

Caregiver case a cautionary tale: 'Our concern is that no other family ever go through this'

Waterford man lost about \$1M, family says

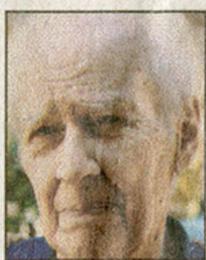
By Paul Egan

Detroit Free Press Lansing Bureau

Frank Calcaterra was in his 80s in 2008 when his family hired a home care company to help the former metro Detroit funeral home owner look after his ailing wife Jonnie, who had dementia.

The company — Kentucky-based ResCare — sent Tangie Coleman, who, at the time, had a warrant out for her arrest, records show.

Jonnie's jewelry soon began to disappear, as did Frank Calcaterra's sizable fortune — estimates from court filings put



Tangie Coleman, right, was sent to help Frank Calcaterra, left, care for his late wife in 2008 at their home. Records show Coleman had a criminal record.

the loss at anywhere from more than \$500,000 to more than \$1.5 million. When Jonnie Calcaterra died in a nursing home in January 2012, Coleman and her mother were living in Frank Calcaterra's lake-front home in Waterford and he was sleeping in the basement.

A few months later, Coleman married Calcaterra in Ohio, without his family's knowledge.

In April, when Frank Calcaterra's daughters removed him from his home, he was 10 pounds lighter and so broke he no longer had a positive bank balance or a valid credit card. Coleman was driving him to a check cashing place with his monthly Social Security check, his daughters say.

The case highlights what experts say is a significant and growing problem in the U.S. — financial exploitation of elderly people by caregivers. Many cases go unreported and accurate estimates are hard to pin down, but studies suggest

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COVER STORY

CAREGIVER: Cases raise background check issue

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there are at least tens of thousands of such cases each year.

In Michigan, more than 10% of the 33,710 adult abuse complaints the state received in 2013 — up from about 21,000 in 2011 — related to alleged financial exploitation. The state substantiated financial exploitation in more than 1,000 cases.

"We're seeing more and more of these cases where people pose as legitimate caregivers, befriend the elderly, become a part of their lives, and then start taking advantage of them," said Jim McGuire, director of research for the Area Agency on Aging 1-B in Southfield, which serves about 30% of the state's senior population in six counties.

The elderly population continues to grow, many elderly people have significant resources, and because they can live longer in their own homes they are often more vulnerable, he said.

Who's accountable?

Residential home care companies don't require state licensing, and criminal background checks for their workers are only mandatory if public funds are used to pay them.

Though the state has recently toughened laws and penalties related to financial exploitation of seniors, making background checks mandatory for all home care workers could have helped Calcaterra, said McGuire, as could a bill stalled in the state Legislature making it mandatory for financial institutions to report suspicious banking activity affecting seniors' accounts.

On Oct. 25, 2012, when Coleman, who was 35, and Frank Calcaterra, who was 86, were married in Ohio, at least two complaints alleging financial exploitation had been filed with the Michigan Department of Human Services' division of Adult Protective Services.

In May of this year, an Oakland County judge appointed a conservator for Calcaterra, citing fraud and financial exploitation, which Coleman denies.

Oakland County Public Administrator Jon Munger, Calcaterra's court-appointed conservator, is seeking to annul the marriage, alleging it was a fraud Coleman perpetrated "solely for her financial gain."

Calcaterra's daughters are looking for answers and accountability, too. They're unhappy the state failed to act and that it has been difficult to get police agencies to launch criminal investigations, with some officials saying the 2012 marriage makes the case a civil matter.

"Our concern is that no other family ever go through this," said Calcaterra's daughter Charlotte Knutson, who lives in Minnesota.

Sgt. Brent Ross of Waterford Police said in a Thursday e-mail to a Calcaterra family attorney that he was closing his criminal investigation.

