NEWS > CRIME AND PUBLIC SAFETY

SUBSCRIBER ONLY

Clinton Township woman sentenced to six years for abusing elderly mother

Walsh was acquitted of first-degree, felony murder by Macomb County jury

Ann Marie Walsh, appearing with her attorney, Mike Steinberg, speaks briefly at her sentencing Tuesday in Macomb County Circuit Court for abusing her elderly mother, Barbara, who died. MACOMB DAILY PHOTO/JAMESON COOK

By **JAMESON COOK** | jcook@medianewsgroup.com | Macomb Daily
PUBLISHED: June 28, 2022 at 4:15 p.m. | UPDATED: June 28, 2022 at 5:25 p.m.

A 58-year-old Clinton Township woman convicted of abusing her mother was ordered by a Macomb County judge Tuesday to serve nearly six years in prison .

Ann Maria Walsh, who received credit for the nearly three years she has served in jail, was sentenced to 57 months to 15 years in state prison by Judge James Biernat Jr. of Macomb County Circuit Court for inflicting abuse on her mother, Barbara, who died in August 2019 at age 85.

Walsh was convicted of first-degree vulnerable-adult abuse but acquitted of first-degree felony murder following a jury trial in May.

Barbara Walsh was found Aug. 5, 2019 by paramedics on the floor of her bedroom in the pair's apartment near Metropolitan Parkway and Harper Avenue with many bruises and multiple fractures; she died 26 days later from sepsis, with two potential secondary causes of death.

Walsh spoke briefly in court, saying she did not wish to discuss the case but wanted to know what the cause of death is on her mother's death certificate.

Her attorney, Mike Steinberg, said he and his client were both unhappy with the outcome as Biernat sentenced her at the top of the sentencing-guideline range.

"She's not happy. Who wouldn't be unhappy?" he said.

Judge James Biernat Jr. in Macomb County Circuit Court on Tuesday.MACOMB DAILY PHOTO

Steinberg noted she had been living with her mother for 18 years, first in a Sterling Heights home and then in a Clinton Township apartment.

"She was left to take care of her mother when others would not," he said.

But Biernat placed the blame squarely on Walsh.

"It's painfully clear you were not up to it," Biernat said. "You're part of the reason you have nothing now."

He called Walsh “lucky” that state lawmakers did not raise the maximum penalty for first-degree elder abuse to life in prison like they did about 10 years ago for first-degree child abuse.

“The guidelines are extremely low when considering the facts,” Biernat said.

However, Steinberg called the sentence illegal and predicted the state Court of Appeals will overturn it because the sentencing-guideline range was higher than the range he believes is correct, either one to two years or probation to 17 months. He said Biernat erroneously scored 100 points for an offense variable in the sentencing-guideline formula that says Walsh’s actions led to her mother’s death.

Steinberg argued during the hearing Biernat could not issue that score because Walsh was acquitted of murder.

“The sentencing court may not consider acquitted conduct,” Steinberg, citing case law.

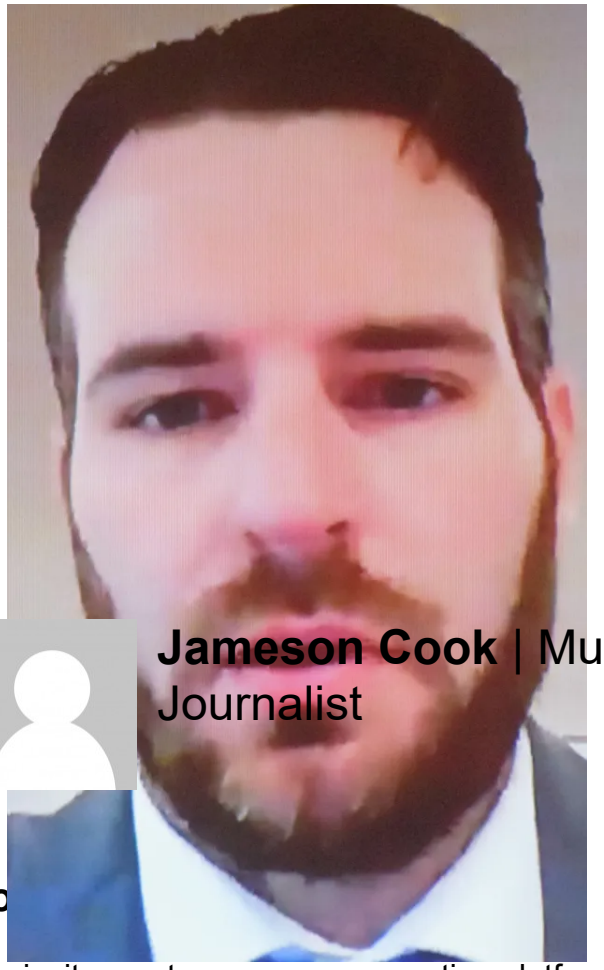
But Biernat, also citing a prior case, said he could score the 100 points because Walsh created the circumstances that led to her mother’s death.

Assistant Macomb Prosecutor Jeffrey Hall pointed out Walsh was convicted of the underlying charge for felony murder, of which she was acquitted and avoided a sentence of life without parole.

Biernat also agreed with probation and the prosecution to score points against Walsh for excessive brutality of sadism.

Hall said Walsh keeping her mother on the floor for two days before calling 911 “shows a complete lack of regard for her as a human being.”

Barbara Walsh was bedridden for the last six weeks before she was hospitalized.



Jameson Cook | Multimedia Journalist

Jo

Assistant Macomb County Prosecutor Jeffrey Hall appears via Zoom in Macomb County Circuit Court on Wednesday. MACOMB DAILY PHOTO

We invite you to use our commenting platform to engage in insightful conversations about issues in our community. We reserve the right at all times to remove any information or materials that are unlawful, threatening, abusive, libelous, defamatory, obscene, vulgar, pornographic, profane, indecent or otherwise objectionable to us, and to disclose any information necessary to satisfy the law, regulation, or government request. We might permanently block any user who abuses these conditions.