

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 1

January 29, 2018

SUBJECT: SUSPECTED ELDER/DEPENDENT ADULT, PHYSICAL OR FIDUCIARY ABUSE REPORTED BY DEPARTMENT EMPLOYEES - RENAMED AND REVISED

PURPOSE: This Order revises the procedures for reporting suspected elder/dependent adult abuse. Due to current changes to Welfare and Institutions Code (WIC) Section 15630, any abuse that occurs in a long-term care facility, a state mental hospital, or a state developmental center shall be reported to the appropriate entity.

PROCEDURE: Department Manual Section 4/209.05 has been renamed *Suspected Elder/Dependent Adult Abuse Reported by Department Employees*, and has been revised to reflect current law. Attached is the revised Department Manual Section with the revisions indicated in italics. In addition, the Suspected Elder/Dependent Adult Abuse Mandated Notification Requirement Guide has been attached for immediate use and duplication to assist personnel with suspected elder/dependent adult abuse investigations.

AMENDMENT: This Order amends Section 4/209.05 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.



CHARLIE BECK

Chief of Police

Attachments

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209.05 SUSPECTED ELDER/DEPENDENT ADULT ABUSE REPORTED BY DEPARTMENT EMPLOYEES.

Officer's Responsibilities. *In all cases of suspected elder/dependent adult abuse, officers shall:*

- Conduct a preliminary investigation;
- Complete a State of California 341 Department of Social Services, "Report of Suspected Dependent Adult/Elder Abuse" *State of California (SOC) 341*;
- Complete the required Department report(s) (e.g., Investigative Report, Form 03.01.00; Arrest Report, Form 05.02.00; and/or Injury Investigation, Form 03.15.00);
- Document *in the narrative of all reports* that a SOC 341 was completed;
- *Send the completed SOC 341 to the appropriate agency(ies) prior to the officer's end of watch;*
- *Document in the narrative of all reports the name(s) of the mandated agency(ies) notified;*
- Ensure that victims have transportation to an appropriate emergency shelter and/or referral information to the appropriate service agencies; and,
- Initiate commitment of victims pursuant to Section 5150 of the Welfare and Institutions Code (*WIC*), when necessary.

Note: *All elder/dependent adult abuse reports involving serious bodily injury must be completed and approved within two hours after completing the investigation. Reports for elder abuse that do not involve serious bodily injury shall be completed and approved within 24 hours after completing the investigation.*

Community Settings. *Officers who encounter or are informed of cases of suspected elder/dependent adult abuse and neglect in **community settings** (e.g., homes, apartments, independent living senior housing) shall, in addition to the requirements listed in "Officer's Responsibilities," immediately notify Adult Protective Services (APS) of the incident, mail the completed SOC 341 to APS and assist APS in gaining access to the possible victim if there is probable cause to suspect the victim's life is endangered.*

Note: *Officers shall document in all related reports the APS six-digit intake number provided by APS.*

Health Facility Involved. *Officers who encounter or are informed of cases of suspected elder/dependent adult abuse and neglect in a **health facility** (e.g., nursing homes, intermediate care facilities for developmentally disabled, adult day healthcare facilities) shall, in addition to the requirements listed under "Officer's Responsibilities," notify and forward the completed SOC 341 to the:*

- *Long-Term Care Ombudsman Program;*

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- *Department of Public Health Licensing and Certification; and,*
- *Department of Justice (DOJ) Bureau of Medi-Cal Fraud and Elder Abuse.*

Note: The requirement to report to the Ombudsman Program, regulatory agency and DOJ is pursuant to subparagraphs (c), (d), and (e) of Section 15640 of the WIC.

Community Care Facility Involved. *Officers who encounter or are informed of cases of suspected elder/dependent adult abuse and neglect in a community care facility [e.g., non-medical facilities such as adult residential facilities, residential care facilities for the elderly (assisted living or board and care facilities), and adult day care facilities] shall, in addition to the requirements listed under "Officer's Responsibilities," notify and forward the completed SOC 341 to the:*

- *Long-Term Care Ombudsman Program;*
- *Department of Social Services (Community Care Licensing Division); and,*
- *Department of Justice Bureau of Medi-Cal Fraud and Elder Abuse.*

Note: Investigative responsibility of an ongoing elder abuse crime is usually determined by the location of the victim's residence.

