



SAN DIEGO COUNTY ELDER AND DEPENDENT ADULT ABUSE BLUEPRINT

2025 REVISION

COORDINATED. CARING. COMMUNITY RESPONSE.

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HISTORY

In the summer of 2017, San Diego District Attorney Summer Stephan began a formal planning process to coordinate San Diego’s community response to elder abuse. Because of a rise in elder abuse prosecutions, as well as the impending explosion of the elder population, the District Attorney brought together countywide stakeholders on November 3, 2017 for a first-ever “think-tank” of experts, including professionals from all disciplines that serve as touchpoints for elder and dependent adults. Those experts identified gaps and needs in our community and set goals for the future. District Attorney Stephan then convened a larger Elder and Dependent Adult Abuse Summit on March 1, 2018, where the original 2018 Blueprint was unveiled and endorsed. This 2025 revision now incorporates contributions from all of these incredible partners in formalizing a written set of programs, goals, and guidelines to enable us to utilize best practices as we collectively serve our elders and dependent adults.

MISSION STATEMENT AND VALUES

This Blueprint commits San Diego County to a coordinated community multi-disciplinary team response to Elder and Dependent Adult Abuse. We are committed to thoughtful, prompt, thorough and effective services to the victims we serve. We will strive to utilize best practices in our fields, as well as to cooperate, collaborate, communicate and train with others dedicated to this mission.

NEED FOR A COUNTYWIDE BLUEPRINT

For the first time in U.S. History, adults aged 65 and older will outnumber children under age 18 by 2034 according to the U.S. Census Bureau. For San Diego County the number of elder adults is expected to almost double from 2015 numbers and eclipse 900,000. The County of San Diego’s Adult Protective Services recent data is consistent with these predictions eclipsing approximately 24,000 reports of suspected elder and dependent adult abuse per year. San Diego community partners will prepare for this growth and strategize how best to serve our seniors and adults with disabilities.

*“Our civilization
will be judged
on how we
treat our
youngest and
our oldest
members”*

--Summer Stephan
San Diego County
District Attorney



NECESSARY DEFINITIONS

Elder: The California Penal Code defines as any person 65 years or older (CA Penal Code 368(g), however the Welfare and Institutions Code has been amended (CA WIC 15750) to define elder as 60 years old or older for eligibility for Adult Protective Services.

Dependent Adult: The Penal Code defines as any person between the ages of 18 and 64 who has physical or mental limitations that restrict his or her ability to carry out normal activities or to protect his or her rights. (PC 368(h)), however Welfare and Institutions Code 15750 now defines as ages 18-59 for Adult Protective Services programming eligibility.

Caretaker: any person who has the care, custody, or control of, or who stands in a position of trust with, an elder or dependent adult, whether paid or not. (PC 368(i))

CRIMES AGAINST ELDER OR DEPENDENT ADULTS PREAMBLE

California Penal Code section 368(a) states that “The Legislature finds and declares that elders, adults whose physical or mental disabilities or other limitations restrict their ability to carry out normal activities or to protect their rights, and adults admitted as inpatients to a 24-hour health facility deserve special consideration and protection.” All professionals working in this area should dedicate themselves to working passionately, proactively, and creatively to achieve the best outcomes for these victims.

COMMITMENT BY STAKEHOLDERS TO FAMILIARIZE THEMSELVES WITH ELDER/DEPENDENT ADULT LEGISLATION INCLUDING THE SENIOR & DISABILITY JUSTICE ACT OF 2019

California passed the Senior & Disability Justice Act in 2019 which sought to encourage law enforcement and other agencies statewide to enact policies and procedures to help improve reporting, enforcement, and education regarding crimes against seniors and for persons with disabilities whether or not they live independently or are dependent on others. Penal Code sections 368.5 and 368.6 provide definitions, outline roles and responsibilities of agencies and programs, as well as provide comprehensive policy guidelines that may be required to implement in some instances. Every member of law enforcement in this field, adult protective services, prosecutor, and any other elder abuse stakeholder should be familiar with this legislation.

DISPATCHER RESPONSE

Dispatchers are an integral part of the community response to elder abuse because they are a first touchpoint to the abuse. Dispatchers should continue their education on signs of abuse and receive ongoing training on Alzheimer’s and other related dementias.

