



GENERAL POLICE ORDER CLEVELAND DIVISION OF POLICE



EFFECTIVE DATE: MARCH 1, 2002	REVISED DATE:	NO. PAGES: 1 of 3	NUMBER: 6.2.06
SUBJECT: REPORTING ABUSE OR NEGLECT OF MENTALLY RETARDED OR DEVELOPMENTALLY DISABLED ADULTS			
ASSOCIATED MANUAL: RECORD FILE		RELATED ORDERS:	
CHIEF OF POLICE: <i>Edward F. Lohn, Chief</i>			

PURPOSE: To provide compliance, by the Cleveland Division of Police, with Ohio Revised Code (ORC) 5123.61, Duty of Certain Persons To Report Believed Abuse of Mentally Retarded or Developmentally Disabled Adult; Registry Office; Immunity.

POLICY: The Division shall receive, investigate and appropriately act on all complaints of abuse or neglect of mentally retarded or developmentally disabled adults.

DEFINITIONS:

Mentally Retarded: A significant sub-average, general intellectual functioning which exists concurrent with deficiencies in adaptive behavior, manifest at the developmental period.

Developmentally Disabled: A disability that originates in a person before age 18, continues or can be expected to continue indefinitely, and constitutes a substantial handicap to the person's ability to function normally in society, and is attributed to one of the following:

1. Mental retardation, cerebral palsy, epilepsy or autism;
2. Any other condition related to mental retardation because it results in impairment of general intellectual functioning or adaptive behavior similar to that of mentally retarded persons or a condition that requires similar treatment and services;
3. Dyslexia that results from a disability described above.

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Substantial Handicap: A handicap that results in a significant deficit in two or more areas of adaptive behavior. An individual is developmentally disabled when deficits in two or more areas of adaptive behavior are commensurate with those of an individual diagnosed as mentally retarded.

Abuse: Injury, unreasonable confinement, intimidation, or cruel punishment that results in physical harm, pain, or mental anguish for an adult inflicted by one's self or others.

Neglect: An adult's failure to provide themselves the goods or services needed to avoid physical harm, mental anguish, or mental illness, or, the failure of a caretaker to provide such goods or services.

Cuyahoga County Board of Mental Retardation (CCBMR): The department responsible to investigate reports of abuse or neglect of mentally retarded or developmentally disabled adults. The business hours telephone number is 216-241-8230 and 216-694-7077 at other times.

I. Emergency Removal:

Mentally Retarded and Developmentally Disabled adults shall not be removed from those who have custody of them unless in the judgment of the reporting physician and the officer, removal is necessary to safeguard the adult. This does not infringe on an officer's duty to take proper police action in emergency or life-threatening situations. If emergency action is required, the officer shall contact the CCBMR.

II. Reporting Incidents of Endangered Mentally Retarded or Developmentally Disabled:

A. Officers who have reasonable cause to believe that a mentally retarded or developmentally disabled adult is being abused or neglected shall immediately make a Record Management System (RMS) report.

B. Such reports shall include:

1. Name, address, age, date of birth, social security number and phone number of the victim, if known.
2. Name, address and phone number of the caretaker or nearest family member.

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3. Basis of the officer's belief that the mentally retarded or developmentally disabled adult has been abused or neglected.
4. Nature and extent of the alleged abuse or neglect.
5. Potentially dangerous situations that may pose a threat to the CCBMR personnel investigating the case.
6. Names of the CCBMR personnel notified and the notification time.
7. Other notifications (agencies, hospitals, relatives, etc.).

III. Confidentiality:

Reports under ORC 5123.61 are not public record. These reports are only available to the court and entities investigating the incident.