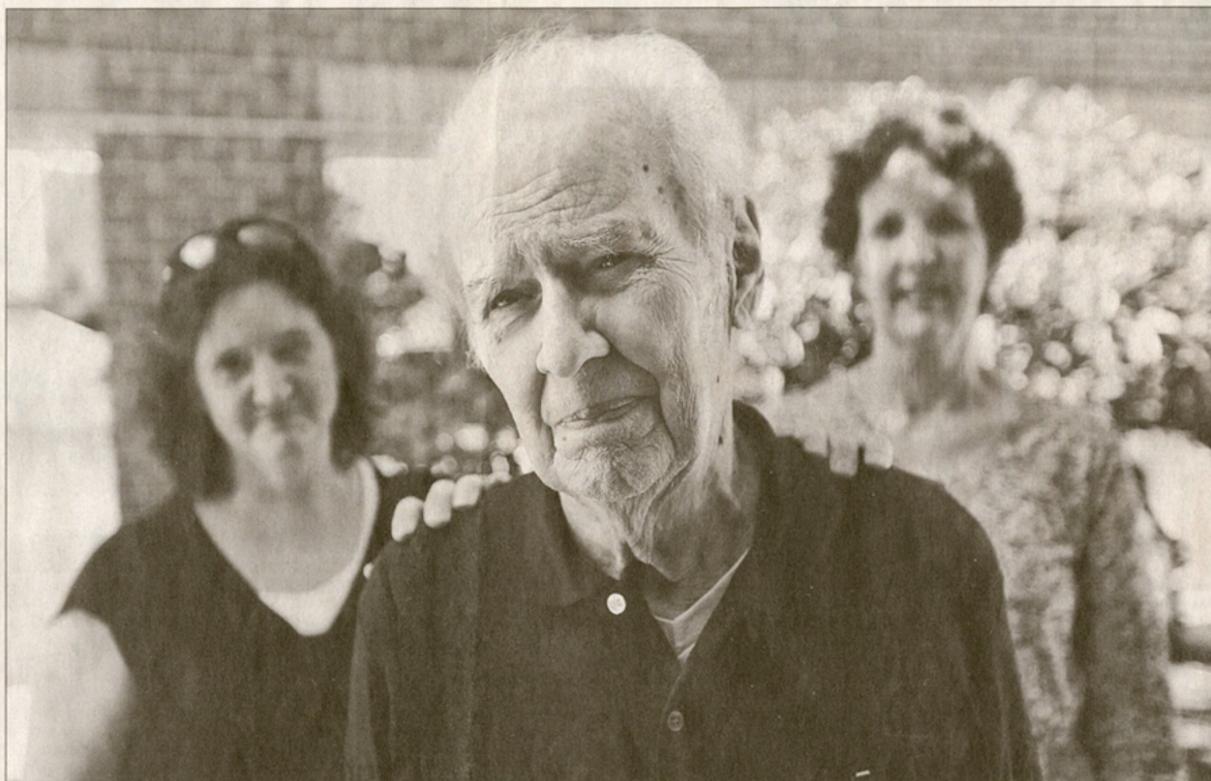
"There is still no evidence that Tangie ever forged a specific check although it may be inferred," Ross said in the e-mail. "Perhaps the checks were forged, but they could have been forged by anyone."

The state — which was criticized in a recent auditor general's report for failing to properly investigate such allegations — determined the complaints were unfounded and never notified law enforcement.

Coleman, who declined to discuss her history with Calcaterra during a brief encounter with a Free Press reporter, denied wrongdoing in an answer she filed to the annulment/divorce petition.

She said Calcaterra gave her permission to sign his name to checks and his daughters are biased against her because she is black.

"Frank always gave me stacks of money ... and always promised to take care of me," said Coleman, whose Facebook page featured photos of her fanning a stack of \$100



Frank Calcaterra, 87, stands with his two daughters, Cathy Schoenherr, 49, left, and Charlotte Knutson, 58, in July at the law offices of Karen Woodside in Livonia. Calcaterra's case highlights what experts say is a significant problem in the U.S. — financial exploitation of elderly people by caregivers. KIMBERLY P. MITCHELL/DETROIT FREE PRESS



Charlotte Knutson, left, of Minnesota and Cathy Schoenherr, from North Carolina, talk in an Oakland County Court hallway with divorce attorney Ann Tobin-Levine. Frank Calcaterra is divorcing Tangie Coleman, who the family says bilked him out of nearly \$1 million. MANDI WRIGHT/DETROIT FREE PRESS

bills.

"They kidnapped my husband," Coleman said in a court filing. "I want him back."

Fraud or marriage?

Records show Coleman was married when she was hired to help Calcaterra, but got divorced on Oct. 11, 2012 — two weeks before her marriage to Calcaterra. Of the many checks drawn on Calcaterra's bank account in 2011, more than 20 totaling more than \$10,000 were payable to Coleman's husband at the time, for services such as painting, lawn care and moving.

Calcaterra, who spoke to a Free Press reporter with his daughters present, said Coleman told him she needed to marry him in order to receive a significant legal settlement resulting from a lawsuit she brought against an Oakland County police department for an alleged police assault

"The children live out of state, they think they've got someone in the house to help, and it turns out she is a predator."

KAREN WOODSIDE, attorney

against her. Calcaterra had earlier given her money to hire a lawyer.

"They went to court and got a settlement," Calcaterra said. But Coleman told him officials told her she is a spendthrift, and in order to be paid the settlement she first had to get married so she would have someone to watch over how she handled the money.

