

# 2020 Virtual Elder Law Day Summer Series



**This presentation will  
begin shortly.....**

# Elder Abuse: Anatomy of a Crime

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## The Pietrocarlo Family

Back Row, from Left to Right

- ARMOND
- GRACE
- MICHAEL JR.
- LAURA
- WADE

Front Row, from Left to Right

- ELISSA
- ADAM
- MICHAEL
- CHRISTINE
- ANNABEL



# Fifteen Years of Abuse

- Starting in about **2002**, Elissa Pietrocarlo had some kind of mental health breakdown which resulted in her telling the family that she was a “Prophet of God”. Elissa began claiming to receive messages from God. Elissa advised the family that they would not be attending regular church services anymore.
- One of the first messages that Elissa claimed to receive indicated that her father, 71 year old Michael Pietrocarlo, was being unfaithful to her mother, 66-year-old Christine Pietrocarlo. Elissa informed the family that Christine was now “God’s Queen.”
- As a result, her father was no longer permitted to sleep in the marital bed nor the marital bedroom, and he was forced to sleep on a couch in the kitchen. He was only allowed on the second floor of the house if he needed to shower.

# Fifteen years, con't:

- The physical and emotional abuse began after the accusations of infidelity. Elissa and/or Christine would tell Michael that he was full of demons and he would be physically assaulted as punishment.
- When the victim denied their claims of infidelity, he would be beaten by the women in the household because he was calling God a liar. They would call him “STU” for “STUPID”, and “STINK” because he was spiritually unclean.
- The victim was isolated from the family and relegated to a small area of the kitchen, which was separated from the rest of the house by a curtain. He would sleep fully clothed on the couch because the attacks would happen at any point in the night, and he would be forcibly removed from the home by the women.

# The Final Straw

- On September 9, 2017, at approximately 4 p.m., the victim was on his computer in his area of the kitchen, when his wife, Christine Pietrocarlo, accused him of defiling her name online to his friend.
- Christine began repeatedly slapping him in the face.
- His three daughters and his wife surrounded him and told him he was no longer allowed to go grocery shopping with them and they demanded money for groceries. Michael stood up and gave them money for groceries but that wasn't enough. Annabel began choking her father from behind which forced him to the ground.
- While Michael was on the floor in a fetal position all four women began kicking and punching him as Annabel forcibly took \$1,100 in cash from his pocket. Michael then felt and heard a left rib crack and he lost his breath. Michael pleaded for their help as he lay on the kitchen floor and received none.

Warning: The next slide contains images depicting physical injuries resulting from abuse which may be difficult for some attendees.

