

STATE SENATOR • DEBORAH CHERRY • 26TH DISTRICT

Cherry Press Release

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Cherry, Senate Democrats Introduce Legislation to Protect Seniors from Fraud, Abuse

“Safeguard Our Seniors” Package Strengthens Penalties, Helps Catch Crooks

LANSING—State Senator Deb Cherry (D-Burton) joined her colleagues today in introducing “Safeguard Our Seniors” legislation, a ten-bill package designed to protect senior citizens from predators. The bills seek to prevent exploitation of the elderly by ratcheting up penalties and providing additional tools for prosecutors, based on recommendations made by Governor Jennifer Granholm’s Task Force on Elder Abuse. The legislative action helps kick off “Older Americans Awareness Month” in May.

“There is no greater criminal than those who prey on our most vulnerable citizens, our children and seniors,” said Sen. Deb Cherry, who has been a long-time advocate for seniors’ issues. “These new bills send a strong message that this behavior will not be tolerated, and that the severity of punishment will equal the vile nature of crimes against defenseless seniors.”

The SOS package takes into account many recommendations by the Governor’s Task Force on Elder Abuse and translates them into tangible action to protect the elderly. These bills will make it easier for senior citizens to testify in court and deter obstruction of investigations which will help put criminals behind bars. This legislation also ensures that anyone who exploits a senior will not be able to reap the reward of their inheritance, and discourages abuse by creating stronger sentencing guidelines for such crimes.

The package is sponsored by Deb Cherry (D-Burton), together with Senators Glenn S. Anderson (D-Westland), Jim Barcia (D-Bay City), Ray Basham (D-Taylor), Irma Clark-Coleman (D-Detroit), Tupac A. Hunter (D-Detroit), Dennis Olshove (D-Warren), Mike Prusi (D-Ishpeming), and Mark Schauer (D-Battle Creek). Highlights of the legislation include:

- Requires the forfeiture of an inheritance by individuals who abuse, neglect, or steal from a vulnerable adult.
- Increases penalties and sentencing guidelines for the crime of financial exploitation of vulnerable adults based on the dollar amount involved, in some cases doubling it.
- Allows the testimony of a vulnerable adult to be presented by videotape or closed

circuit television to accommodate physical limitations. This creates a special witness protection statute for the elderly and other vulnerable adults that may be too fearful or frail to testify in front of their abusers.

- Provides for consecutive sentences for any crimes against vulnerable adults, and increases sentencing guidelines for a death in an unlicensed care facility and increases the penalty for obstructing an investigation at an adult care facility.

In Michigan, it is estimated that at least 73,000 older adults are victims of elder abuse. That includes physical abuse, emotional abuse and neglect as well as the financial exploitation and theft of resources that can financially and emotionally devastate those persons who have no ability to recoup their losses. Governor Granholm created the Michigan Task Force on Elder Abuse on May 25, 2005 and this package addresses many of the concerns and suggestions that arose during that process. To view the Task Force's Final Report, visit <http://www.ihcs.msu.edu/elder/>.

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Elected to the Senate in 2002 and 2006, Senator Cherry is a member of the Senate Appropriations Committee, serving as Minority Vice Chair on the Subcommittees for Community Health and Retirement. She is also a member of the Subcommittee on Capital Outlay.