



FOR IMMEDIATE RELEASE
January 27, 2009

District Attorney Nola Foulston announces that a bill drafted by her office regarding mistreatment and endangerment of dependent adults is being introduced in the Kansas Legislature under the auspices of the Kansas County and District Attorneys Association. The bill, Senate Bill 67, would create a new crime prohibiting the endangerment of a dependent adult and modify the existing crime of mistreatment of a dependent adult.

Law enforcement and social service agencies have witnessed numerous instances where dependent adults have been placed in situations where their health and safety have been imperiled by others yet no prosecution could be undertaken because such acts of endangerment have not been criminalized as they have been if the person endangered is a minor. This legislation recognized that both categories of vulnerable, dependent persons – children and adults – should be protected under the law, with like punishment for those who place a dependent person in jeopardy. The new crime would be a Class A misdemeanor.

The amendments to the mistreatment statute make all forms of mistreatment a severity level five person felony, eliminating the current set of severity levels that vary depending on the type of mistreatment or the amount of financial loss incurred. They also lower a threshold criminal act from the infliction of cruel punishment to the infliction of unreasonable punishment, recognizing the necessity that dependents always be treated in a reasonable manner.

Assistant District Attorney Tania Groover, Trial Division II, Elder Abuse Section, testified in Topeka today in support of this bill.

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