

Elder Abuse: Potential Criminal Remedies
Developed by the Upper Cumberland Adult Abuse Coalition 2006

<p style="text-align: center;">Observed Behavior/Condition</p>	<p style="text-align: center;">Potential Criminal Violations Tennessee Code Annotated</p>
<p>Physical Abuse The infliction of physical pain, injury... or unreasonable confinement of an adult who is unable to protect him/herself</p>	<p>Physical Abuse 1. Willful Abuse of impaired adult prohibited.....Sec. 71-6-117 2. Willful Physical abuse and gross neglect of an impaired adult prohibited.....Sec. 71-6-119 3. Duty to report.....Sec. 71-6-103(b)(1) 4. Violation of duty to report..... Sec. 71-6-110 5. Immunity for liability.....Sec. 71-6-105 6. Death doesn't relieve duty to Report.....Sec. 71-6-103(b)(1)</p>
<p>Emotional Abuse Infliction of mental or emotional anguish by threat, humiliation, intimidation, or other verbal or non-verbal abusive contact.</p>	<p>Emotional Abuse 1. Unlawful photographing.....Sec. 39-13-605 2. Disorderly Conduct.....Sec. 39-17-305 3. Harassment.....Sec. 39-17-308 4. Civil Rights Intimidation.....Sec. 39-17-309 5. Abuse of Corpse.....Sec. 39-17-312 6. Stalking.....Sec. 39-17-315 7. Destruction or interference With Utility lines, Fixtures, Or Appliances.....Sec. 39-14-411 8. Mailbox tampering.....Sec. 39-14-412 9. Abuse(mental Anguish).....Sec. 71-6-102(1)</p>
<p>Neglect Deprivation by a caretaker of services necessary to maintain the health and welfare of an adult or a situation in which an adult is unable to provide or obtain the services that are necessary to maintain his/her own health and welfare.</p>	<p>Neglect 1. Willful neglect of impaired adult....Sec. 71-6-117 2. Willful physical abuse and Gross neglect of an impaired Adult prohibited and punished As aggravated assault.....Sec. 71-6-119 3. Duty to report.....Sec. 71-6-103(b)(1) 4. Violation of duty to report.....Sec. 71-6-110 5. Immunity from liability.....Sec. 71-6-105 6. Death doesn't relieve duty To report.....Sec. 71-6-103(b)(1)</p>
<p>Confinement Holding another person against his or her will and/or engaging in behavior that results in a person not feeling able to move about freely</p>	<p>Confinement 1. false imprisonment.....Sec. 39-13-302 2. Kidnapping.....Sec. 39-13-303 3. Aggravated Kidnapping.....Sec. 39-13-304 4. Esp. Aggravated Kidnapping.....Sec. 39-13-305 5. Custodial interference.....Sec. 39-13-306 6. Abuse(Mental Anguish).....Sec. 71-6-102(1) 7. Willful abuse or neglect of impaired adult prohibited.....Sec. 71-6-117 8. Willful physical abuse or gross neglect of an impaired adult.....Sec. 71-6-119</p>

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<p>Financial Exploitation Misappropriation, misuse, or blocking access to property, possessions, or other assets of the rightful owner</p> <p>Note: The Adult Protective Services staff of the Tennessee Department of Human Services is authorized by state law to investigate only those cases involving the misappropriation by a caretaker of an impaired adult's government benefits.</p> <p style="text-align: center;">Adult Protective Services (APS) 1-888-277-8366</p>	<p><u>Financial Exploitation</u></p> <ol style="list-style-type: none"> 1. Criminal Simulation.....Sec. 39-14-115 2. Fraud in insolvency.....Sec. 39-14-117 3. Illegal possession or Fraudulent use of Credit or debit card.....Sec. 39-14-118 4. Falsely reporting Credit/debit card lost Stolen, or mislaid.....Sec. 39-14-118 5. Issuing false Financial statement.....Sec. 39-14-120 6. Worthless checks.....Sec. 39-14-121 7. Deceptive business practices.....Sec. 39-14-127 8. Creating false Impression of death.....Sec. 39-14-128 9. Destruction of Valuable papers With intent to defraud.....Sec. 39-14-130 10. Destruction or Concealment of Will.....Sec. 39-14-131 11. Misrepresentation of mileage on used motor vehicle odometer.....Sec. 39-14-132 12. False or fraudulent insurance claims.....Sec. 39-14-133 13. Misappropriation of Government Benefits by a caretaker.....Sec. 71-6-102(8)
<p>Sexual Abuse Unwanted sexual contact, involuntary exposure to sexually explicit material or language, or sexual activity with a person who is unable to give consent.</p>	<p>Sexual Abuse</p> <ol style="list-style-type: none"> 1. Aggravated Rape.....Sec. 39-13-502 2. Rape.....Sec. 39-13-503 3. Aggravated Sexual battery.....Sec. 39-13-504 4. Sexual battery.....Sec. 39-13-505 5. Spousal rape and Spousal Sexual battery.....Sec. 39-13-507 6. Public indecency.....Sec. 39-13-511 7. Violation of sexual Offender registration.....Sec. 40-39-108 8. Criminal Exposure to HIV.....Sec. 39-13-109 9. Female genital mutilation.....Sec. 39-13-110 10. Sexual abuse prohibited.....Sec. 71-6-102(12)
<p>Denial of Access Refusing to allow entry of an adult protective services counselor and/or law enforcement officer into a home or facility in which assistance is needed.</p>	<p>Denial of Access</p> <ol style="list-style-type: none"> 1. Entry to Health Care Facilities and private premises.....Secs. 71-6-103(e)(f) 2. Access Denied-Search warrant....Sec. 71-6-103(f)