



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



533.01

ELDER AND DEPENDENT ADULT ABUSE REPORTING REQUIREMENTS

5-18-18

PURPOSE

The purpose of this order is to establish procedures for reporting cases involving elder and dependent adult abuse to Adult Protective Services.

POLICY

It shall be the policy of the Sacramento Police Department to investigate, document, and report all incidents of elder and dependent adult abuse per Welfare and Institutions (W & I) Section 15630 - 15633.

PROCEDURE

A. DEFINITIONS

1. ABUSE – Physical, sexual, emotional or psychological abuse; abandonment, abduction, isolation, neglect, financial exploitation, intimidation, cruel punishment, fiduciary abuse, or any other treatment resulting in physical harm or pain or mental suffering; or the deprivation by a care custodian of goods and services that are necessary to avoid physical harm or mental suffering.
2. CARETAKER – Any person who has the care, custody, or control of, or who stands in a position of trust with, an elder or dependent adult.
3. DEPENDENT ADULT – Any person between the ages of 18 and 64 who has physical or mental limitations that restrict his or her ability to carry out normal activities or to protect his or her rights, including, but not limited to, persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age.
4. ELDER – Any person age 65 or older.

B. MANDATORY REPORTING REQUIREMENTS

1. W & I Code Section 15630 – 15633 requires that mandated reporters within the scope of their employment, including local law enforcement agencies, adult care custodians, health practitioners, clergy member, and employees of a county adult protective services agency report cases of known or suspected abuse immediately or as soon as possible by telephone or through a confidential internet reporting tool, established and authorized by Section 15658 W & I.
2. If known or suspected abuse is reported by telephone, a Report of Suspected Dependent Adult/Elder Abuse (Soc. 341) shall be sent within two working days to Adult Protective Services (APS) or to a local law enforcement agency. Failure to report any physical abuse is a misdemeanor.

C. KNOWLEDGE OF ABUSE

1. Employees receiving information on a suspected case of adult or elder abuse or observing physical injuries that clearly indicate abuse shall notify APS and complete a Report of Suspected Dependent Adult/Elder Abuse (Soc. 341) as soon as possible. NOTE: In cases of known or suspected abuse not involving physical abuse, an offense or incident report shall be prepared.
2. When investigation indicates that abuse of an elder or dependent adult has occurred, an offense or incident report shall be completed.
 - a. Reports shall be classified by the appropriate penal code section for the crime committed.
 - b. If no other penal code section is applicable, Penal Code Section 368, Abuse of Elder or



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Dependent Adult, shall be used.

D. OFFICE OF INVESTIGATIONS (OOI)

1. Investigators receiving reports of the abuse of elderly or dependent adults shall
 - a. Confirm mandated notification reports were completed and if not, complete reports as necessary.
 - b. Ensure that both oral and written report is made to the appropriate social agency.
2. If the abuse occurred in a long-term care facility, mental health hospital, state development center, etc., the OOI sergeant or designee shall make notification to the long-term care ombudsman.
3. A copy of written reports and the completed State of California Form 341 (Soc. 341) shall be forwarded to APS if requested via the liaison assigned to the Department. A copy of the Soc. 341 shall be sent to Records to be filed with the original report.
4. The OOI Office Chief or designee shall be the Department Liaison Officer on all matters involving elder and dependent adult abuse.
5. This order shall assure compliance with the mandatory reporting law.