PATROL RESPONSE

Responding peace officers play a crucial role in creating successful outcomes for elder and dependent adult victims. This Blueprint is not a substitute for your department’s Policy & Procedures Manual. For official protocols, all Law Enforcement should rely on their own agency’s guidelines. Patrol officers and deputies in San Diego County will strive to do the following when feasible:

- Become educated about various elder and dependent adult abuse, and penal code sections accounting for physical and financial abuse, as well as neglect. The most relevant code sections

are contained in **ADDENDUM A**.

- Request Emergency Protective Orders (EPO) and/or Gun Violence Restraining Orders (GVRO) when legally appropriate in order to best protect elder victims and the community. See sections below for further information.
- Treat elder and dependent adult citizens with dignity and respect.
- Follow interview guidelines in **ADDENDUM B** for interviewing elders and dependent adults.
- Recognize that elder or dependent adults may have difficulty narrating events, appear to be poor historians, or lack short term memory, which adds to their vulnerability.
- Document the scene using the San Diego Countywide Elder and Dependent Adult Abuse Supplemental contained in **ADDENDUM C**.
- Cross-Report to Adult Protective Services (APS) by calling 1-800-339-4661 and follow-up by sending a written report of documented suspected abuse within two working days, or reporting through the Aging and Independence Services Web Portal at www.aiswebreferral.org, which does not require any follow up written report. (W&I 15640(c) and 15658.)
(<https://sandiego.leapsportal.net/LEAPSIntake/NewPublicIntakeReport.aspx>)
- Obtain a signed medical release from potential victims.
- Interview caregivers separately. In some situations, the caregiver may be the abuser.
- Recognize victim cooperation is not always necessary for prosecution. Each dispatched call or case should be investigated on its own evidentiary merits.
- Consult with a supervising Elder Abuse Deputy District Attorney or Deputy City Attorney to determine whether the case is more than simply “civil” in nature.
- **Physical Abuse/Endangerment Cases:** Document all injuries, obtain statements from elder or dependent adult victims and document their demeanor. With victim consent, contact the Palomar Health Forensic Health Services mobile evidentiary examiner team to conduct a forensic exam to document the suspected injuries. PHFHS forensic services are offered 24/7 & 365 days a year. See Sexual Abuse section below for phone numbers. Photograph or videotape the suspected crime scene, and document any physical evidence and the general appearance of the residence. Seize any objects used to injure the elder or dependent adult and document any medications present at the scene and any pertinent medical history or conditions. Interview the medical personnel available including paramedics. Reports: 1) Prepare an initial crime report in all cases of suspected physical abuse or endangerment and 2) Cross report to APS (see section below titled, “cross reporting requirements.”)
- **Financial Abuse:** Determine the identity of the reporting party, any relationship between the reporting party and the elder or dependent adult, and why the reporting party notified law enforcement. Determine the dates of economic loss, how the loss was discovered, and who discovered the loss. Obtain sample signature of the elder or dependent adult. Identify and interview, when feasible, all witnesses who may have relevant information. Interview any caregivers to determine their duties and responsibilities, including any financial agreements or loans provided to a caregiver by the elder/dependent adult. Obtain written consent to request bank records, credit statements, real estate loan documents and other relevant financial information. When feasible, document and collect all accessible financial documents pertaining to the suspected financial abuse.
- **Neglect cases:** Neglect occurs when a caretaker or custodian fails to act with a degree of care that a reasonable person would have used when caring for an elder or dependent adult. Officers should do their best to document all physical evidence and consider videotaping the living conditions.

- **Special Considerations/Circumstances with Domestic Violence involving the Elderly:** On occasion domestic violence offenders may be elderly or extremely infirmed. In some cases it may be possible to establish that an elderly offender is not competent, not aware of their actions and/or was previously diagnosed by a physician or Adult Protective Services (APS) of not being competent to make their own decisions as a result of dementia or a related disorder of cognitive decline. It is important to be aware that some offenders present a significant health risk due to the shock of incarceration and or removal from their normal place of residence as a result of their advanced age or significant medical condition or diagnosis of Alzheimer's or other related dementia. In addition to investigating/documenting the domestic violence incident as outlined in the San Diego County Law Enforcement Domestic Violence protocol, some or all of these options may be applicable based on the individual set of circumstances as alternatives to arrest/booking:
 - Obtaining an Emergency Protective Order (EPO) and ensuring family members can keep the victim and offender in separate locations;
 - Evaluate for 5150 W&I and if feasible/and or appropriate, commit offender to either an LPS designated hospital or CMH;
 - Contact/request local or available PERT (Psychiatric Emergency Response Team) team;
 - Complete an arrest report indicating the offender was released pursuant to Penal Code section 849(b) or taken into custody and released thereafter to a competent third party who will assure the safety of both the victim and the offender;
 - Contact the duty Adult Protective Services/Aging and Independent Services representative (1-800-339-4661) for additional resources to keep the victim safe and separated from the offender if the offender cannot be incarcerated/booked;
 - If a suspect must be booked, contact the Sheriff's Watch Commander or Jail medical staff and ensure they are notified that an inmate is booked into custody that has cognitive decline or other significant medical conditions that could impact their safety in jail.
 - Cross-Report to APS (see ADDENDUM G)

