



# El Segundo Police Department

## Training Section

348 Main Street, El Segundo, CA 90245

Phone (310) 524-2253

## TRAINING BULLETIN

April 8, 2022

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### Adult Protective Services (APS)

#### Roles and Responsibilities

In an effort to enhance collaboration with Law Enforcement, the Los Angeles County Department of Workforce Development, Aging & Community Services (WDACS) developed the below list of roles and responsibilities of APS Social Workers, in addition to activities they are not authorized to perform.

#### APS SOCIAL WORK STAFF RESPONSIBILITIES:

- Determine the validity of older and dependent adult abuse through various interviews and site visits (Welfare and Institutions Code (WIC) Section 15650 (b)).
- Provide short-term case management services, including coordinating public services available to the alleged victim.
- Refer cases to law enforcement if investigation involves criminal activity, including physical abuse, abandonment, abduction, isolation, financial abuse, neglect, or other treatment which results in physical harm, pain, or mental suffering.
- Refer cases to law enforcement in specific circumstances even if no criminal activity is observed, including self-neglect (e.g., certain homeless cases) or when APS is denied entry into a client's home by someone other than the client (State Regulations Manual of Policies and Procedures (MPP) Section 33-510.5).
- Reports investigatory findings to law enforcement in a timely manner by completing and forwarding the SOC 343, Investigation of Suspected Dependent Adult/Elder Abuse form.
- Maintain confidentiality about APS clients as specified in WIC 15633(a) and share appropriate information with law enforcement agencies about APS clients as specified in WIC 15633.5(b)(4) and 15754.
- If alleged abuse or neglect occurred in a Long-Term Care facility, inform reporter to make referral to law enforcement or the Long-Term Care Ombudsman Program.

## **APS STAFF IS NOT AUTHORIZED TO DO THE FOLLOWING:**

- Transport homeless individuals. If the homeless individual is an APS client however, the social worker can arrange transportation services, such as, but not limited to, taxicab. (At no time can the social worker use their personal vehicle to transport the client).
- Force any services upon clients as APS is a voluntary program (WIC 15636 (a)), and clients are entitled to self-determination. The social worker is not authorized to:
  1. Secure psychiatric holds or provide protective custody.
  2. Authorize or force medical treatment.
  3. Force a client to move from their home OR to clean their home.
  4. Remove a client from their home regardless of living conditions.
  5. Authorize placement of a client in a Skilled Nursing Facility or other facility; hire or fire their In-Home Supportive Services (IHSS) caregiver/provider.
  6. Become a client's conservator.
- Respond to individuals who wander away from facilities, homes, caregivers, public places, or other locations. If an individual is found and his/her residence/previous location cannot be established, the individual should be considered gravely disabled and taken to the hospital for evaluation. APS emergency shelters are not locked facilities.

**NOTE:** In February 2018, the Los Angeles County Board of Supervisors unanimously approved the "Bringing Our Loved Ones Home" Initiative (now known as L.A. Found), a groundbreaking countywide initiative to help locate individuals with Alzheimer's, dementia, or autism who wander. For more information about L.A. Found, please visit <https://lafound.lacountv.aov/about/>. APS staff or any individual can refer wandering individuals who appear lost/disoriented to the LA Found website for more information on how to apply for a tracking device or caregiver resources.

## **APS LAW ENFORCEMENT LIAISON:**

Los Angeles County APS has re-established a Liaison to work with Law Enforcement personnel and APS social workers with expediting elder and dependent adult abuse reports.

Law Enforcement personnel may contact Sasha Lala, our current APS Law Enforcement Liaison, at (213) 280-3664 or [SLala@wdacs.lacountv.gov](mailto:SLala@wdacs.lacountv.gov) to:

- Determine if APS is investigating a particular elder or dependent adult abuse case.
- Determine what APS office and/or social worker is assigned a case.
- Consult on an existing or potential elder/dependent abuse case and how to navigate the APS process.
- Request APS training for a Law Enforcement Agency/Unit/Team.
- Facilitate the resolution of technical problems related to emails or faxes.

## **ELDER AND DEPENDENT ADULT ABUSE STATUTES:**

### Welfare and Institutions Code (WIC):

**§15630.** Law Enforcement Officers are mandated reporters of physical and sexual abuse, financial abuse, neglect, abandonment, isolation, and self-neglect. Failure to report is a misdemeanor.

**§15633 & 15633.5(b).** It is a misdemeanor to disclose the identity of the person who reports elder or dependent adult abuse, except to other Law Enforcement staff, prosecutors, Adult Protective Services, the Long-Term Care Ombudsman, licensing agencies, the Bureau of Medi-Cal Fraud, by court order, or when the reporting party waives confidentiality.

**§15650(b).** It is the responsibility of Adult Protective Services and Law Enforcement to investigate reports of abuse outside of Long-Term care facilities.

**§15755.** If denied access to premises, a law enforcement agency may seek a search warrant when there is probable cause that an elder or dependent adult on the premises is subject to abuse.

### California Penal Code Sections:

**§368(b)** Causes or permits conditions likely to produce great bodily harm or death.

(c) Causes or permits a situation where victim's health may be endangered.

(d) Theft or embezzlement by non-caretaker.

(e) Theft or embezzlement by caretaker.

(f) False imprisonment by use of violence, menace, fraud, or deceit.

**§422** Willfully threatens great bodily harm or death, even if no intent of carrying it out, causes sustained fear for safety.