NO ELDER ABUSE

Working With Victims Of Elderly Crimes & Abuse

“This project was made possible by the Crime Victim Services Commission and the Prosecuting Attorney's Association of Michigan.”

Provided by Ottawa County Prosecuting Attorney
A message from
Prosecuting Attorney Ronald J. Frantz

This booklet summarizes Vulnerable
Adult Abuse physical injury or financial
harm. It also provides valuable resource
information for individuals who have been
victimized. Legal steps and psychological
stresses following victimization are
sometimes complicated and lengthy. We
want you to know that your concerns as a
victim of crime are uppermost in our minds
as we seek justice in your case.

There is a victim advocate at each of our
office sites to serve you: Grand Haven,
Holland, and West Olive. Please do not
hesitate to contact them during business
hours when you need help with or more
information about your rights as a victim.

Very truly yours,

Ronald J. Frantz
Prosecuting Attorney

Report immediately when there is
cause to believe any of the following:

**Abuse:** any harm or threatened
harm to an adult’s health or welfare
cased by another person. This
includes, but is not limited to, non-
accidental physical or mental injury,
sexual abuse, or maltreatment.

**Exploitation:** any action that involves
the misuse of an adult’s funds,
property, or personal dignity by
another person.

**Neglect:** any harm to an adults
health or welfare caused by the
inability of the adult to respond to a
harmful situation (self-neglect) or by
the conduct of a person who assumes
responsibility for a significant aspect
of the adult’s health or welfare.
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Contact Information

Ottawa County Prosecuting Attorney
414 Washington Street
Grand Haven, MI 49417

Crime Victim Assistance
• Compensation
• Information
• Legal Rights
• Support

Grand Haven: 616-846-8368
616-846-8391
Holland: 616-355-4310
Hudsonville: 616-355-4310
Juvenile: 616-738-4870
Monday thru Friday 8am to 5pm

Fighting Back: CPAs on the lookout
for Elder Abuse. (Elder Care) An
article from California CPA
by Vanessa J. Hill
(July 25, 2005)

Financial Abuse of The Elderly:
A Detective's Case Files of
Exploitation Crimes
by Joe Roubicek
(January 11, 2008)

Paradise Costs: A Daughter's
Struggle Against Elder Abuse
by Irene A. Masiello
(November 13, 2007)

Regaining Control: When Love
Becomes A Prison
by Tami Brady
(January 5, 2007)

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harmful situation (self-neglect) or by
the conduct of a person who assumes
responsibility for a significant aspect
of the adult's health or welfare.
Elder Abuse and Neglect: An Issue of Clinics in Geriatric Medicine by Martin Gorbien, M.D. (April 26, 2005)


Elder Abuse, Neglect, and Maltreatment: What Can Be Done To Stop It by Mary Hird (September 12, 2003)

Elder Abuse Prevention: Emerging Trends and Promising Strategies by Lisa Nerenberg MSW (December 28, 2007)

VULNERABLE ADULT ABUSE

Statute

MCL 750.145n. Vulnerable adult abuse, degrees; penalties; reasonable actions to prevent harm; actions pursuant to power of attorney

Sec. 145n. (1) A caregiver is guilty of vulnerable adult abuse in the first degree if the caregiver intentionally causes serious physical harm or serious mental harm to a vulnerable adult. Vulnerable adult abuse in the first degree is a felony punishable by imprisonment for not more than 15 years or a fine of not more than $10,000, or both.

(2) A caregiver or other person with authority over the vulnerable
adult is guilty of vulnerable adult abuse in the second degree if the reckless act or reckless failure to act of the caregiver or other person with authority over the vulnerable adult causes serious physical harm or serious mental harm to a vulnerable adult. Vulnerable adult abuse in the second degree is a felony punishable by imprisonment for not more than 4 years or a fine of not more than $5,000, or both.

