

STATE SENATOR • GRETCHEN WHITMER • 23RD DISTRICT

Whitmer Press Release

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FOR IMMEDIATE RELEASE
Oct 13, 2009

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Whitmer: Elder Abuse Reform Cannot Wait

Legislative package would increase penalties for abuse to better protect Michigan's senior citizens

LANSING—Senator Gretchen Whitmer (D-East Lansing) will be introducing legislation today that will better protect Michigan's elderly citizens by increasing penalties for abusing or exploiting senior citizens in Michigan. These bills are part of a broader elder abuse prevention legislative package, with more legislation addressing the physical and financial protection of our seniors to be introduced soon.

“Sadly, elder abuse crimes are rapidly increasing as more and more criminals are taking advantage of our seniors. As criminal activity evolves, so too must our protections for our vulnerable citizens,” said Sen. Whitmer. “Our seniors have dedicated their lives to raising a family and working in Michigan, and we should be doing everything we can to protect our parents, grandparents, friends and neighbors from both physical and financial harm.”

The initial components of the package being introduced today will:

- Make it a felony to obtain a senior's signature through fraud, deceit, misrepresentation or coercion. The penalty is 15 years in prison and a fine of \$15,000 or three times the value of the money or property obtained, whichever is greater
- Prohibit someone from receiving any benefits from a victim's estate if they are charged with a related felony count of abuse, neglect or exploitation.
- Add fraudulently obtaining a signature of any person with the intent to cheat and defraud them to the state's definition of racketeering and strengthening sentencing guidelines accordingly.
- Increase protections for seniors with variable annuity investments and cracks down on financial scams.

Several high-profile and disheartening cases over the last year have shed some light on the true horrors of elder abuse and the need for stronger penalties to protect our seniors. In Ottawa County, a woman was only sentenced to four months in jail for neglecting her 87-year-old father and leaving him in unfit living conditions that ultimately lead to his death from malnutrition. Elder abuse is not always the only illegal activity being undertaken by these offenders, either, as a recent investigation into a Genesee County man's embezzlement of \$190,000 from his elderly mother also unearthed evidence of child sexual abuse.

As part of her ongoing efforts to protect our seniors, Sen. Whitmer also cosponsored a similar “Safeguard Our Seniors” legislative package introduced last session, which was also intended to prevent exploitation of the elderly by ratcheting up penalties and providing additional tools for prosecutors.

“There is no excuse for further delay in this important fight,” Whitmer said. “I hope my colleagues on both sides of the aisle can see the importance of reforming and strengthening our laws against elder abuse, and we should be taking quick action to enact this legislation into law.”

It is believed that over 2 million older Americans are the victims of elder abuse annually. That includes physical abuse, emotional abuse and neglect as well as the financial exploitation and theft of resources. Here in Michigan, reports of elder abuse to the Department of Human Services’ Adult Protective Services Program have jumped 40% in the last decade, with 16,300 instances of elder abuse reported in 2008. However, a majority of elder abuse incidents go unreported, which places estimates of abuse closer to 73,000, according the Governor’s Task Force on Elder Abuse.

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