GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE: MARCH 1, 2002
REVISED DATE: NO. PAGES: 1 of 3
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SUBJECT: REPORTING ELDER ABUSE, EXPLOITATION OR NEGLECT

ASSOCIATED MANUAL: RECORD FILE
RELATED ORDERS:

CHIEF OF POLICE: Edward F. Lohn, Chief

PURPOSE: To provide compliance, by the Cleveland Division of Police, with the Ohio Revised Code (ORC) 5101.61, Duty to Report Suspected Abuse of Adult.

POLICY: The Division is committed to making the City of Cleveland a safe and desirable place to grow old. It shall receive, investigate and appropriately act on all complaints of elder abuse, exploitation or neglect.

DEFINITIONS:

Elderly Adult: Any person, sixty years of age or more, handicapped by any infirmity of aging or a physical or mental impairment which prevents them from providing for their own care or protection and who resides in an independent living arrangement.

Independent Living Arrangement: A residence of an adult's own choosing, including but not limited to, a private home, apartment, trailer or rooming house. It does not include institutions or facilities licensed by the State of Ohio or facilities in which the adult resides as a result of voluntary, civil or criminal commitment.

Abuse: Infliction upon an adult by oneself or others of injury, unreasonable confinement, intimidation or cruel punishment that results in physical harm, pain, or mental anguish.

Exploitation: The unlawful or improper act of a caretaker to use an adult or an adult's resources for monetary or personal benefit, profit, or gain.

Neglect: The failure of an adult to provide for themselves the goods or services necessary to avoid physical harm, mental anguish, or mental illness or the failure of a caretaker to provide such goods or services.

Caretaker: A person who, by contract, voluntarily assumes responsibility for the care of an adult through receipt of payment for care, as the result of a family relationship, or by a court of competent jurisdiction order.
**Adult Protective Services (APS):** Component of the Department of Human Services responsible, under statute, to investigate reports of elderly abuse. APS is available for consultation 24 hours a day. Their phone number is 216-420-6700. Personnel from 696-KIDS may answer the telephone and can forward the call to APS.

**PROCEDURES:**

I. Reporting incidents of endangered elderly:

A. Officers who have reasonable cause to believe an elderly adult is being abused, exploited or neglected shall immediately contact APS and make a Record Management System (RMS) report. The "notifications" section under "victim information" must indicate contact with APS.

B. All such reports shall include:

1. Title to include elderly, i.e. assault (elderly).

2. Victim’s name, address, age, date of birth, social security number and phone number.

3. Name, address and phone number of the caretaker, nearest family member or close friend.

4. Basis of the belief that the elderly adult has been abused, exploited or neglected.

5. Nature and extent of alleged abuse, exploitation or neglect.

6. Potential danger to APS personnel investigating the case.

7. The names of APS personnel notified and the time of the notification.

8. Other notifications (agencies, hospitals, relatives, etc.).

II. Confidentiality:

A. **Reports under ORC 5101.61 are not public record.** These reports are only available to victims, their counsel or APS authorized representatives.
III. **NOTE:** ORC 2903.13, Assault committed by a caretaker against a functionally impaired person under their care is a felony offense. ORC 2903.16, Failure to provide for a functionally impaired person is also a felony offense when the elder suffers serious physical harm.

EFL/TAH/LM/pmpz
Policy & Procedures Unit