

Seattle Police Department Manual

15.185 – Vulnerable Adults- Elder Abuse & Neglect

Effective Date: 03/01/2017

15.185-POL

1. Vulnerable Adults and Elder Abuse & Neglect is Defined by Statute

Vulnerable Adult is:

- 60 years of age or older and functionally, mentally, or physically unable to care for them self; or
- Incapacitated under [RCW Chapter 11.88](#); or
- Developmentally disabled as defined under [RCW 71A.10.020\(4\)](#); or
- Admitted to any facility; or receiving services from home health, hospice, or home care agencies licensed or required to be licensed under [RCW Chapter 70.127](#); or receiving services from an individual provider.

Mandatory Reporter is:

- Law Enforcement Officer
- An on duty DSHS worker
- Social Worker
- Health Care Provider
- Operator of a residence licensed or required to be licensed under [RCW 18.20](#)

Neglect

The law defines [RCW 74.34.020\(15\)](#) as a pattern of conduct or inaction by a person or entity with a duty of care that fails to provide the goods and services that maintain physical or mental health of a vulnerable adult, or that fails to avoid or prevent physical or mental harm or pain to a vulnerable adult; or an act

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or omission by a person or entity with a duty of care that demonstrates a serious disregard of consequences of such a magnitude as to constitute a clear and present danger to the vulnerable adult's health, welfare, or safety, including but not limited to conduct prohibited under RCW [9A.42.100](#).

Abandonment

The law defines [RCW 74.34.020\(1\)](#) abandonment as an action or inaction by a person or entity with a duty of care for a vulnerable adult that leaves the vulnerable person without the means or ability to obtain necessary food, clothing, shelter, or health care.

Financial Exploitation

The law defines [RCW 74.34.020\(7\)](#) financial exploitation as the illegal or improper use, control over, or withholding of the property, income, resources, or trust funds of the vulnerable adult by any person or entity for any person's or entity's profit or advantage other than for the vulnerable adult's profit or advantage. "Financial exploitation" includes, but is not limited to:

- (a) The use of deception, intimidation, or undue influence by a person or entity in a position of trust and confidence with a vulnerable adult to obtain or use the property, income, resources, or trust funds of the vulnerable adult for the benefit of a person or entity other than the vulnerable adult; or
- (b) The breach of a fiduciary duty, including, but not limited to, the misuse of a power of attorney, trust, or a guardianship appointment, that results in the unauthorized appropriation, sale or transfer of the property, income, resources, or trust funds of the vulnerable adult for the benefit of a person or entity other than the vulnerable adult; or
- (c) Obtaining or using a vulnerable adult's property, income, resources, or trust funds without lawful authority, by a person or entity who knows or clearly should know that the vulnerable adult lacks the capacity to consent to the release or use of his or her property, income, resources, or trust funds.

Common Crimes against Elders:

- Homicide by Abuse
- Assault

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- Reckless Endangerment
- Interference with the Reporting of Domestic Violence
- Unlawful Imprisonment
- Sexual Abuse Crimes
- Criminal Mistreatment (Neglect)
- Abandonment
- Violation of a Protective Order
- Financial Exploitation Crimes
- Theft
- Extortion
- Identity Theft

2. Officers Report the Following Conditions to Residential Care Services (RCS) or Adult Protective Services (APS)

Sexual Abuse or physical abuse

Financial Exploitation, abandonment, or neglect

Failure to report these types of incidents is a Gross Misdemeanor ([RCW 74.34.053](#)).

If the vulnerable adult is at a private home, officers report the incident to Adult Protective Services (APS):

- Phone: (206) 341-7660 or 1-866-221-4909
- Email: R2HCSAPSIntake@dshs.wa.gov
- Fax: (206) 626-5705
- [Online reporting](#)

If the vulnerable adult is at a licensed care facility, officers report the incident to Residential Care Services (RCS) at 1-800-562-6078.

3. Follow Up Units Investigate Vulnerable Adult Incidents

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The Homicide and Assault Unit (206) 684-5550 follows up on incidents that result in death or the potential of death, or cases involving licensed care facilities and/or caregivers.

- Sergeants will notify the Homicide and Assault Unit whenever there is a death or the potential of death involving licensed care facilities and/or caregivers.

The Domestic Violence and Elder Crimes Unit (206) 684-0330 follows up on vulnerable adult cases in private home settings that do not involve death or the potential of death.

The Domestic Violence and Elder Crimes Unit (206) 684-0330 follows up on all financial exploitation cases involving vulnerable adults.

15.185-TSK-1 Patrol Officer Primary Investigation of a Crime Against an Elder Person

When an **officer** investigates a crime against an elder person they will:

1. **Respond** to the scene and **determine** the type of call and if additional resources are needed (Also see [16.130 - Sick and Injured Persons](#)).
2. **Attend** to injured persons and if possible, **coordinate** the arrest of the suspect.
3. **Follow** [15.180-Primary Investigations](#).
4. **Process** the scene for evidence.
5. **Capture** sufficient photographs of:
 - The victim's injuries and their appearance. This includes any pressure ulcers, open wounds, or heavy bandages.
 - Poor hygiene - hair, teeth, nails, feet, soiled clothing, soiled bedding, etc.
 - Overall appearance of the house or facility.
 - Mobility assistance devices, or lack of.
 - Presence of medication or medically necessary equipment, or lack of.

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- The scene to include any damaged or disrupted property and evidence of alcohol or drug use.
6. **Complete** victim and witness statements using the Sworn Affirmation (form 25.3). Collect and include:
- The name of the Power of Attorney
 - The name of caregiver and level of care.
7. **Ask** the victim to sign an Authorization to Disclose Protected Health Information (form 3.2.2).
8. **Complete** a Report.
9. **Report** to Adult Protective Services by phone, fax, email, or online reporting system.
- Phone: (206) 341-7660 or 1-866-221-4909
 - Email: R2HCSAPSIntake@dshs.wa.gov
 - Fax: (206) 626-5705
 - [Online reporting](#)