(3) A caregiver is guilty of vulnerable adult abuse in the third degree if the caregiver intentionally causes physical harm to a vulnerable adult. Vulnerable adult abuse in the third degree is a misdemeanor punishable by imprisonment for not more than 2 years, or a fine of not more than

Zeeland Community Hospital
(Medical Emergency)
Zeeland: 772-4644

Books & Articles

Crime And Elder Abuse: An Integrated Perspective by Brian K. Payne
(March 2005)

Elder Abuse: A Public Health Perspective by Randal W. Summers and Allan M. Hoffman
(June 30, 2006)

Elder Abuse and Mistreatment: Policy, Practice, and Research by Joanna Mellor and Patricia Broenell
(August 4, 2006)
Social Security Administration  
Toll Free: 1-800-772-1213  
Holland: 392-4404

The Michigan Victim Alliance  
(assists victims of violence, trauma & abuse)  
Website:  www.mivictims.org

Tri Cities Ministries  
(Counseling Services)  
Grand Haven: 842-9160

Western Michigan Legal Services  
1-800-968-4887

United States Postal Inspection Service  
1-877-876-2455  
Website:  http://postalinspectors.uspis.gov/

$2,500, or both.

(4) A caregiver or other person with authority over the vulnerable adult is guilty of vulnerable adult abuse in the fourth degree if the reckless act or reckless failure to act of the caregiver or other person with authority over the vulnerable adult causes physical harm to a vulnerable adult. Vulnerable adult abuse in the fourth degree is a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000, or both.

Statute

MCL 750.174a. Vulnerable adult; Persons in relationships of trust; use of money or property
Sec. 174a. (1) A person in a relationship of trust with a vulnerable adult shall not through fraud, deceit, misrepresentation, or unjust enrichment obtain or use or attempt to obtain or use the vulnerable adult's money or property to directly or indirectly benefit that person.

(2) If the money or property used or obtained, or attempted to be used or obtained has a value of less than $200, the person is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than $500.00 or 3 times the value of the money or property used or obtained or attempted to be used or obtained, which ever is greater, or both imprisonment and a fine.

Ottawa County Community Mental Health (Counseling Services)
Grand Haven: 842-5350
Holland: 392-1873
Hudsonville: 669-6160

Pathways of Michigan (Counseling Services)
Grand Haven: 846-5880
Holland: 396-2301

Salvation Army (General Assistance)
Grand Haven: 842-3380
Holland: 392-4461

Silent Observer
Grand Haven: 842-1400
Holland: 392-4443

Social Security Administration
Toll Free: 1-800-772-1213
Holland: 392-4404

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(3) If any of the following apply, the person is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $2,000 or 3 times the value of the money or property used or obtained or attempted to be used or obtained, whichever is greater, or both imprisonment and a fine:

(a) The money or property used or obtained, or attempted to be used or obtained, has a value of $200.00 or more but less than $1,000.

(b) The person violates subsection (2) and has 1 or more prior convictions for committing or attempting to commit an offense under this section. For purposes of this subdivision, however, a prior conviction does not include a conviction for a violation or attempted violation of subsection (2) or (3)(b).

(4) If any of the following apply, the person is guilty of a felony punishable
by imprisonment for not more than 5 years or a fine of not more than $10,000 or 3 times the value of the money or property used or obtained or attempted to be used or obtained, whichever is greater, or both imprisonment and a fine:

(a) The money or property used or obtained, or attempted to be used or obtained, has a value of $1,000 or more but less than $20,000.

(b) The person violates subsection (3)(a) and has 1 or more prior convictions for committing or attempting to commit an offense under this section. For purposes of this subdivision, however, a prior conviction does not include a conviction for a violation or attempted violation of subsection (2) or (3)(b).

National Crime Prevention Council
1-800-NCPC-911 (1-800-627-2911)
Website:  www.ncpc.org

National Criminal Justice Reference Service/Office for Victims of Crime Resource Center
1-800-851-3420
TTY: 1-877-712-9270
Website:
www.ojp.usdoj.gov/ovc/ovcres/

National Fraud Information
(Hotline)
Toll free:  1-800-876-7060
Website:  www.fraud.org

National Organization For Victim Assistance
1-800-TRY-NOVA (1-800-879-6682)
Website:  www.trynova.org

National Sexual Violence Resource Center
1-877-739-3895
TTY:  717-909-0715
Website:  www.nsvrc.org

North Ottawa Community Hospital
(Medical Emergency)
Grand Haven:  842-3600

North Ottawa County Council On Aging
Grand Haven:  842-9210
Michigan Department of Community Health (MDCH), Complaint Investigation Unit
Toll Free, 1-800-882-6006
Website: www.michigan.gov/bhs

National Center for Victims of Crime, National Crime Victim Helpline
1-800-FYI-CALL (1-800-394-2255)
TTY: 1-800-211-7996
Website: www.ncvc.org

National Center on Elder Abuse
1-202-898-2586
Website: www.elderabusecenter.org

National Committee for the Prevention Of Elder Abuse
1-202-682-4140
Website: www.preventelderabuse.org

(5) If any of the following apply, the person is guilty of a felony punishable by imprisonment for not more than 10 years or a fine of not more than $15,000 or 3 times the value of the money or property used or obtained or attempted to be used or obtained, whichever is greater, or both imprisonment and a fine.

