

**Criminal Justice Standards and Training Commission
Florida Department of Law Enforcement**

1185 Elder Abuse Investigations

*October 30, 2008
(Version 2008.10)*

Instructor Guide

Criminal Justice Specialized Course

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Acknowledgments

We extend our sincere appreciation to the agencies of the Florida Criminal Justice System who allowed their members to assist in the development of this Specialized Course.

Foreword

This course is part of the Criminal Justice Standards and Training Commission Specialized Training Program. It is one of a series of non-sequential general or specialized skills training programs. Courses in the Specialized Training Program are designed to enhance an officer's knowledge, skills, and abilities for the job he or she performs.

This course was designed as an overview of crimes against the elderly. The course will provide instruction on identifying and investigating elder abuse crimes to law enforcement officers.

Pursuant to section 943.17296 F.S titled "Training in identifying and investigating elder abuse and neglect", each certified law enforcement officer must successfully complete this training before June 30, 2011. If an officer fails to complete this required training, his or her certification is inactive until the employing agency notifies the commission that the officer has completed the training.

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- Unit 1 Lesson 1 Responding to the Elderly Crisis Situation
- Unit 1 Lesson 2 Investigating Elder Abuse
- Role play Practicum—Elderly Crisis Intervention (Attachment 1-1)

Testing and Evaluation

Summary

Instructional Goal: To maintain proficiency in identifying and investigating elder abuse and neglect by Florida law enforcement officers.

Structure of Course: 1 Unit and 2 Lessons

Competency Areas Included:

Communication skills (verbal and nonverbal)
Community oriented policing
Conflict management
Crisis management
Diversity
Ethics
Human relations
Interpersonal skills
Officer safety
Problem solving
Stress management
Working with community resources
Professionalism

Materials and Supplies:

Florida Statutes
Attachment (Role-play practicum)
PowerPoint

Instructional Strategies:

Class discussion
Oral briefing
Role-play
PowerPoint presentation

References and Suggested Readings

Cone of Knowledge [Brochure]. Federal Law Enforcement Training Center. Glynco, GA. (2004).

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Florida Statute, Chapter 943.

Interviewing techniques. In Florida juvenile handbook. Florida Department of Law Enforcement, Florida.

Notice of legal rights and remedies [Brochure]. Criminal Justice Standards & Training Commission. Florida.

Police Response to People with Disabilities. United States Department of Justice. Americans with Disabilities Homepage. May, 2006. Retrieved from:
<http://www.usdoj.gov/crt/ada/policevideo/policebroadbandgallery.htm#Open%20Captions>

OVERVIEW	INSTRUCTOR NOTES
<p>Training Materials and Aids</p>	<p>Suggested Time: 1 hour</p> <p>Instructional Methods</p> <p>Class discussion Oral briefing</p>

LESSON OUTLINE	INSTRUCTOR NOTES
<p>Lesson Goal</p> <p>To provide students with necessary knowledge of recognizing the issues and medical conditions related to an aging population and appropriately responding to crisis situations of the elderly and elder abuse</p> <p>Objectives</p> <p>1-1 Identify characteristics of the elderly population.</p> <p>1-2 Identify physiological changes related to the aging process.</p> <p>1-3 Identify how to communicate with an elderly person.</p> <p>1-4 Identify resources that may provide assistance to the elderly.</p> <p>1-1 Identify characteristics of the elderly population.</p> <p>As Florida’s elderly population increases, law enforcement officers will interact with older people more frequently than ever before and in a variety of settings. This increased interaction requires that officers become more aware of this group’s special needs to ensure that older Floridians have the full protection of the law.</p> <p>Understanding the aging process and characteristics of the elderly population helps law enforcement officers relate to Florida’s senior citizens in a positive and constructive manner.</p> <p>Elderly people tend to be vulnerable to crime and neglect and are reluctant to report crimes committed against them. Conversely, they often live in fear of crime. They commit only a small percentage of crimes—mostly misdemeanors.</p>	