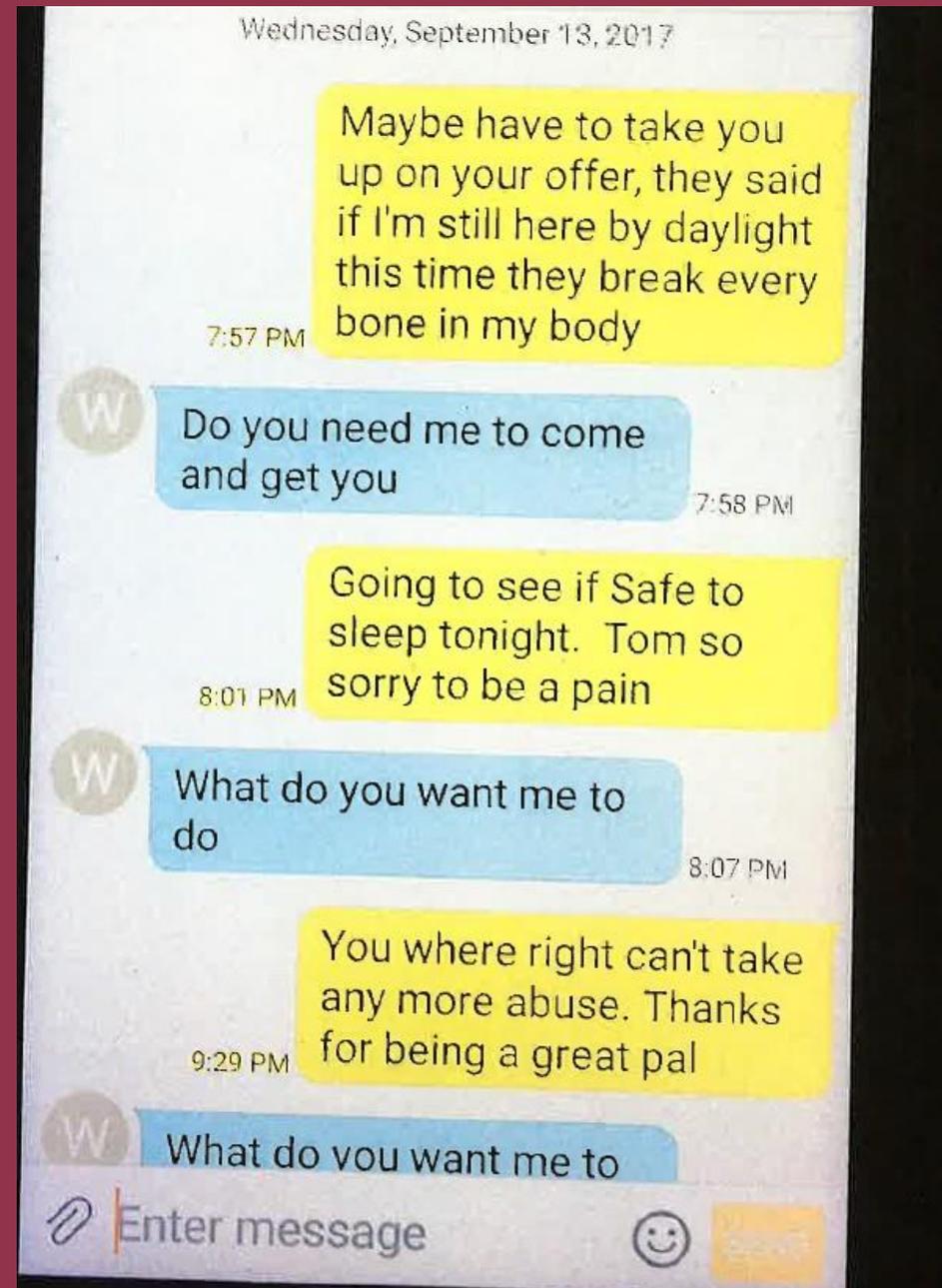
This bruising shows  
the bruised spleen  
and fractured rib  
suffered by Michael  
as a result of the  
September 9<sup>th</sup> attack



# Seeking Help

- When the attack stopped and the defendants had what they wanted they left the house. Michael, who was in a great deal of pain and having difficulty breathing crawled from the kitchen to his pickup truck that was parked in the driveway. He struggled to get into the vehicle and had to stop twice due to the severe pain, but he managed to drive himself to Mercy Hospital in Orchard Park. He was treated for a **fractured rib** and a **bruised spleen**.
- The threats continued when Michael returned home from the hospital. The women told the victim he was not allowed inside the house during daylight hours, and threatened to “break every bone in his body” if he did so. The victim disclosed this incident of abuse to his friend via text. When Michael stopped responding to the friend’s texts the friend called the Hamburg police and requested that the officers conduct a welfare check.

## Text to neighbor on 9/13



# Why did this go on for so long?

## Prior police contact at that residence:

- 8/25/02 complainant Christine
- 12/28/02 complainant Christine
- 9/9/05 complainant Christine
- 5/5/11 complainant Elissa
- 7/24/11 complainant Elissa
- 8/30/14 complainant Christine
- 9/13/17 THIS INCIDENT

## Outcome of police calls:

Michael would always be the one arrested even if he was the only one injured.

## Why?

- Police did not believe Michael was a victim
- Michael would not want to cooperate with cops aside from the fact that **they never believed him.**
- Afraid of repercussions from his family by going/telling the police.
- Does not want his own family arrested.

