
	SPRINGFIELD POLICE DEPARTMENT POLICY MANUAL	POLICY #1.3.9
EFFECTIVE DATE 10/30/23	 Andrew Shearer, Chief of Police	ACCREDITATION REFERENCE 2.2.2

Vulnerable Adult Abuse

1.3.9.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for Springfield Police Department members as required by law.

1.3.9.2 DEFINITIONS

Definitions related to this policy include:

Adult abuse: Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult's care, or any other act that would mandate reporting or notification to a social service agency or law enforcement (Also referred to as Elder Abuse).

1.3.9.3 POLICY

The Springfield Police Department will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

1.3.9.4 MANDATORY NOTIFICATION

Members of the Springfield Police Department shall notify the Department of Human Services (DHS) when a member has reasonable cause to believe that any of the following persons have suffered abuse:

- a) An elderly adult, age 65 years or older (ORS 124.060)
- b) An adult with mental illness or developmental disabilities (ORS 430.765)
- c) A resident of a long-term care facility (ORS 441.640)
- d) An adult (18 years or older) who is receiving services for a substance use disorder or a mental illness in a state hospital or facility (as defined by ORS 430.735) (ORS 430.765).

For purposes of notification, abuse includes physical injury, neglect, abandonment, verbal abuse, financial exploitation, sexual abuse, sexual offenses, involuntary seclusion, and wrongful use of physical or chemical restraints as provided in ORS 124.050, ORS 430.735, and ORS 441.630.

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An adult with mental illness or developmental disabilities means an adult, 18 years or older, with (ORS 430.735):

- a) A developmental disability who is currently receiving services from a community mental health or developmental disabilities program or facility, as defined by ORS 430.735, or who was previously determined eligible for services as an adult.
- b) A severe and persistent mental illness who is receiving mental health treatment from any such community program or facility.

1.3.9.5 NOTIFICATION PROCEDURE

Notification should occur as follows (ORS 124.065; ORS 430.743; ORS 441.645):

- a) All notifications to DHS shall be made as soon as practicable by telephone.
- b) Information provided to DHS shall include, if known:
 1. Name, age and address of the person abused
 2. Present location of the adult
 3. Name and address of the person responsible for the adult
 4. Identity of the perpetrator
 5. Nature and extent of the abuse and any evidence of previous abuse
 6. Date of the incident
- c) DHS shall also be notified whether (ORS 124.070(3); ORS 430.745(7)):
 1. There will be no criminal investigation and the explanation of why there will be no such investigation.
 2. The investigative findings have been forwarded to the District Attorney for review.
 3. A criminal investigation will take place.
- d) In investigations that substantiate elderly abuse or abuse of a resident in a long-term care facility, DHS shall be notified in writing (ORS 124.070(2); ORS 441.650(2)).
- e) Upon completion of investigations for dependent adult abuse, DHS shall be provided a written report of the findings and supporting evidence (ORS 430.745(4)).

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1.3.9.6 QUALIFIED INVESTIGATORS

Qualified investigators should be available to investigate cases of adult abuse. These investigators should:

- a) Conduct interviews in appropriate interview facilities.
- b) Be familiar with forensic interview techniques specific to adult abuse investigations.
- c) Present all cases of alleged adult abuse to the prosecutor for review.
- d) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed.
- e) Provide referrals to victim advocates and support for the victim and family as appropriate
- f) Participate in or coordinate with multidisciplinary investigative teams as applicable (ORS 430.739).

1.3.9.7 INVESTIGATIONS AND REPORTING

- (a) All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated. The Department must begin investigations of abuse in a long-term care facility (ORS 441.650):
 1. Within two hours where a resident's health or safety is in imminent danger or the resident recently died, was hospitalized or was treated in an emergency room.
 2. Prior to the end of the next working day if circumstances exist that could result in abuse and place the resident's health or safety in imminent danger.
- (b) Investigations and reports related to suspected cases of adult abuse should address, as applicable:
 1. The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse victim is contacted.
 2. Any relevant statements the victim may have made
 3. If a person is taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
 4. Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.
 5. Whether the victim was transported for medical treatment or a medical examination.
 6. Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.

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7. Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.
 8. Previous addresses of the victim and suspect.
 9. Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.
- (c) All investigations into suspected cases of adult abuse shall include a personal visit to the elderly person suspected of being abused (ORS 124.070).
- (d) Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

1.3.9.8 INTERVIEWS

Absent extenuating circumstances or impracticality, members should audio record the preliminary interview with a suspected adult abuse victim. Members should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available.

1.3.9.9 MEDICAL EXAMINATIONS

When an adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the adult. The officer should also arrange for the adult's transportation to the appropriate medical facility. In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, officers should notify a supervisor before proceeding and consult with the District Attorney's Office Legal Advisor.

1.3.9.10 PROTECTIVE ORDERS

Elderly Persons and Persons with Disabilities Abuse Prevention Act restraining orders are available through the Lane County Circuit Court. The protective orders are intended to provide abuse protection for people who are 65 years or older, or people who are vulnerable due to a physical or mental disability. This restraining order addresses physical, verbal, financial, sexual abuse, and neglect. (ORS 124.005 - 124.040)

1.3.9.11 POLICE RECORDS RESPONSIBILITIES

- (a) Police Records is responsible for:
1. Providing a copy of the adult abuse report to DHS as required by law.
 2. Retaining the original adult abuse report with the initial case file.

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- (b) Information related to incidents of adult abuse or suspected adult abuse shall be confidential and may only be disclosed pursuant to state law and the Records Retention Policy (ORS 124.090; ORS 430.763; ORS 441.671).

1.3.9.12 DHS ASSISTANCE

An officer shall cooperate with DHS when assistance is requested by written notice to gain access to an abused person and the officer believes that there is reasonable cause that a crime has been committed and an emergency exists that requires access to the person to ensure his/her safety (ORS 124.065; ORS 430.743; OAR 411-020-0085).

1.3.9.13 TRAINING

The Department should provide training on best practices in adult abuse investigations to members tasked with investigating these cases.