Necessary Definitions for Domestic Violence Cases:

- Dating Relationship means frequent, intimate associations primarily characterized by the expectation of affection or sexual involvement independent of financial considerations (PC 243(f)(10), FC 6210). Casual, one-time dates or first-time encounters would not be considered "dating," and therefore not "domestic violence."
- Domestic Violence means abuse committed against an adult or a minor who is a spouse, former spouse, adult cohabitant, former adult cohabitant, or person with whom the suspect has had a child or is having or has had dating or engagement relationship (PC 13700(b)).

INVESTIGATION RESPONSE

Follow-up investigations are necessary in many elder abuse cases as first responders may not be in the best position to gather all existing evidence. This Blueprint is not a substitute for your department's Policy & Procedures Manual. For official protocols, all Law Enforcement should rely on their own agency's guidelines. Follow-up investigations in San Diego County when feasible should include:

- Determining the victim is safe and whether there is a need for emergency housing.
- Cross-reporting to APS.
- Making contact with the assigned APS social worker, Ombudsman or Department of Justice for the possibility of joint investigation or sharing of information when appropriate and if necessary.
- Obtaining any prior APS referrals if they exist.
- Verifying that the initial investigation by patrol addressed all elements of the reported crime.
- Obtaining and viewing all available evidence, including medical information, photographs, bank, checking and financial records.
- Determining if more evidence should be collected or obtained.
- Follow-up interview of victim as soon as possible, preferably videotaped, and outside the presence of caregiver or others present in the home.
- Attempting to interview the suspect when legally appropriate, preferably videotaped.
- Attempting to make appropriate law enforcement notifications if suspect remains unidentified.
- Taking advantage of other countywide resources if needed, including those listed in **ADDENDUM D**.
- Obtaining a signed medical release from victim if not already received by patrol.
- If victim is conserved, obtaining conservator-signed release, along with paperwork that documents the conservatorship.
- Interviewing the victim's treating physician or other medical professionals that interviewed the victim.
- Conducting follow-up interviews with neighbors, family members, or others that may have information or evidence about the incident.
- Conducting a recorded pretext call if necessary, reasonable, and warranted.
- Executing warrants for electronics that may contain relevant evidence.
- Collecting dispatch 911 recordings for current incident and any past incidents.
- Sharing and preserving body-worn camera evidence.
- Collecting physical or documentary evidence related to the crime.
- Obtaining handwriting samples from the victim and the suspect. Have the suspect sign his/her name, as well as the victim's name.
- Documenting the suspect's access to victim's financial information.

PROSECUTION RESPONSE

The San Diego City Attorney's Office and the San Diego County District Attorney's Office will dedicate specially trained prosecutors to handle elder abuse cases vertically where practicable. Prosecutors are strongly encouraged to do the following when feasible and legally appropriate:

- Become familiar with best-practices in the field of Elder and Dependent Adult Abuse prosecution.
- Participate in outreach to elevate awareness and education in the community about elder and dependent adult abuse.
- File Penal Code section 368 crimes either as misdemeanors or as felonies.
- Request Criminal Protective Orders.
- Oppose case continuances due to the vulnerable nature of elder victims and witnesses when legally appropriate.
- Conduct conditional exams of elder or dependent adult victims in order to preserve their testimony when needed.
- Treat all victims and witnesses in a trauma-informed way with dignity, respect, and care.
- Use experts including handwriting analysts, forensic accountants, forensic evidentiary examiners, wound care experts, civil attorneys, geriatricians, geriatric psychologists, psychiatrists, and deputy medical examiners to provide evidence related to necessary elements of the elder abuse crimes.
- Be familiar with the "San Diego County Prosecutor Elder & Dependent Adult Case Preparation Checklist" attached in **ADDENDUM E**.
- Use a prosecutor-checklist to enhance collection of evidence and have consistency in case preparation such as the one attached in **ADDENDUM E**.
- Make efforts to secure victim restitution as early as possible in the criminal process.
- Elicit victim testimony with full-cross examination as soon as possible after charging, due to *Crawford v. Washington* 6th amendment concerns.
- Participate in ongoing training and education in the field of Elder and Dependent Adult Abuse.
- Achieve consistency and uniformity when possible in case issuance, handling, and resolution.

