



D25 Elder Abuse: Following a Felony Case Through the Judicial System

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After attending this presentation, attendees will be aware of the dynamics in investigation and prosecution in felony elder abuse.

This presentation will impact the forensic science community by raising awareness of the process of investigation and successful conviction in felony elder abuse and by focusing attention on the need for an emphasis on personal safety for elders in their homes.

Elder abuse of all types is a growing problem across the United States. As the population continues to age, more cases of felony abuse are being exposed and prosecuted successfully. This case study follows the successful arrest, investigation, and prosecution of two perpetrators in the kidnapping and torture of 76-year-old Natalie "Sandy" Herbst-Vingie.

In 2008, Natalie "Sandy" Herbst-Vingie was a 76-year-old widow, living alone in the Mt. Helix area of La Mesa in San Diego County, California. She was the president of the San Diego Swing Dance Club and was described as a gregarious hostess known for her upbeat attitude. She first met Jeffrey Edward Nelson, age 19, when he came to her door on October 23, 2008, to sell her a vacuum cleaner, which she ultimately purchased. She saw Nelson again on the morning of December 8, when he dropped by to thank her for helping him win a trip to Hawaii in a sales contest. During that visit, a friend of Mrs. Herbst-Vingie came by for coffee and Nelson left. Later that evening, he returned around 10:00 p.m., telling her that he had broken up with his girlfriend and asked to use the phone to call his mother. She let him in, pointed to the phone, and turned away. Nelson attacked Mrs. Herbst-Vingie from behind, choking her. She passed out and when she woke up, she was on her kitchen floor with her knees, ankles, and wrists bound with duct tape. Nelson dragged her to the garage and put her in the trunk area of her car, a 2006 Dodge® Magnum®.

Over the next 26 hours, Mrs. Herbst-Vingie was punched in the face and denied water and bathroom breaks; she was thrown around the trunk of the car as Nelson and an accomplice, Luis Osborne, and a friend of his, Antoinette Baker, drove erratically through the county. She was found and freed when the car was stopped for speeding and running a red light. A jury found Nelson guilty of attempted murder and torture, and he was sentenced to two consecutive life terms in prison plus nine years. He also pleaded guilty to kidnapping and residential burglary. Osborne pleaded guilty to physical abuse of an elderly victim, and second-degree robbery; he was sentenced to ten years and four months in prison.

This case focuses attention on the need for the elderly to be aware of safety in their own homes, as well as the diligent prosecution of felony crimes against older persons.

Elder Abuse, Felony, Conviction