderly.**

Early on the members of the committee recognized and expressed a concern about law enforcement's response to crimes in residential care facilities which includes Nursing Homes, Group Homes, Assisted Living Facilities, and Mental Retardation Facilities. The concern grew that there was an apparent lack of continuity in response by law enforcement from jurisdiction to jurisdiction to crimes committed in residential care facilities.

In response to the committee's concern, a "Crime in Residential Care Facilities Conference" in Baton Rouge on November 12, 1997 (Exhibit 7: Conference Brochure). The agenda included: Legal Session, Investigating Crimes in Residential Care Facilities, Physical and Behavioral Indicators of Abuse/Neglect, and Role and Responsibilities of the Various Investigating Agencies.

The "Role and Responsibilities" segment of that conference included a panel of representatives from the Department of Health and Hospitals, State of Louisiana - Justice Department, Elderly Protective Services, Louisiana Nursing Home Association, State Long Term Care Ombudsman, the Police Supervisor of the Baton Rouge Crimes Against the Elderly (CATE) Unit, and a sheriff. This was the first time members of these agencies, whose responsibility it is to identify and/or investigate crimes against the elderly, came together in the same room. Discussion centered on their individual agency's role and responsibilities, as well as what situations would necessitate several agencies working together. In Louisiana, this conference was the initial impetus for the underlying questions about local law enforcement's response to crimes in the nursing home.

The members of the committee knew that although the conference was successful in breaking ground in identifying the problems of "crimes in residential care facilities," more work would have to be done to educate sheriffs and chiefs throughout Louisiana.

In 1999, legislation (Exhibit 8: LA R.S. 1237 ALERT Program) was enacted forming the ALERT (Aged Law Enforcement Response Team) Program. The ALERT Program (Exhibit 9: ESO/ALERT Program Particulars) established a forty (40) hour Elderly Services Officer (ESO) certification (using the Illinois State Elderly Services Officer Model) through the Peace Officers Standards and Training (POST) Council. Law enforcement officers successfully completing the course lectures and written test were certified as Elderly Services Officers. Those officers meeting the specified criteria (Exhibit 10: ALERT Criteria) received an additional distinction as a member of the state-wide Aged Law Enforcement Response Team (Exhibit 11: ESO/ALERT Critical Tasks).

The objectives of the ALERT Program are :

- 1) To create a state-wide network of law enforcement officers with specialized training in working**

with elderly citizens and the crime-related problems specific to the elderly.

2) To ensure uniformity in the delivery of high quality law enforcement services to elderly citizens through training and certification (Exhibit 12: ESO/ALERT Curriculum)

3) To have the ALERT/ESO officers serve as the primary point of contact between the law enforcement community and the elderly.

4) To offer assistance within their agency and to all law enforcement agencies in their parish with training on effectively assisting older adults.

An Annual Advanced Training provided information to officers of new services and information to keep them abreast of the ever changing services and needs of seniors.

The goal of the ALERT Program is to have at least one (1) ALERT and/or ESO in every parish in Louisiana. There are currently 90 Certified ALERT Officers and 33 Elderly Services Officers totaling 123 in 51 of the 64 parishes in Louisiana (Exhibit 13: Map of Louisiana and Exhibit 14: Listing of Certified ALERT/ESO Officers in Louisiana).

Four (4) of the fifty-one parishes have ESO's only.

Some limitations to the program include manpower and budgetary constraints within local police departments and sheriff's offices that may affect the amount of time the ALERT/ESO can devote to their extra duties. There are some officers who can devote their work day to elderly services. However, many have other duties and responsibilities and the ALERT/ESO work is an extra duty.

Also worth mentioning is that plans are currently being drafted for 2003 to include having at least one ALERT trained Assistant District Attorney in each judicial district. A special committee has been appointed to develop the training curriculum.

CONCLUSION: Twenty-five years ago there were very few juvenile officers. Now, they are a significant part of the law enforcement community. As we, the baby boomers, arrive and outnumber our nation's youth in the next ten to fifteen years, the ALERT/ESO Officer will be an essential part of the law enforcement community much like the juvenile officers are today.

Certainly, physical abuse and sexual abuse in residential care facilities are a strong priority that needs to be addressed by law enforcement with the same type of response as given to crimes to other citizens outside the nursing home. To Chairman Senator Breaux and members of the Special Committee on Aging, I submit that providing for expanded training for law enforcement officers to address the growing needs of a rapidly aging population is strongly needed.