Supervisor's Responsibilities. Prior to approving any report of possible elder/dependent adult abuse, supervisors *shall* ensure:

- *Completion of SOC 341 and verify that this has been documented in the narrative portion of all reports;*
- *The completed SOC 341 was sent to the appropriate government agency(ies) and to the Area Detective Division or the responsible law enforcement agency; and,*
- *The appropriate government agency(ies) was/were notified of the incident.*

Area Detective Division's Responsibilities. *Area detectives shall ensure:*

- *The Major Assault Crimes (MAC) Coordinator provides consultation and booking advice for physical abuse cases and establishes liaison with the APS office(s) serving its respective Area;*
- *The completed SOC 341 is reviewed by the MAC Coordinator, and a criminal investigation is conducted when necessary;*
- *Copies of the completed SOC 341 were forwarded to the appropriate government agency(ies) within two working days and a copy is retained by the MAC Coordinator for a minimum of three years;*
- *The Burglary Coordinator provides case assignment and booking advice on financial abuse cases;*
- *Roll call training and training materials are provided to Area personnel; and,*

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- When available, a representative from APS, *the Ombudsman Program*, *the Public Guardian*, and the Los Angeles City and District Attorneys' Office, *present* roll call training associated with elder/dependent *adult* abuse.

Area Records Supervisor's Responsibilities. Each Area records supervisor *shall*:

- Ensure that *all* SOC 341 forms are forwarded to the appropriate Area Detective Division, investigative unit, or outside law enforcement agency *responsible for investigating the case*; and,
- Enter code "1202" into the Consolidated Crime Analysis Database data entry screen next to "Modus Operandi" for tracking purposes.

Detective Support and Vice Division's Responsibilities. *Detective Support and Vice Division (DSVD) shall maintain a current list of the APS area office locations and phone numbers.*

Commercial Crimes Division's Responsibilities. Commercial Crimes Division (CCD) shall:

- Provide advice and assistance to Area Detective Division personnel with elder/dependent *adult financial* abuse investigations;
- Act as the Department liaison for elder/dependent *adult financial* abuse with other law enforcement agencies, government agencies, and community groups;
- Maintain information on current and proposed elder/dependent *adult financial* abuse legislation;
- Provide elder/dependent *adult financial* abuse training materials to Area Elder *Financial* Abuse Coordinators to assist in training; and,
- Investigate complex *elder/dependent adult financial* crimes that have resulted in a substantial monetary loss of the victim's entire estate.

Note: The Commanding Officer, Commercial Crimes Division, has the responsibility for determining which complex *elder/dependent adult financial* abuse crimes will be investigated by CCD.

**Suspected Elder/Dependent Adult Abuse
Mandated Notification Requirement Guide**

REMINDER: In all cases of suspected elder/dependent adult abuse, officers shall complete a State of California 341 Department of Social Services, "Report of Suspected Dependent Adult/Elder Abuse" (SOC 341) and make the below notifications.

For allegations of abuse and neglect in **Community Settings** (e.g., homes, apartments, independent living senior housing) officers shall notify:

1) Adult Protective Services (APS)

Call Central Intake Hotline 877-477-3646 and mail a *copy* of SOC 341 to Adult Protective Services (3333 Wilshire Blvd., Suite 400, Los Angeles, CA. 90010) or

Complete the *Protective Services Report* at <https://www.211LA.org/APSintake>

Note: APS no longer accepts faxes.

Note: Officers shall document the six-digit "Intake ID#" provided by APS in all related reports.

For allegations of abuse and neglect in **Health Facilities** (e.g., nursing homes, intermediate care facilities for developmentally disabled, adult day healthcare facilities) officers shall notify:

1) Long-Term Care Ombudsman Program (WISE & Healthy Aging)

Call Central Intake Phone 800-334-9473 (Leave message: Name, Division of Assignment, Phone No., and brief summary of events) and

Fax SOC 341 to: 310-395-4090

Note: For immediate assistance call the 24-hour Crisis Line 800-231-4024 (State Crisis Line).

2) Department of Public Health Licensing and Certification (DPH)

Fax SOC 341 to: 562-409-5096 (For questions call 562-345-6884)

3) Department of Justice (DOJ) Bureau of Medi-Cal Fraud and Elder Abuse (BMFEA)

Fax SOC 341 to: 916-263-2565 (For questions call 800-722-0432) or

Email SOC 341 to: BMFEA_INTAKE_UNIT@doj.ca.gov

For allegations of abuse and neglect in **Community Care Facilities** [non-medical facilities such as adult residential facilities, residential care facilities for the elderly (assisted living or board and care facilities), and adult day care facilities] officers shall notify:

1) Long-Term Care Ombudsman Program (See above)

2) Department of Social Services (Community Care Licensing Division)

Fax SOC 341 to: 916-414-2551 (For questions call 844-538-8766) or

Email SOC 341 to: LetUsNo@dss.ca.gov

3) Department of Justice (DOJ) Bureau of Medi-Cal Fraud and Elder Abuse (BMFEA) (see above)

Note: If unable to determine which type of facility, ask the facility manager/employee for this information.