

Protecting Older Adults and Persons with Disabilities

According to the 2020 United States Census, Baltimore City has a population of 585,708 residents, 14% of whom are 65 years of age or older; 11.8% of residents under 65, have a disability.

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Introduction

According to the 2020 United States Census, Baltimore City has a population of 585,708 residents, 14% of whom are 65 years of age or older; 11.8% of residents under 65, have a disability.¹ In sum, nearly 26% of Baltimore City's population is comprised of older adults or persons with disabilities. I firmly believe that our older adults and persons with disabilities are an important part of our city's social fabric and a key source of our strength, and yet, they often battle unique challenges that too often become barriers to justice. As State's Attorney, I will prioritize protecting our older adults and persons with disabilities community by creating a specialized prosecution unit solely dedicated to prosecuting crimes committed against them.

My office will work collaboratively with other partner agencies, including the Maryland Office of the Attorney General and Adult Protective Services. I recognize that older adults and people with disabilities are often targeted and preyed upon, and the consequences can be devastating. Under my leadership, the State's Attorney's Office will work to ensure the dignity and safety of our older adults and people with disabilities.

About Me



My name is Ivan J. Bates, and I am running for State's Attorney for Baltimore City. I have been blessed with a long and successful legal career, practicing law for more than 25 years in state and federal courts. From the start of my career, I knew I wanted to help people, whether it was in my position as a law clerk for the Legal Defense Fund of the National Association for the Advancement of Colored People ("NAACP"); becoming a judicial law clerk for the now retired Honorable David Mitchell, Baltimore City Circuit Court Judge; being hired by the Honorable Patricia Jessamy, then State's Attorney for Baltimore City, to serve as a prosecutor in her office, where I tried cases before judges and juries, alike, quickly rising through the ranks and being promoted to a homicide prosecutor; or becoming a defense attorney and eventually opening my own successful law practice, which I built from scratch, and still currently manage.

As a prosecutor, I fought for victims of crime and as a defense attorney, I fought against police corruption and brutality, helping to bring down the corrupt Gun Task Force. As a Black man, I have been on the end of police abuse, but I have also been personally affected by crime, like too many of us have in Baltimore. What I have learned is that there is no simple solution or single answer to the question of violence in our City, but accountability is key. We must hold violent offenders *and* the criminal justice system accountable.

Prosecutors play a major role in the fight on crime and in holding individuals accountable. They decide when to bring charges, and what those charges should be. They try cases, and on conviction or after plea-bargaining, make recommendations on sentencing. They are uniquely situated to be the gatekeepers of the criminal justice systems but should also operate as the

¹ United States Census Bureau, Quick Facts: Baltimore City, Maryland, <https://www.census.gov/quickfacts/baltimorecitymaryland>.

protectors of the community. Unfortunately, what we have seen these last 7 years, does not inspire confidence. Baltimore City ended 2021 with 337 murders and 728 non-fatal shootings, up slightly from 2020.² Our city has now surpassed 300 or more homicides for six consecutive years. As of May 24, 127 people have been murdered already this year.³ The city is again on pace for more than 300 homicides.⁴ And, sadly, of the cases involving gun crimes, only 4 out of 10 result in a conviction.⁵ and yet, studies have shown that the single most influential factor for those committing gun crimes, is certainty of consequences. When individuals learn that there is often no consequence for illegally possessing firearms in Baltimore City, they may be emboldened and commit additional gun crimes.⁶ Simply put, when prosecutors drop cases or fail to gain a conviction, they embolden those committing violent acts.

To make progress, Baltimore needs change; we need someone who can see all angles and use that experience to work collaboratively with law enforcement and other partner agencies. We need someone who can rebuild the State's Attorney's Office into a fully staffed and functional law office that will hold violent offenders accountable by working with the police and the community.

As an Army veteran, I know that accountability is key to progress. I have built a successful law office, and I am a skilled trial lawyer. I have seen the criminal justice systems from all angles and when elected, I can hit the ground running on day one. The citizens will always be my priority and I know together, we can build a safer Baltimore.

When I contemplated entering politics, I thought long and hard about the sacrifices required, my reasons for running, and whether I was in a position to make a positive difference. As a single father of a five-year-old girl, whose safety and well-being are my top priorities, and the managing partner of a thriving law practice, I knew that running for office would be no easy task. I also thought about the success I am so humbled to experience, and reflected on the path that brought me to Baltimore more than twenty-five years ago, a city I love, that has always been good to me, but now needs my help.