SUSPECTED SEXUAL ABUSE OF AN ELDER OR DEPENDENT ADULT

When sexual abuse is suspected, efforts should be made by all community partners to treat the elder victim with dignity and care, with the recognition that many victims delay in their disclosure of sexual abuse for reasons including but not limited to fear, shame, embarrassment, and self-doubt. Ideally, repeated interviews should be kept to a minimum, and all criminal justice and community partners involved should do their best to communicate and collaborate with one another in a search for the truth. Victims should be notified that they have the right to a support person of their choosing pursuant to Penal Code sections 679.04 and 264.2. Crime reports and cross-reports should be made pursuant to the sections in this protocol titled "Cross-Reporting." Documentation of the physical evidence and crime scene is important, as are any injuries to the victim. Coordination with and dispatch of the Sexual Assault Response Team, according to department policy, should be done as quickly as reasonably possible to ensure any appropriate examination can be conducted with consent of the elder victim, or with consent from the victim's legal guardian, conservator, or attorney in fact for health care. Exams are activated by calling 760-739-2150 during business hours Monday-Friday 8:00am to 5:00pm or through the after-hours phone line at 888-211-6347 (holidays, weekends, after business hours) and can be performed in any healthcare setting, law enforcement setting, or safe location within San Diego County. Recorded interviews should be made for suspects, and documentation made of all statements made by suspects. When taking a suspect into custody, law enforcement should follow any department policies regarding collection of evidence or performing a standard rape kit on the suspect.

RESTRAINING ORDERS

Restraining orders are one of the most important public safety tools we have to protect elder and dependent adults. All criminal justice system partners should familiarize themselves with the available restraining order options and procedures discussed in **ADDENDUM F**, obtain restraining orders for victims if appropriate, and enforce restraining orders according to the Penal Code. (Penal Code sections 836(c)(1); 13701; 13710 136.2; 1371(c); 136.2(h)(2).) Criminal Protective Orders in elder or dependent adult cases may be valid for up to 10 years. (Penal Code sections 136.2(i); 368(l); 273.5(j)) Officers shall enforce out of state protective orders or restraining orders that are presented to them if 1) the order appears valid on its face, 2) the order contains both parties' names, and 3) the order has not yet expired. "Out of state orders" include those issued by U.S. Territories, Native Tribes, and military agencies. (Full Faith and Credit Provision of the Violence Against Woman Act, Family Code sections 6400-6409.) This protocol should be read in conjunction with the San Diego County Domestic Violence and Children Exposed to Domestic Violence Law Enforcement Protocol as revised in 2023.

There are multiple types of court orders which could be issued to protect an elder or dependent adult. In a criminal case, the court can issue a Criminal Protective Order (CPO) during the pendency of a case which could take place from arraignment through sentencing (PC 136.2(a)(1)). Upon conviction, the court could issue a new CPO for a maximum term of up to 10 years. In order for the court to issue a CPO post-conviction, certain criteria must be met, such as a conviction pursuant to Penal Code 368, 646.9, 273.5, 602.5(b), or a sex crime enumerated under 290(c). Alternatively, the court can issue a CPO if the victim and defendant share a qualifying relationship pursuant to Penal Code 1203.097(a) [a dating relationship, or when parties are related within two degrees of consanguinity or affinity (ie. Child, grandchild, parent, grandparent, spouse, parent/child-in-law, but NOT cousins or uncle/aunt)]. A violation of this CPO is punishable as a misdemeanor, however, if the defendant was convicted of violating a CPO in the past 7 years and in violating the CPO again committed an act of violence or made a credible threat, it can be charged as a felony (PC 166(c)(1)-(4)).

