

Vulnerable Adult Abuse

326.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with direction and understanding of their role in the prevention, detection and intervention in incidents of vulnerable adult abuse. It is the policy of the Peoria Police Department to treat reports of violence against vulnerable adults as a high priority criminal activity that is to be fully investigated regardless of the relationship between the victim and the suspect.

326.2 DEFINITIONS

Definitions related to this policy include:

Abuse -Includes (ARS § 13-3623(F)(1), ARS § 46-451(A)(1)):

- Intentional infliction of physical harm
- Injury caused by negligent acts or omissions
- Injury caused by criminally negligent acts or omissions
- Unreasonable confinement
- Unlawful imprisonment as described in ARS § 13-1303
- Sexual abuse or sexual assault

Exploitation -The illegal or improper use of a vulnerable adult or his/her resources for another's profit or advantage (ARS § 46-451(A)(4)).

Neglect-A pattern of conduct without the person's informed consent resulting in deprivation of food, water, medication, medical services, shelter, heating, cooling or other services necessary to maintain minimum physical or mental health (ARS § 46-451(A)(6)).

Vulnerable Adult -An individual who is 18 years of age or older and who is unable to protect him/herself from abuse, neglect or exploitation by others because of a mental or physical impairment (ARS § 13-3623(F)(6)).

326.3 MANDATORY REPORTING REQUIREMENTS

The Peoria Police Department is considered a mandated reporter. If during the course of an investigation an officer has reasonable suspicion to believe that a vulnerable person has been abused, neglected, isolated or exploited by another person in a manner that constitutes a criminal offense under any law, the officer shall take a report and make an investigation as soon as reasonably practicable (ARS § 46-454(A)).

326.3.1 RECORDS SECTION RESPONSIBILITIES

The Records Section is responsible for the following:

- Providing a copy of the vulnerable adult abuse report to the local office of the Division of Aging and Adult Services or Adult Protective Services as required by state law.
- Retaining the original vulnerable adult person abuse report with the initial case file.

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326.4 OFFICER'S RESPONSE

All incidents involving actual or suspected vulnerable person abuse shall be responded to immediately, fully investigated and appropriately documented.

326.4.1 INITIAL RESPONSE

Officers may be called upon to effect a forced entry as the first responder to the scene of a suspected vulnerable person abuse. Entry should be immediate when it appears reasonably necessary to protect life or property. When the need for an emergency entry is not evident, officers should seek supervisory approval. Officers must be prepared to provide emergency care pending the arrival of medical personnel, if they are not already present.

326.4.2 STABILIZE THE SITUATION

Officers must quickly assess the situation to ensure the immediate safety of all persons. Officers shall also consider the following:

- Attempt to identify the victim, suspect and witnesses as well as the roles and relationships of all parties. Parties should be interviewed separately when possible. Frequently it is wrongfully assumed that elderly persons are incapable of accurately reporting the incident. Do not automatically discount the statement of a vulnerable person.
- Preserve the crime scene where evidence may be present. All persons should be removed from the scene until it has been photographed and processed. Any evidence, such as injuries that may change in appearance, should be photographed immediately.
- Assess and define the nature of the problem. Officers should assess the available information to determine the type of abuse that may have taken place or the potential for abuse in the future that may be eliminated by law enforcement intervention.
- Make on-scene arrests when appropriate. Immediate arrest of an abuser (especially when the abuser is a family member or caretaker) may leave the older or vulnerable victim without necessary support and could result in institutionalization. The effect of an arrest on the victim should be considered and weighed against the assessed risk and the competent victim's desires. The present and future safety of the victim is of utmost importance.

326.4.3 NOTIFICATION

If a report is taken, the officer shall notify Adult Protective Services as soon as possible and make information regarding the investigation available (ARS § 46-454(F)).

326.4.4 SUPPORT PERSONNEL

The following persons should be considered if it appears an in-depth investigation is appropriate:

- Patrol supervisor
- Investigative personnel
- Evidence collection personnel
- Protective Services Agency personnel
- Ombudsman shall be called if the abuse is in a long-term care facility

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326.4.5 PROTECTIVE ORDERS AND EMERGENCY PROTECTIVE ORDERS

In any situation where an officer reasonably believes that a vulnerable adult is in immediate and present danger of abuse based on an allegation of a recent incident of abuse or threat of abuse (other than financial abuse alone), the officer shall contact Adult Protective Services and request that they obtain an emergency protective court order against the person alleged to have committed or threatened such abuse.

If Adult Protective Services is unwilling or unable to obtain an emergency court order, the handling officer shall attempt to obtain the court order on the victim's behalf. Action taken by the officer shall be documented in any related report.

326.5 VULNERABLE ADULT ABUSE REPORTING

Every allegation of vulnerable person abuse shall be documented. When documenting vulnerable person abuse cases the following information should minimally be included in the report (ARS § 46-454(C)):

- The name and address of the adult and any persons having control or custody of the adult, if known.
- The name and address of the person responsible for his/her care, if there is one.
- The name and address, if available, of the person who is alleged to have abused, neglected or exploited the adult.
- The adult's age and the nature and extent of the adult's vulnerability.
- The nature and extent of the abuse, injuries, neglect or exploitation of the adult.
- Any evidence of previous injuries.
- Any information relating to the reporter's belief that might be helpful in establishing the cause of the adult's injuries or physical neglect or exploitation.

Investigations of adult abuse are confidential and will only be released per the Security and Release of Records Policy.

326.6 VULNERABLE ADULT ABUSE IN A CARE FACILITY

Officers shall investigate all allegations relating to the abuse, neglect or exploitation of a vulnerable adult in a care facility or under the care of a facility. Officers shall immediately notify the Division of Aging and Adult Services.

326.7 STATE INFORMATION

To report the neglect, abuse or exploitation of a vulnerable adult, employees or the public may call the APS hotline at 877-SOS-ADULT (877-767-2385). The public may also use the Arizona online reporting form from:

[Arizona Department of Economic Security Division of Aging and Adult Services Adult Protective Services](#) (APS), 1789 West Jefferson Street (950A), Phoenix, AZ, 85007; phone: 877-767-2385, fax: 602-542-6575.