My Aunt Edna



In 1995, my Mother asked me to think about moving to Baltimore City to help take care of my 75 year old aunt. Growing up, Aunt Edna was the aunt that first spanked me when she caught me putting grass in my grandfather's well. She was also the first one to hug me when I graduated from Howard University many years later. My Aunt Edna was a second Mom to me, so when my Mom asked me to help her, I

² <https://www.wmar2news.com/homepage-showcase/january-2022-daily-tracker-baltimore-murders-and-shootings>

³ <https://arcgisportal.baltimorepolice.org/publiccrimemap/>

⁴ <https://baltimore.cbslocal.com/2022/05/02/baltimore-city-violent-crime-leaders-target-root-causes/>

⁵ [Reducing Violence and Building Trust: Data to Guide Enforcement of Gun Laws in Baltimore,](https://www.jhsph.edu/research/centers-and-institutes/johns-hopkins-center-for-gun-violence-prevention-and-policy/research/community-gun-violence/)

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⁶ See supra, footnote 4.

quickly said yes. I packed my bags, and moved to Baltimore City.

For the next 20 years, I spent more time at my Aunt's building – 11 W. 20th Street, Apartment 6S, than I did at my own house. Over that time, I watched my Aunt struggle with so many challenges that older adults battle in our City. Although Aunt Edna was a seamstress and worked her whole life, she ended up without any retirement benefits when her company went bankrupt. The only thing she had was social security- \$707/month. But, she was a woman of faith who regularly attended New Shiloh Baptist Church, and despite the struggles, my Aunt kept going. One day, while walking up the street to go to the store, Aunt Edna was mugged. I remember getting that phone call while at work. I will never forget seeing my Aunt so afraid, and so upset. I made a promise that I would do everything I could going forward to protect my Aunt so she would never have to experience something like that again. That is one of the main reasons, why focusing on our older adult population is so important to me; it allows me to help keep my promise to my Aunt Edna.

Older Adults and Persons with Disabilities Protection Unit (“Older/Disabled Persons Unit” or “ODPU”)

Recognizing the needs and circumstances older adults and persons with disabilities face, I am committed to ensuring equal access to justice and services. Under my leadership, the State's Attorney's Office will work to ensure the dignity and safety of our older adults and people with disabilities. As State's Attorney, I will prioritize effective prosecution of crimes committed against older adults and people with disabilities by creating a specialized unit that will focus solely on prosecuting these crimes. We will build coalitions and work with other agencies, such as the Maryland Office of the Attorney General and Adult Protective Services, to ensure cases are handled with the specialized care required, and crimes committed against older adults and persons with disabilities are prosecuted promptly and efficiently.

A. Creating a specialized unit staffed with prosecutors, victim advocates, and staff focused solely on prosecuting crimes against older and disabled persons

As our older adults and persons with disabilities population continues to grow, crimes committed against them may also continue to rise, in number and complexity. By creating a specialized unit that will focus on crimes committed against older adults and persons with disabilities, the State's Attorney's Office will work to hold wrongdoers accountable through effective prosecution, while simultaneously connecting victims of crime with necessary services.

The *Older Adults and Persons with Disabilities Protection Unit* (“Older/Disabled Persons Protection Unit” or ODP) will be staffed with prosecutors, victim advocates, and staff specially trained to handle cases involving crimes committed against adults 65 years of age or older, and people with disabilities. Members of the ODP will receive specialized training and will be prepared to respond to the special needs of the older and disabled population, to ensure equal access to the criminal justice system.

The ODPU will investigate and prosecute crimes committed against persons who are sixty years of age or older including, but not limited to:

- Financial Exploitation
- Sexual Abuse
- Physical Abuse
- Caregiver Neglect

B. Multi-Agency Collaboration

Although Maryland has multiple laws on the books to ensure protection of our older adults and disabled persons, effective prosecution requires partnerships and team efforts among agencies. Under my leadership, the State's Attorney's Office will work collaboratively to ensure the best outcome in each case, even when the matter may not necessarily present a criminal cause of action.

For example, in 2021, the Maryland General Assembly passed the Financial Exploitation of Susceptible Adults and Older Adults (Maryland SAFE Act). The SAFE Act – which stands for “Stop Adult Financial Exploitation,” authorizes the Office of the Attorney General or the Maryland Securities Commissioner to initiate a private cause of action to confront instances of financial exploitation of susceptible and older adults. The law creates a new civil cause of action which permits a susceptible or older adult, or their authorized representative, to recover money lost due to financial exploitation.⁷ Under my leadership, prosecutors will establish collaborative efforts with the Maryland Office of the Attorney General, and work together to refer cases appropriate for this private cause of action.

Another partner agency my office would look to work with and learn from will be the United States Department of Justice, and more specifically, its *Elder Justice Initiative* (“EJI”). EJI has created a multitude of programs and trainings, designed to support local prosecutors and law enforcement efforts. As State's Attorney, I would explore the possibility of creating a multidisciplinary team, and look to the Justice Department's model for best practices in prosecuting these important cases.

⁷ See Maryland Commercial Law § 13-204(a) and Corporations and Associations § 11-209.