



POSITION ON PROPOSED LEGISLATION

BILL: HB 347 Criminal Law – Exploitation of Vulnerable Adult or Elderly Individual – Undue Influence

POSITION: SUPPORT AS AMENDED

DATE: January 12, 2021

The Office of the Public Defender is supportive of the amended language to incorporate a revision to the criminal law definition of “undue influence” which removes language of “excessive persuasion” from the new definition. While we are supportive of strengthening protections of vulnerable persons, we do not support criminalizing behavior that may certainly be wrong and concerning, but not rising to a level of criminal culpability. Removing language that may be overly broad certainly helps mitigate this concern.

* * *