

NO ELDER ABUSE



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

Working With Victims
Of Elderly Crimes
& Abuse



Provided by
Ottawa County 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 caused 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 adult's 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.

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

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)

Elder Abuse and Neglect: An Issue of Clinics in Geriatric Medicine by Martin Gorbien, M.D. (April 26, 2005)

Elder Abuse Detection and Intervention: A Collaborative Approach (Springer Series on Ethics, Law and Aging) by Bonnie Brandl MSW, Carmel Bitondo Dyer, M.D., Candace J. Heisler JD, and Joanne Marlatt Otto MSW (August 14, 2006)

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, whichever 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

National Resource Center
on Domestic Violence
1-800-537-2238
TTY: 1-800-553-2508
Website: www.nrcdv.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

(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.

(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

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

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

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/