

SECTION 3008 – LAW ENFORCEMENT

SUMMARY STATEMENT:	<p>When there is substantiation (<u>preponderance of evidence that A/N/E is present</u>), these facts shall immediately be sent via a written report to the appropriate Law Enforcement authority or District Attorney (which from here on shall be referred to as Law Enforcement). The Disabled Adult Abuse Report (DAAR) shall be sent if there is reasonable evidence of A/N/E anytime during APS involvement (Investigation and/or On-going Services) with a client. Adult Protective Services (APS) will also work closely and cooperatively with law enforcement to ensure the safety of both the APS client and worker.</p>
BASIC CONSIDERATIONS	<p>All reports of A/N/E, with the exception of self-neglect/self-abuse, shall be forwarded to local law enforcement by the APS Case Manager upon receipt of a report. Substantiated reports of A/N/E, excluding self-neglect/self-abuse will also be reported to Law Enforcement along with case findings.</p> <p>Confidentiality of APS records does not prohibit law enforcement from having access to APS records when conducting an investigation into any criminal offense in which a disabled adult or elder person is a victim.</p> <p>Request by law enforcement for an APS record shall be sent on official letterhead to the reporting case manager.</p>
PROCEDURES Completing the DAAR	<p>The Disabled Adult Abuse Report (DAAR) shall be used for reporting substantiated reports of A/N/E.</p> <p>Law Enforcement reports contain:</p> <ul style="list-style-type: none"> • the name of the client and basic identifying information (gender, age, dob, etc.) • the name(s) of the APS case manager(s) for the case and contact information (note: if one CM investigates and another will provide on-going services, both names must appear on the report) • the date/time period of the investigation • the allegations at the time of APS intake • the case manager's findings • attachments (e.g. copies of bank statements) that provide forensic evidence obtained during the investigation • names of witnesses with contact information • the case findings on closed cases (if the client has accepted services, etc.)

**PROCEDURES
Cont'**

- the name of the APS Supervisor and contact information

Investigations

The report to Law Enforcement must be completed and sent to the appropriate law enforcement jurisdiction or District Attorney's office **as soon as the allegation is substantiated but no later than** the same date the investigation is closed.

Determination of findings, relevant information from collaterals or documentation (i.e. medical or bank records) received after the DAAR has been sent shall be forwarded to law enforcement as an addendum of the initial report.

On-going

Discoveries of A/N/E post investigation shall be sent to Law Enforcement via DAAR report.

Supervisor Approval

The supervisor shall review and approve all reports before they are submitted to law enforcement.

**Transmitting Reports
to Law Enforcement**

Local APS staff shall communicate with local law enforcement officials to identify who will receive the reports and to standardize the protocol for submission.

- Name and contact information for the individual who will be responsible for receiving the DAAR;
- Preferred method of submission (i.e. email, fax, postal mail or hand delivery);
- Protocol for acknowledging receipt of reports; and
- Protocol for providing follow-up to APS prior to case closure.

Filing

A copy of the DAAR shall be retained in the client's electronic record.

Documentation

A corresponding case note in the electronic record must include a statement that a report was made to Law Enforcement and attach an electronic copy of the report to that note.

**Special
Circumstances**

In cases where both the Case Manager and Supervisor have a strong belief that legal actions are warranted, the Case Manager shall call in a police report to the local authorities and the case number given at that time should be included in the Law Enforcement report.

**PROCEDURES
Cont'**

On those cases where the Case Manager has taken the additional measure to call in a police report, the Case Manager shall follow up by the close of the Investigation with Law Enforcement to see if legal action has been taken against the alleged perpetrator(s).

Request for assistance from law enforcement may also be made when:

- unable to make an immediate face-to-face contact with a client whose health and safety may be at imminent risk;
- restricted access to the client;
- the report indicates the presence of weapons in the home;
- aggressive and/or violent behavior by the client or the alleged perpetrator is indicated in the intake report; or
- any situation where harm is believed to imminent.

Note: Utilize the APS Field Safety Guide for identifying hazards in the office and in the field, managing crisis and maintaining safety in the field

REFERENCES

[Disabled Adult Abuse Report \(DAAR\)](#)
[O.C.G.A §30-5-4 Reporting of the need for protective services](#)
[O.C.G.A §30-5-7 Confidentiality of Public records](#)
[APS Field Safety Guide](#)