

MEMORANDUM

To: All House Members

From: Representative Eugene DePasquale

Date: January 6, 2011

RE: Legislation Regarding the Neglect and Abuse of Care-Dependent Persons

In the near future, I will be introducing legislation that would strengthen the Commonwealth's current laws regarding the neglect and abuse of care-dependent persons.

Specifically, this legislation would make it a crime for a caretaker to neglect a care-dependent person by intentionally or knowingly endangering the welfare of a care-dependent person by failing to provide treatment, care, goods, or services necessary to preserve the health, safety, or welfare of the care-dependent person.

This legislation would also make it a crime for a caretaker to abuse a care-dependent person by:

- striking, shoving, kicking, or otherwise subjecting or attempting to subject the care-dependent person to, or threatening the care-dependent person with, physical contact;
- engaging in a course of conduct or repeatedly committing acts which serve no legitimate purpose;
- communicating to the care-dependent person any lewd, lascivious, threatening, or obscene words, language, drawings, or caricatures; or
- communicating repeatedly with the care-dependent person at extremely inconvenient hours;
- stalking the care-dependent person.

Finally, this legislation would provide for a penalty for neglect of a care-dependent person when the neglect results in the death of the care-dependent person. Current law only provides for penalties when neglect results in bodily injury or serious bodily injury.