The court can issue a Domestic Violence Restraining Order (RO), or other Civil Restraining Order, when the elder or dependent adult petitions the court for protection either outside a criminal case or in conjunction with a criminal case. The court would issue a Temporary Restraining Order (TRO) which lasts for 21 days prohibiting contact with the protected party and set a hearing on a permanent Restraining Order (RO). An RO typically lasts for one year after being issued, but can be renewed until the end of the protected party's life. A violation

of an RO is punishable as a misdemeanor, however, if the defendant was convicted of violating an RO in the past 7 years and in violating the RO again committed an act of violence or made a credible threat, it can be charged as a felony (PC 273.6(a)-(e)).

GUN VIOLENCE RESTRAINING ORDERS (GVRO's) - REMOVAL OF FIREARMS

Law enforcement should be familiar with GVRO's and the laws surrounding firearm relinquishment of those individuals who cannot legally possess them. (Penal Code section 18100 – 18205) A GVRO is a civil restraining order used as an immediate intervention through the removal of firearms and ammunition from a person who is a danger to themselves or others. GVRO's seek to remove firearms and ammunition to de-escalate a situation before a tragedy occurs. This may involve removing firearms from an abuser or caregiver who poses a risk to an elder or dependent adult, or removing firearms from an elder or dependent adult suffering from dementia or other mental health conditions.

A law enforcement officer may seek an emergency GVRO from the court when a person presents an immediate and present danger of causing personal injury to themselves or another. (Penal Code section 18125). Family members, employers, co-workers, teachers, law enforcement officers, roommates, dating partners, and co-parents may also ask the court for an ex parte GVRO when the person poses a significant danger, in the near future, of causing personal injury to themselves or others. (Penal Code section 18150). For everyone's safety, coordination with law enforcement is encouraged. The San Diego City Attorney's Office and San Diego Police Department are available to provide additional information through their Gun Violence Response Unit or San Diego Superior Court packet is available here:

<https://sdcourt.ca.gov/sites/default/files/sdcourt/generalinformation/forms/civilforms/pkt042.pdf>

In addition to GVRO's, when law enforcement verifies that any restraining order has been issued, the officer shall make reasonable efforts to determine if the restraining order prohibits the possession of firearms and/or requires the relinquishment of firearms. If the order prohibits firearms possession, when feasible and reasonable, the officer will make reasonable efforts to:

- Inquire whether the restrained person possesses firearms (ask the restrained person or the protected person).
- Query through the California Law Enforcement Telecommunication Systems (CLETS) and the Automated Firearms System (AFS) to determine if any firearms are registered to the restrained person.
- Receive or seize prohibited firearms located in plain view or pursuant to a consensual or other lawful search. (PC 18250(a).)

PSYCHIATRIC EMERGENCY RESPONSE TEAM (PERT)

The Psychiatric Emergency Response Team consists of specially trained officers and deputies who are paired with licensed mental health professionals. Together, they respond on-scene to situations involving people who are experiencing a mental related crisis and have come to the attention of law enforcement. The PERT team is a tremendous resource for law enforcement in the response to elders who may have Alzheimer's or other related dementias. PERT teams are encouraged to continue collaboration and cooperation with law enforcement and participate in cross-training with community partners so PERT teams can best support law enforcement and elderly perpetrators/victims.

CROSS-REPORTING

Depending on the location of the abuse, the type of abuse, and whether the suspect is a licensed health practitioner, law enforcement, adult protective services, and the local ombudsman are required to cross-report incidents of abuse and report the results of their investigation of referrals or reports of abuse to the respective referring or reporting agencies listed in **ADDENDUM G** (W&I 15640).

MANDATED REPORTING

Welfare and Institutions Code sections 15630-15632 mandate that certain individuals must report any abuse or suspected abuse to elders or dependent adults. Mandated reporters shall make a report whenever the mandated reporter:

- In his/her professional capacity or within the scope of his/her employment;
- Has knowledge of or observes abuse or neglect;
- Is told by an elder or dependent of abuse or neglect; or
- Reasonably suspects abuse or neglect. (W&I 15630)

What happens if a mandated reporter does *not* report? A mandated reporter who fails to report an incident of known or reasonably suspected elder and dependent abuse or neglect is guilty of a misdemeanor and can be fined or sentenced to jail time. (W&I 15630(h).)

