



## Additional Charges using Elder Justice Initiative Definitions

Laws vary from state to state and even jurisdiction to jurisdiction. It is critical that a thorough investigation be conducted in accordance with your state's statute. An assessment of the victim's potential to testify should be conducted early on to ensure the most favorable outcome for the victim.

| Type of Abuse                                                                                                                           | Possible Charges <sup>1</sup>                                                                                                                                                                                              |                                                                                                                                                                                                                               |
|-----------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Physical Abuse</b><br>is defined as an act, rough treatment or punishment that may result in injury, pain or impairment.             | <ul style="list-style-type: none"> <li>• Aggravated Assault</li> <li>• Assault</li> <li>• Attempted Murder</li> <li>• Battery</li> <li>• Domestic Violence</li> <li>• Elder Abuse</li> <li>• False Imprisonment</li> </ul> | <ul style="list-style-type: none"> <li>• Felony Murder</li> <li>• Homicide by Abuse</li> <li>• Kidnapping</li> <li>• Manslaughter</li> <li>• Murder</li> <li>• Unlawful Imprisonment</li> <li>• Unlawful Restraint</li> </ul> |
| <b>Sexual Abuse</b><br>is defined as sexual contact or non-contact of any kind with an older person without agreement from that person. | <ul style="list-style-type: none"> <li>• Aggravated Assault</li> <li>• Assault</li> <li>• Assault with Sexual Motivation</li> <li>• Battery</li> <li>• Domestic Violence</li> <li>• Elder Abuse</li> </ul>                 | <ul style="list-style-type: none"> <li>• Indecent Liberties</li> <li>• Rape</li> <li>• Sexual Assault</li> <li>• Sexual Battery</li> <li>• Trafficking</li> <li>• Voyeurism</li> </ul>                                        |
| <b>Psychological Abuse</b><br>is defined as verbal or emotional abuse causing suffering, emotional pain, or distress                    | <ul style="list-style-type: none"> <li>• Elder Abuse</li> <li>• Harassment</li> <li>• Hate Crimes</li> <li>• Malicious Harassment</li> </ul>                                                                               | <ul style="list-style-type: none"> <li>• Stalking</li> <li>• Violation of No Contact/Protection Order</li> </ul>                                                                                                              |

<sup>1</sup>Adapted from: Stiegel, L. (2014). Legal issues related to elder abuse: A pocket guide for law enforcement. ABA Commission on Law & Aging and the Bureau of Justice Assistance. Complete document is available at <https://www.bja.gov/Publications/ABA-ElderAbuseGuide.pdf>, with input from Page Ulrey, King County Prosecutor.

| Type of Abuse                                                                                                                                                             | Possible Charges                                                                                                                                                                                        |                                                                                                                                                                                                                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Neglect &amp; Abandonment</b><br>is defined as intentional or unintentional failure or refusal to provide care or help to an older adult - an extreme form of neglect. | <ul style="list-style-type: none"> <li>Abandonment</li> <li>Elder Abuse</li> <li>Felony Murder</li> <li>Manslaughter</li> </ul>                                                                         | <ul style="list-style-type: none"> <li>Murder</li> <li>Negligent/Involuntary Homicide</li> <li>Neglect</li> </ul>                                                                                                  |
| <b>Financial or Material Exploitation</b><br>is defined as the illegal or improper use of an older person's money or property.                                            | <ul style="list-style-type: none"> <li>Elder Abuse</li> <li>Embezzlement</li> <li>Exploitation</li> <li>Forgery</li> <li>Fraud (e.g., credit card, tax, or Medicaid)</li> <li>Identity Theft</li> </ul> | <ul style="list-style-type: none"> <li>Larceny</li> <li>Money Laundering</li> <li>Obtaining a Signature by Force, Fraud or Coercion</li> <li>Theft</li> <li>Theft of Motor Vehicle</li> <li>Trafficking</li> </ul> |

### Disclaimer

The content provided on this page was created as part Grant No. 2010-DJ-BX-K078 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the SMART Office, and the Office for Victims of Crime. Points of view or opinions in this document are those of the author and do not represent the official position or policies of the United States Department of Justice.