# Involvement of APS and DA

- September 2017: first phone call from Adult Protective Services
  - Told 71 year old man named **Michael Pietrocarlo** was being physically abused by his family in the Town of Hamburg.
  - That on September 9, 2017, Christine (wife & “god’s queen”), Elissa (daughter & “prophet”), Grace (daughter), and Annabel (daughter) had assaulted Michael Pietrocarlo resulting in a fractured rib and a bruised spleen.
  - Adult Protection asked for my help as they were suspicious as to how Michael had sustained these injuries, and were not happy with the police response from the Town of Hamburg.
  - After doing a preliminary investigation, meeting with Michael Pietrocarlo on multiple occasions, he finally opened up to me about the physical, emotional, and financial abuse that had been going on for over a decade.

# Types of Abuse suffered by Michael Pietrocarlo

- Physical Abuse
- Emotional Abuse
- Financial Abuse

# Physical Abuse

The use of force against an elderly person that results in physical pain, injury, or impairment.

This includes inappropriate use of drugs, restraints, or confinement.



# Physical abuse in Pietrocarlo case

- Repeated attacks by daughters. Use of dangerous instruments.
- Repeated attacks by sons.
- Eight children in total. Four boys and four girls. Three of the children testified at trial for the prosecution on behalf of their father.
- Punching, Kicking, Slapping
- Bruising; treated at hospital

# Emotional Abuse

People speak to or treat elderly persons in ways that cause emotional pain or distress.

This can be verbal, through yelling or threats, or nonverbal, through ignorance and isolation.



# Emotional Abuse in Pietrocarlo Case

- Isolation: He was isolated from the family and relegated to a small area of the kitchen, which was separated from the rest of the house by a curtain.
- Not allowed to speak or spend time with his only grandson.
- Not allowed to participate in Christmas or other holidays, vacations, or birthdays.
- He would sleep fully clothed on the couch because the alleged attacks would happen at any point in the night, and he would be forcibly removed from the home by the women.
- Threatening to break every bone in his body if he told anyone what happened



# Behavioral Signs – what to look for

- Fear, hesitation to talk openly
- Anxiety, agitation
- Isolation, withdrawal
- Change in normal activities
- Non-responsiveness
- Confusion, disorientation

# Environmental Signs

- Lack of heat, water, electric
- Extreme filth and clutter
- Strong odors, poor hygiene, soiled clothing
- No food and/or spoiled food
- Unsafe living space
- Note in this case, putting up No Trespassing signs

# Financial

This involves unauthorized use of an elderly person's funds or property, either by a caregiver, or an outside scam artist.

