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UPDATE: Judge refuses to lower caregiver's \$300,000 bond

Staff report

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SARASOTA — With a large white bandage covering the top of his head, a 91-year-old World War II veteran testified Thursday about how the woman entrusted to care for him instead bludgeoned him with an oxygen tank and left him for dead.

Michael Nicholas Tristano said Elena Erickson, 46, struck him a total of five times and then left him fading in and out of consciousness on his kitchen floor two weeks before Memorial Day.

"I couldn't stop the blood. It was just pouring down," said Tristano during a hearing in Sarasota Circuit Court.

As Tristano testified, Erickson, who was sitting next to her attorney at a table across the courtroom, appeared to lose consciousness. Erickson recovered less than a minute later, but the hearing was delayed for about 10 minutes as paramedics entered the courtroom and examined her.

Erickson, who is charged with first-degree attempted murder, sought to have her bond reduced from \$300,000 to \$25,000. Judge John Lenderman denied the request.

Initial reports of the case went viral and garnered international attention, with many seeing it as an appalling crime against an aging veteran who had served his country from the gunner seat of a B-17 bomber.

But Erickson's attorney argued Thursday that those reports were all wrong. Attorney Christopher Brown said Tristano suffered from confusion, reported differing accounts about how he was injured to police and actually sustained his wounds from a fall at his home.

Brown said Erickson, a disabled U.S. Coast Guard veteran herself, was Tristano's longtime friend.

"I consider him part of my family," Erickson said during her testimony.

Both sides agreed that Tristano and Erickson knew each other for about 15 years prior to the night of the attack. After the hearing, Tristano said he had paid for her to be his caretaker since January.

"I'd known her for so long that I trusted with about everything I had," Tristano said.

Assistant State Attorney and lead prosecutor Shanna Hourihan said the alleged crime occurred less than a month after Tristano opened a \$50,000 bank account with Erickson named as its beneficiary.

The money was intended to pay for Erickson's bills while she cared for him. If he were to die, she would get whatever remained in the account. Tristano testified that Erickson had only provided him one mortgage bill to pay for before the attack,

“This was a cold, premeditated attempt on his life,” Hourihan said. “This was clearly motivated by financial gain.”

Brown contended it did not make sense that Erickson would be unable to kill a man as old as Tristano if she tried.

He added that she was the one who called 911 the next morning, when she allegedly found Tristano lying in a pool of blood and urine near his dining room table.

Tristano testified he has suffered psychological trauma from the alleged attack.

“I’m in fear every minute,” he said. “When I know someone for 15 years, the things that we went through, then (she) turned on me like that.

“Yes, I fear now.”

Veteran still frightened

Only a few minutes after Tristano took the stand, Erickson suffered an apparent medical episode.

Her head tilted back, and she became unresponsive.

Brown had already stated she was suffering medical episodes in jail.

“Right now I have three episodes every night and one single episode during the day,” Erickson testified. “I have severe side effects from generic medication.”

She regained consciousness about a minute later. The bond hearing was recessed and paramedics tended to her.

A gurney was brought in, but Erickson declined being taken to a hospital for further treatment.

After the paramedics left, Tristano finished his story.

He said at around 8 p.m. on May 15 Erickson arrived at his North Port house, located on White Ibis Drive. Later, she asked him to check his blood pressure.

Tristano said he was seated at his dining room table when Erickson struck him from behind with his oxygen tank. He suffered two blows to the head, which created a gash.

“It was a hard hit because I really felt it,” he said.

He struggled with Erickson over the tank. She pushed him to the ground and would not let him back up.

Tristano said he asked Erickson seven times to call 911, but the caretaker only offered to drive him to the hospital herself. He refused.

“I just didn’t trust her to do anything anymore after that,” he said.

She eventually let him sit up and offered him some paper napkins. On the stand, Tristano questioned why she never handed him a towel.

“She was trying to drain blood,” he said. “The more blood I lost, the less strength I had.”

He tried to reach the bathroom so he could call for help, but Erickson wouldn’t let him leave the kitchen. Instead she began to gather the blood-soaked napkins in a bag and wash the floor with cleaning solution.

Sometime later, Tristano testified, Erickson struck him in the head three more times with the oxygen tank. She pushed him to the floor again, where he lay for hours in a state of “twilight.” Erickson left the home, he said.

At about 7 a.m. the next day, Tristano heard his phone ring.

“It was like a blessing,” he said.

His daughter, Linda Crowl, was calling. But Tristano said he was too weak to answer.

After the hearing Thursday morning, Crowl said she called five or six times in a row. She began to worry when her father didn’t pick up.

She began to drive to Tristano’s house from her home in Venice. On the way, she called Erickson, who lives less than 10 miles away from Tristano, and told her to meet at the house.

According to Erickson’s arrest report, she said Tristano wasn’t injured when she left his home at about 10:30 p.m. the previous night. She called 911 at about 8 a.m.

Detectives searched the home and found no signs of forced entry, according to the arrest report. They did, however, find a bloodied portable oxygen tank.

Tristano was treated at Venice Regional Bayfront Health. Erickson was arrested days later after an investigation by the North Port Police Department.

After the hearing, Tristano said he still does not understand why Erickson tried to kill him. He said he hopes she gets “whatever is deserving.”

In an interview, Tristano mentioned his service during World War II. He was a gunner aboard a B-17 bomber.

“To tell you the truth I’m not sure I was ever (as) frightened then as I am lately,” he said.

LIVE BLOG: BOND REDUCTION HEARING