

OFFICE OF THE CHIEF OF POLICE

ADMINISTRATIVE ORDER NO. 1

January 15, 2020

SUBJECT: ELDER/DEPENDENT ADULT PHYSICAL AND FIDUCIARY ABUSE – DEFINITIONS – REVISED

PURPOSE: This Order revises Department Manual Section 4/209.01, *Elder/Dependent Adult Physical and Fiduciary Abuse – Definitions*, to conform with recent changes to California Penal Code Section 368.5.

PROCEDURE: Department Manual Section 4/209.01, *Elder/Dependent Adult Physical and Fiduciary Abuse – Definitions*, has been revised. Attached is the revised Department Manual section with revisions indicated in italics.

AMENDMENT: This Order amends Section 4/209.01 of the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.



MICHEL R. MOORE
Chief of Police

Attachment

DISTRIBUTION "D"

**DEPARTMENT MANUAL
VOLUME IV
Revised by Administrative Order No. 1, 2020**

209.01 ELDER/DEPENDENT ADULT PHYSICAL AND FIDUCIARY ABUSE – DEFINITIONS.

Elder – Any person 65 years of age or older.

Dependent Adult – Any person between the ages of 18 and 64 years, 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. A “dependent adult” includes any person who has been admitted as an in-patient to a 24-hour health care facility, as defined in *Health and Safety Code* Sections 1250, 1250.2, and 1250.3.

Caretaker – Any person who has the care, custody, control of, or who stands in a position of trust, with an elder or a dependent adult.

Elder/Dependent Adult Abuse (General) – *Elder/dependent adult abuse is defined as physical abuse, neglect, financial abuse, abandonment, isolation, abduction, or other treatment with resulting physical harm or pain or mental suffering; or, the deprivation by a caretaker of goods or services that are necessary to avoid physical harm or mental suffering.*

Elder/Dependent Adult Fiduciary Abuse – When any person violates any provision of law prohibiting theft or embezzlement of any property that they know, or should know, belongs to an elder/dependent adult.

Note: *Local law enforcement agencies have the responsibility for criminal investigations of elder/dependent adult abuse and criminal neglect. Adult Protective Services (APS) and the Long-Term Care Ombudsman Program (LTCOP) have the authority to investigate incidents of elder/dependent adult abuse and neglect. If requested, APS or the LTCOP may assist law enforcement agencies with criminal investigations.*