Financial exploitation costs seniors over \$36.5 billion a year

For every case reported, 43 go unrecognized



# Financial Signs

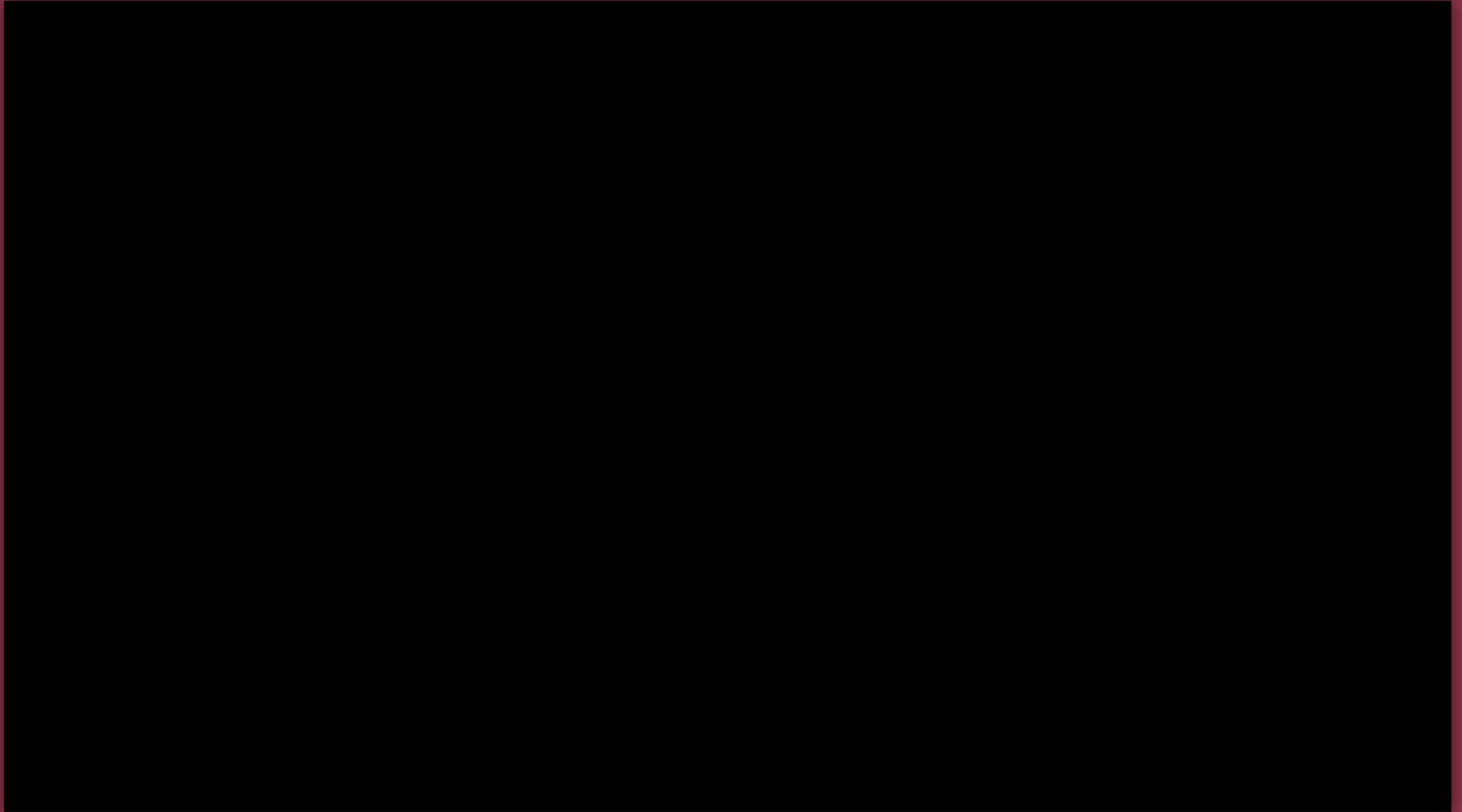
- Significant withdrawals from accounts
- Sudden changes in financial condition
- Items or cash missing from household
- Suspicious changes in wills, power of attorney, titles, and policies
- Unpaid bills or lack of medical care, although the elder has enough money to pay for them
- Unnecessary services, goods, subscriptions
- In Pietrocarlo case, money forcibly removed from Michael by daughter Annabel
- None of the household members were working
- Multiple credit cards opened in Michael's name
- They were living off of Michael who supported the entire family.

#  
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# Outcome – What Happened?

- Elissa Pietrocarlo, Grace Pietrocarlo, and Annabel Pietrocarlo, were found guilty of one count of Assault in the Second Degree, a Class “D” violent felony. They were all sentenced to a two year determinate term of incarceration.
- Michael’s wife Christine Pietrocarlo, was acquitted of robbery and menacing.
- Annabel Pietrocarlo was found guilty of an additional charge of Petit Larceny, for stealing the cash from her father’s pocket.
- There are currently Orders of Protection in place so there is no contact.
- Elissa’s 12 year old son is currently in foster care.
- Michael successfully reunited with three of his eight children.
- The divorce between Michael & Christine is still pending because Christine refuses to cooperate with her attorneys.



# Family

- All three children that testified for the People wrote statements to the Judge. All requested incarceration.
- Both Adam and Michael Jr. submitted a letter on behalf of their sisters. Both claimed that the Christian home they were raised in was full of “love, guidance, and support”. Both claim to have been “physically, mentally, and emotionally abused by our father”.
  - “Adam and I have witnessed in person our father’s repeated violent actions and outbursts. We have also seen him arrested on numerous occasions”.
- Elissa the prophet stated: “It was very sad to see the discord and dysfunction of our family over the years played out in Court during the trial. No family likes this. It is very heartbreaking. As a family you want to love one another. I can only hope and pray that over time our family will be able to do this and come together”.
- **None** of the sisters showed any remorse and they all denied that any of this had been going on. They claimed Michael fell off a ladder while at work which is how he sustained his injuries. Instead they **tried to portray their father as the abuser**.

# Contact Information

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