Who is a mandated reporter? (W&I 15630(a))

- Any person who has assumed full or intermittent responsibility for the care or custody of an elder or dependent adult, whether or not he or she receives compensation
- Administrators, supervisors and any licensed staff of a public or private facility that provides care or services for elder or dependent adults
- Elder or dependent adult care custodian
- Health practitioner
- Clergy member
- Employee of the Adult Protective Services agency
- Law enforcement
- All officers and employees of financial institutions

When and how must a mandated reporter make the report? Mandated reporters shall report by telephone or the confidential internet reporting tool immediately or as soon as practicably possible. If reported by telephone, a written report shall be sent, or an internet report shall be made within two working days.

Telephone Call: Immediately or as soon as practically possible, call Adult Protective Services at **1-800-339-4661**.

If abuse occurred in long-term care facility call Long Term Care Ombudsman at **1-800-640-4661**.

Written or confidential internet report: Within two working days, fill out form SOC 341 or SOC 342 (financial institutions).

Online Submissions: www.AISWebReferral.org Mandated reporters can register ahead of time and be approved to submit non-emergent reports 24/7 and no paper SOC 341/342 is required with this method. (<https://sandiego.leapsportal.net/LEAPSIntake/NewPublicIntakeReport.aspx>)

Can a mandated reporter be civilly liable for reporting abuse? No. Mandated reporters shall not be civilly or criminally liable for any report made. (W&I 15634)

Confidentiality of mandated reporter: The reports made pursuant to W&I sections 15630, 15630.1, and 15631 shall be confidential and may be disclosed only to persons or agencies who legally are entitled to the information, such as Adult Protective Services, a local law enforcement agency, the office of the District Attorney, the office of the City Attorney, the office of the Public Guardian, the Probate Court, members of multidisciplinary teams who use the information for prevention, identification or treatment of abuse or elderly or dependent persons, and all others listed in W&I 15633.5. **Ombudsman Reporting Requirements:** The Long-Term Care Ombudsman will ask victims or authorized representatives if they want law enforcement or the Bureau of Medi-Cal Fraud involved. If the victim or victim's authorized representative consents, the Ombudsman shall cross-report known or suspected criminal activities to local law enforcement or to the Bureau of Medi-Cal Fraud & Elder Abuse as soon as possible and must follow up with a written report within two working days. (W&I 15640(d).) If the Ombudsman's office learns of any instance of neglect occurring in a health care facility that has seriously harmed any patient or reasonably appears to present a serious threat to the health or physical wellbeing of a patient in that facility, it shall immediately report by phone and in writing within two working days to the bureau. If the victim or potential victim of the neglect withholds consent to being identified, the report shall contain circumstantial information about the neglect but shall not identify the victim or potential victim. (W&I 15640(d).)

AGING AND INDEPENDENCE SERVICES

Aging and Independence Services (AIS) provides services to older adults, people with disabilities, and their family members, to help keep clients safely in their homes, promote healthy and vital living, and publicize positive contributions made by older adults and persons with disabilities. AIS operates a call center that provides aging and disability resource information for the community as well as serves as the hotline for reporting elder and dependent adult abuse. AIS commits to continued collaboration and partnership with criminal justice agencies dedicated to serving the elder population and dependent adults.

ADULT PROTECTIVE SERVICES

AIS operates Adult Protective Services, which serves adults 60 and older and dependent adults 18 and older, who are harmed or threatened with harm, to ensure their rights to safety and dignity. APS investigates elder and dependent adult abuse, including cases of neglect and abandonment, as well as physical, sexual and financial abuse. APS commits to partner and collaborate with other criminal justice agencies dedicated to the prevention of and response to elder and dependent adult abuse. APS further commits to involvement with the San Diego Elder and Dependent Adult Death Review Team, which reviews elder and dependent adult deaths in the County of San Diego to determine if system-wide changes or improvements should be made.

LONG TERM CARE OMBUDSMAN

The County of San Diego's Long Term Care Ombudsman (LTCO) program is a part of AIS. LTCO advocates for residents in long term care facilities, such as nursing homes, as well as investigates abuse in other licensed facilities. An Ombudsman listens to concerns, provides information and assistance when requested, and will investigate and resolve complaints related to care or personal rights. The Long-Term Care Ombudsman commits to partner and collaborate with criminal justice agencies dedicated to the prevention of and response to elder and dependent adult abuse.

