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ELDER ABUSE

Crimes against the elderly affect us all. Many of us have aging parents, relatives or friends who are potential victims. Whether they are victims of identity theft, fraud, physical or sexual abuse or mistreatment, we all need to be constantly aware of the danger these crimes pose.

Recently, this jurisdiction prosecuted a crime of neglect and abuse perpetrated against a 92 year old woman. Although she was in a nursing home, she still fell prey to neglect and mistreatment. The frail victim was ultimately able to testify from her wheel chair, outlining the facts that led to the charge and ultimate conviction. The nursing home and co-workers were instrumental in reporting the incident and assisting in the successful prosecution of the employee involved. They also acted with compassion and professionalism throughout the investigation. With their assistance and the work of Fort Collins Police investigators, the defendant was found guilty of Neglect to an At-Risk-Adult, a class 1 misdemeanor. The case was tried to a jury in August of this year by Deputy District Attorney Davin Dahl and Chief Deputy District Attorney Emily Humphrey. The defendant was sentenced by Judge C. Edward Stirman on September 9, 2009, to eighteen months probation, 100 hours of community service, and 90-days jail suspended on the condition the defendant comply with all terms of the sentence. In handing down the sentence, Judge Stirman stated that the behavior of the defendant was an affront to any person's sense of decency. He also ordered the defendant to write a letter of apology to the victim and her family.

Elder abuse is not just a local problem. It is a major concern nationwide and is often perpetrated by those closest to the victim. The National Committee for the Prevention of Elder Abuse reported in 2006 that: "Spiraling rates of elder mistreatment are reported by both practitioners and researchers. In a recent national study of Adult Protective Services there were 253,421 reports of abuse of adults age 60+ or 832.6 reports for every 100,000 people over the age of 60." Realizing this problem, the Colorado General Assembly increased the penalties for crimes against those over the age of 60. This age group was considered to be in a class of individuals who were at greater risk of being a victim of criminal behavior. Unfortunately, the elderly are also a group most reluctant to report abuse because of embarrassment, self-blame, or fear of the criminal justice system. Thus, it is suspected the incidents of elder abuse and fraud are much greater than we realize.

There are steps that we can take to protect our elder family members and friends. If they are in a nursing home, ask a lot of questions and visit frequently. Keep your eyes open for signs of malnutrition, cleanliness, variances in eating habits or anything else that tells you there are significant changes taking place. In the case of fraud, watch for the purchase of new items that may be expensive, as well as newly acquired friends spending an inordinate amount of time with the elderly person. If possible, check phone records for frequent out-of-area calls and have a bank monitor excessive expenditures or automatic withdrawals. If anything is suspected as being out of the ordinary, begin asking questions, seek documentation when possible, and report suspicious findings to law enforcement.

Our elderly are special and deserve our attention and care. If we provide the respect and compassion they deserve, they will continue to enjoy many happy and rewarding years.