(a) The money or property used or obtained, or attempted to be used or obtained, has a value of $20,000 or more.

(b) The person violates subsection (4)(a) and has 2 or more prior convictions for committing or attempting to commit an offense under this section. For purposes of this subdivision, however, a prior conviction does not include a conviction
(5) If any of the following apply, the person is guilty of a felony punishable
by imprisonment for not more than 10 years or a fine of not more than
$15,000 or 3 times the value of the money or property used or obtained or
attempted to be used or obtained, whichever is greater, or both
imprisonment and a fine.
(a) The money or property used or
obtained, or attempted to be used or
obtained, has a value of $20,000 or
more.
(b) The person violates subsection
(4)(a) and has 2 or more prior
convictions for committing or
attempting to commit an offense
under this section. For purposes
of this subdivision, however, a prior
conviction does not include a conviction
for a violation or attempted
violation of subsection (2) or (3)(b).

(6) Except as otherwise provided in
this subsection, the values of money
or property used or obtained or
attempted to be used or obtained in
separate incidents pursuant to a
scheme or course of conduct within
any 12-month period may be
aggregated to determine the total
value of money or personal property
used or obtained or attempted to be
used or obtained. If the scheme or
course of conduct is directed against
only 1 person, no time limit applies to
aggregation under this subsection.

Legal Hotline
For Michigan Seniors
(Free Legal Information & Advice)
Toll Free: 1-800-347-5297
9-5, Mon. – Fri.
Website: www.elderslaw.org

Mental Health Helpline
(Ottawa County Residents Only)
Suicide/Crisis Intervention
Grand Haven: 842-4357
Holland: 396-4357
Toll Free: 1-866-512-4357

Michigan Attorney General’s Office
1-800-24-abuse (1-800-242-2873)
(Call to make a report on suspected
abuse, neglect, or financial
exploitation by a licensed provider
or residential facility.)
Website: www.michigan.gov/ag
Federal Trade Commission
Identity Theft Hotline
1-877-ID-THEFT (1-877-438-4338)
Website:  www.ftc.gov/bcp/edu/microsites

Good Samaritan Ministries
(General Assistance Resource)
Holland:  392-7159

Grand Haven Senior Center
(General Assistance)
Grand Haven:  842-9210

Holland Community Hospital
(Medical Emergency)
Holland:  392-5141

Holland Rescue Mission
(Food & Shelter)
Holland:  396-2200

Help & Healing
For Victims of Elderly Crimes
& Abuse

We sincerely hope that you find the support that you need to help you during this difficult time. The following are some resources you may wish to consult.

211 (your 24 hr. link to Health & Human Resources)  Dial 2-1-1 or Toll Free:  877-211-5253
Website:  www.CALL-211.org
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Website:  www.CALL-211.org

AARP
Website:  www.aarp.org
(AARP en Espanol at bottom right of the Home Page)

Adult Protective Services Hotline
Vulnerable Adult Helpline
Toll Free:  1-800-996-6228
(24/7 information & referral)

Bereavement of North Ottawa
(Grief Counseling & Support Groups)
Grand Haven:  846-2015

Bethany Christian Services
(Counseling)
Holland:  396-0623

Community Action House
(General Assistance)
English & Spanish
Holland:  392-2368

Department of Human Services
(Counseling)
Holland:  394-7200

Department of Human Services
Holland:  394-7220
(to report adult abuse - also after hours answering service)
Website:  www.Michigan.gov/DHS

El Centro, Inc.
(Hispanic Counseling)
Holland:  396-3391

Elder Abuse/Vulnerable Adult Abuse Helpline
1-800-996-6228

Evergreen Commons
(Support Groups & General Assistance)
Holland:  396-7100
Website:  www.evergreencommons.org/