



GENERAL POLICE ORDER CLEVELAND DIVISION OF POLICE



EFFECTIVE DATE: MARCH 1, 2002	REVISED DATE:	NO. PAGES: 1 of 3	NUMBER: 6.2.07
SUBJECT: REPORTING ELDER ABUSE, EXPLOITATION OR NEGLECT			
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 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.

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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.

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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/pmz
Policy & Procedures Unit