OFFICE OF THE PUBLIC ADMINISTRATOR / PUBLIC GUARDIAN

Within Aging & Independence Services (AIS), the Public Administrator serves as the administrator of decedent estates and attends to their final affairs, at times involving issues of abuse and neglect of older adults and adults with disabilities. The Public Guardian serves as the legally appointed conservator for persons found by the Probate Court to be substantially unable to attend to their own care needs and/or effectively manage their assets, particularly where no other person is able and available to reasonably act on their behalf. Frequently, Public Guardian conservatees are frail, residing in skilled nursing facilities, and previously the victims of abuse and/or neglect.

OFFICE OF THE PUBLIC CONSERVATOR

The Public Conservator investigates referrals for Lanterman-Petris Short (LPS) Conservatorships and accepts referrals only from psychologists or psychiatrists from designated treatment facilities. An LPS Conservatorship is when the Court appoints an adult (conservator) to be responsible for another person (conservatee). The conservator makes sure the conservatee gets the treatment they need that may include treatment, supervision, and placement in a long-term care facility. To qualify for an LPS Conservatorship, a person must meet the criteria of being gravely disabled.

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES, COMMUNITY CARE LICENSING DIVISION, SENIOR CARE PROGRAM OFFICE

Community Care Licensing (CCL) commits to continue their existing collaboration with the Office of the Attorney General as well as the San Diego District Attorney's Office and San Diego City Attorney's office to best protect elders and dependent adults residing in Assisted Living Facilities, community care facilities, or where unlicensed care is being provided inappropriately. CCL will continue to be a valued partner and refer suspicious cases to the Attorney General, the District Attorney, or the City Attorney when appropriate.

SAN DIEGO CITY ATTORNEY'S UNSAFE FACILITIES TASK FORCE

In 2018, the San Diego City Attorney's Office formed the Unsafe Facilities Task Force to address nuisance Independent Living Facilities (ILF's) located in the City of San Diego. ILF's are group homes where individuals live together and pay rent to a business operator and are frequently inhabited by vulnerable adults. ILF's are not regulated by state laws or via local zoning ordinances. ILF residents must be independent and not require assistance with activities of daily living. (Cal. Code Regs. Tit. 17 § 2800). Most nuisance ILF cases are referred to the Task Force by police officers or the fire department because of the existence of dangerous substandard housing violations. Vermin infestation, electrical violations, and egress issues are frequently observed when responding to investigate calls for service. Elder and Dependent Adult violations are also frequently a concern in such facilities. Task Force partners including members from City Departments (City Attorney's office, Police, Fire, and code enforcement inspectors) work closely with the state investigators (Community Care Licensing Division and Adult Protective Services) to ensure that victims are relocated to habitable housing and that offenders are held accountable. The Nuisance Abatement Unit of the San Diego City Attorney's Office is available to provide additional information.

SAN DIEGO AND IMPERIAL COUNTIES DEVELOPMENTAL SERVICES, INC.

San Diego Regional Center (SDRC) provides case management and coordinates services and supports for individuals with development disabilities from birth through end of life. SDRC is dedicated to protecting the health and safety of all individuals served, including elder and dependent adults. This is accomplished through regular monitoring visits, special incident reporting, risk management, and mandated reporting to Adult Protective Services (APS), the Ombudsman, and local law enforcement. Additionally, SDRC hosts a quarterly roundtable with APS to bridge communication and collaborate regarding individuals when there are concerns. Services and supports that may be available include: Residential Care Facilities for the Elderly (RCFE); Memory Care Facilities; Lifeline Medical Alert; Supported Living Services, and Personal Assistance Services. SDRC will continue to collaborate with other stakeholders and community partners dedicated to the prevention of, and response to, elder and dependent adult abuse.

ATTORNEY GENERAL'S OFFICE DMFEA

The Attorney General's Division of Medi-Cal Fraud and Elder Abuse (DMFEA) serves as a valued community partner with the San Diego District Attorney's office sharing jurisdiction to investigate and prosecute elder and dependent adult abuse in other institutional settings including nursing homes, long term care facilities, and hospitals. The Attorney General's Office also has the mission to protect and safeguard the state's Medi-Cal program and to investigate and prosecute those who would defraud taxpayers and divert scarce health care resources from the needy. The AG will continue to collaborate with other stakeholders to best protect elders and dependent adults.