"That's why we got married," Calcaterra said. "I don't think there ever was a police report of this ever happening."

There also is no record of any such lawsuit.

Text messages and handwritten notes exchanged between Calcaterra and Coleman show he was smitten with her. And Calcaterra pushed back hard when his daughters tried to convince him he was being used.

"He stated he is aware of the allegations and confirmed that he gave Ms. Coleman his debit card, allowed her to make purchases, and paid her rent last month," a state adult protective services investigator wrote in a report after interviewing Calcaterra at his home in April 2012 — six months before he and Coleman got married.

"He denied that he is being financially exploited and reported he does not need assistance from the police."

Calcaterra, who hired Coleman privately after she left ResCare in 2008, said Coleman

changed for the worse after the wedding: She became "domineering," and didn't want him cooking eggs on the stove because she said he might cause a fire; or opening the refrigerator because he would cough and get germs inside it, he said.

But Calcaterra also sent DHS investigators away after the wedding, telling one as recently as February that Coleman "is not taking advantage of him and he wish (sic) these allegations would stop," according to state records obtained under Michigan's Freedom of Information Act.

Calcaterra told the Free Press about the loss of his 2.75-karat diamond ring, set with sapphires, which had been on his finger since 1950, and his family says was valued at more than \$100,000.

"This is beautiful — I'd really like to show it to my friends," Calcaterra said Coleman told him. "I said, 'OK, but ... you take care of it, don't forget I want it back.'" As time went by and Calcaterra kept asking about it, Coleman's response became: "You dropped it in the basement," he said.

No background check?

Scott Lewis, a Grosse Pointe Farms private investigator hired by Calcaterra's family, found that Coleman had a warrant out for her arrest from 2002 through July 2010 for failing to appear in court after she was cited for unlawfully driving away a motor vehicle. That charge was ultimately dropped after a witness did not come forward. But Coleman was convicted in July 2010 of writing bad checks, records show.

Coleman has not had a valid driver's license since her July 2010 conviction for impaired driving, and has been cited four times since 2010 for driving with a suspended or revoked license, records show. Karen Woodside, a Livonia attorney and former Wayne County prosecutor representing Calcaterra's daughters, said the state's adult protection unit — which records show received at least four referrals about Calcaterra between April 2012 and February 2014 — should have run a background check on Coleman and then referred the case to the police.

Bob Wheaton, a spokesman for DHS, said the department doesn't comment on specific cases, but if a client is "lucid, aware of his or her finances, and says that he or she is not being taken advantage of, we're probably not going to determine that the person is vulnerable, and we're probably not going to file a petition for financial exploitation."

Calcaterra and his family are also suing Coleman and ResCare, alleging a ResCare official said all home care workers received regular

TAKE PRECAUTIONS

Children of parents should take precautions when hiring residential caregivers, including:

- Lock private papers and valuables in a filing cabinet, safe deposit box or safe.
- Have someone trusted (other than the caregiver) pick up the mail, or get it sent to a post office box.
- Regularly review all bank and credit card statements (at least once a month) and periodically request a credit report from a major credit bureau.
- Consider having Social Security or pension checks deposited directly into the bank.
- Check phone bills for unauthorized calls.
- Protect checkbooks and credit cards.
- Always get receipts when the caregiver shops for the older adult.

Source: Michigan Office of Services to the Aging

background checks, but instead "placed a thief into the plaintiff's home."

Coleman has not yet been served with the lawsuit and has not filed a response. ResCare denied most of the allegations and any liability in its answer to the suit.

Medicare-certified home health agencies are required by state law to perform background checks on workers with direct access to patients, Wheaton said.

ResCare spokeswoman Nel Taylor said ResCare is not Medicare-certified in Michigan, but performs background checks on its workers whether they are required by law or not. The check turned up no criminal issues on Coleman, she said.

A July 2012 study published in the Journal of the American Geriatrics Society, found that of 180 agencies surveyed, nearly half did not conduct a federal background check of caregivers.

Calcaterra's 1998 marriage to Jonnie was the second marriage for both, and each had children from their first marriage, all living out of state. Woodside and daughters of both parents said Coleman was able to exploit the geographical separation and conflicts between and among the two sets of children to enhance her influence over Calcaterra.

"This was a textbook case of elder abuse," said Woodside. "The children live out of state, they think they've got someone in the house to help, and it turns out she is a predator."

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Barbara Wogh, 49, of Lake Balboa, Calif., is the daughter of Calcaterra's late wife Jonnie, who died in 2012. In 2008, Wogh contacted ResCare for help with her ailing mother and the company sent Tangie Coleman, who was convicted in 2010 of writing bad checks, records show. KATHLEEN GALLIGAN/DFP