SUSPICIOUS DEATH / HOMICIDE

An unexplained or suspicious elder or dependent adult death should be treated as a possible homicide or suicide until a complete investigation including autopsy has been performed. Do not presume that all elder deaths are natural simply because of the age or physical limitations of the deceased. Thoroughly photograph the undisturbed decedent and scene. Do not contaminate possible evidence at the scene and contact your homicide unit and the County Medical Examiner's Office immediately.

ELDER AND DEPENDENT ADULT DEATH REVIEW TEAM ("EDADRT")

In 2003, pursuant to SB 333 and CA Penal Code sections 11174.5-11174.9, The County of San Diego created its first interagency "Elder Death Review Team." That team has evolved into the San Diego Elder and Dependent Adult Death Review Team ("EDADRT"), working under its most recent Memorandum of Understanding signed in 2018. The EDADRT makes every effort to meet throughout the year to review suspicious elder and dependent adult deaths occurring in San Diego County. The goal of the multidisciplinary team is to identify risk factors associated with these deaths, maintain statistical data, facilitate communication between involved investigative agencies, and identify any system improvements that could have been made surrounding the suspicious death. Information gathered by the EDADRT and any recommendations made by the team are used to develop education, prevention, and if necessary, prosecution strategies that will lead to improved coordination of services for families and the elder population. This Blueprint serves as a re-commitment by community partners to continue participation and support of this important multidisciplinary team and routinely provide data to the public in a report.

EMERGENCY MEDICAL TECHNICIANS AND PARAMEDIC FIRST RESPONDERS

First responding Emergency Medical Technicians (EMT), Paramedics (PM) or EMT/PM firefighters play a crucial role in creating successful outcomes for elder and dependent adult victims. First responders in

San Diego County strive to do the following when feasible:

- Become educated about physical, financial and neglect elder abuse.
- Treat elder and dependent adult with dignity and respect.
- Request law enforcement response when Elder abuse is suspected by or reported to EMS/Fire personnel.
- Follow applicable guidelines in **ADDENDUM B** when assessing elder and dependent adults for a medical complaint or injuries.
- Recognize that elder or dependent adults may have difficulty narrating events, appear to be poor historians, or lack short term memory, which adds to their vulnerability as potential victims.
- Document the scene and all injuries using electronic patient care record (ePCR).
- Cross report to APS by calling 1-800-339-4661 and follow up by sending a written report of documented suspected abuse within two working days, or complete an AIS Web Referral. (W&I 15640(c).)
- Interview caregivers separately. In some situations, caregiver may be the abuser.
- **Neglect cases:** Neglect occurs when a caretaker or custodian fails to act with a degree of care that a reasonable person would have used when caring for an elder or dependent adult. First responders should do their best to document all physical evidence and consider keeping EKG monitor on for entire incident.

SAN DIEGO FBI ELDER JUSTICE TASK FORCE (EJTF) COMBATting ELDER SCAMS

In 2021, in response to the unprecedented increase of Elder Scam activity in San Diego, the US, and around the world, the San Diego Elder Justice Task Force was launched as a first of its kind initiative in the nation. The amount of actual reported losses by San Diego seniors annually to these scams now exceeds \$100 MILLION and continues to rise year to year. The EJTF is a collaboration between the District Attorney's Office, the FBI, Adult Protective Services, the Law Enforcement Coordination Center, The US Dept. of Justice, and local law enforcement agencies who provide dedicated Task Force Officers (TFO) or affiliate participation. The goal of the Task Force is to coordinate county-wide collaboration on investigations of Elder Fraud and then leverage the FBI's local and national resources to pursue the scammers operating abroad and the money launderers working throughout the United States to facilitate these scams. Law Enforcement officers encountering victims of Elder Fraud should ensure that local agency reports are taken immediately and submitted to the LECC fusion center through the EJTF portal and that victims are also directed to report their cases immediately to the FBI's www.IC3.gov database for any chance at recovering funds or holding suspects accountable. The EJTF is committed to investigating criminal organizations committing fraud within the United States and holding those perpetrators accountable including the vast money laundering networks that facilitate scams at the behest of overseas scammers; working to recover and return funds lost by elder victims wherever possible; and keeping data on the amount of fraud impacting the County of San Diego.

CONCLUDING COMMITMENT

San Diego community partners and stakeholders have come together to collaborate on this important protocol. This Blueprint signifies our ongoing commitment to a coordinated community response to elders, seniors, dependent adults, and those with disabilities so they are served with dignity, compassion, and the highest quality of care.