LESSON OUTLINE	INSTRUCTOR NOTES
<p>Generally, older people have a positive attitude toward law enforcement. Most members of the elderly population live at home, close to or with family members. A small percentage lives in nursing homes. Some elderly people require caregivers, and others who are chronically impaired require long-term care. Medical and personal services may be provided in hospitals, nursing homes, assisted living facilities, or personal residences. Many elderly individuals receive assistance through federal or state programs, and more than one quarter of them have income below or just above the poverty level.</p> <p>1-2 Identify physiological changes related to the aging process.</p> <p>Advancing in age is not synonymous with disease and disability. Many older people are active and healthy throughout their lives. However, almost everyone who lives to a certain age experiences a number of normal physiological changes. In addition, the chances of developing certain medical conditions increase with age.</p> <p>As people age, they may experience changes in their eyesight, including a loss of visual acuity and a deterioration of depth, distance, and peripheral perceptions. In addition, hearing loss and the loss of the ability to tell where a sound originates may occur. These changes may limit a person's mobility, increase the likelihood of accidents, or lead to fear and isolation.</p> <p>Older people may also experience a change in their sense of touch. They are less likely to experience pain and therefore less likely to notice injuries, but they are more prone to rips, tears, and bruising from everyday activities. They are more likely to suffer loss of balance, which increases the risk of falls. Because older people often experience an increased sensitivity to weather, officers should be aware that they are</p>	

LESSON OUTLINE	INSTRUCTOR NOTES
<p>more susceptible to heat stroke, heat exhaustion, and hypothermia.</p> <p>Another result of aging is the loss of muscle ability and strength, which makes performing daily tasks more difficult. Joints may stiffen due to arthritis, making movement extremely painful. Older people may also lose some cognitive ability, which is the ability to think, learn, and remember. They may experience slowness in thinking, finding the right words, or identifying objects. Officers should be patient when interviewing elderly people because it may take them longer than younger people to explain what they saw or experienced.</p> <p>Some elderly people suffer from chronic medical conditions—such as dementia or Alzheimer’s disease—that result in residual disabilities requiring long-term management or care.</p> <p>Dementia is an organic, progressive mental disorder characterized by loss of memory, impairment of judgment and abstract thinking, and changes in personality; the frequently used term “senile” has a negative connotation and should be avoided. These patients experience progressive declines in mental functions.</p> <p>Overmedication or drug mixing may create a condition that resembles dementia. This is an important consideration for the responding officer to keep in mind. Elderly individuals may also experience a variety of mental illnesses, such as schizophrenia and depression.</p> <p>Other physical and emotional conditions that tend to affect the elderly more than other population groups include incontinence, bed sores, and dehydration.</p> <p>The suicide rate among elderly people is significantly higher than that of the general population. Factors that place the elderly at risk for suicide include debilitating physical illnesses</p>	

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(often accompanied by severe pain), the death of a loved one, the loss of independence, and financial inadequacy.

1-3 Identify how to communicate with an elderly person.

As with any other citizen, the way an officer communicates with an elderly person affects that person's view of law enforcement. Just because a person is elderly does not mean he or she is simple minded. When communicating with an older person, the officer should always treat him or her with dignity, respect, and patience. The officer should speak directly to the person, establishing and maintaining eye contact, and should use a conversational tone, speaking loudly only if necessary. In addition, the officer should include the person in all discussions concerning his or her welfare and should adjust communication based on any disabilities or other limitations.

1-4 Identify resources that may provide assistance to the elderly.

A variety of health and social services are available to assist older individuals and their families. These services include home-delivered meals, medical care, emotional support, financial management, and assistance with daily activities.

The law enforcement officer should learn about organizations specific to assisting the elderly within the local community.

An important resource is the Florida Elder Help Line at 1-800-96-ELDER. It provides a wide range of information to help older citizens obtain specific local social services. Another resource is the Florida Abuse Registry Hotline at 1-800-96-ABUSE. This hotline is available 24-hours to take reports of suspected cases of abuse.

Identify local resources that assist older populations and their families and discuss their purposes.

OVERVIEW	INSTRUCTOR NOTES
<p>Training Materials</p> <p>Florida Statutes, Chapters 825 and 415.105</p> <p>Attachments</p> <p>Role-Play Practicum: Elderly Crisis Intervention</p>	<p>Suggested Time: 3 hours</p> <p>Instructional Methods</p> <p>Class discussion Oral briefing Role-play</p> <p>Training Aids</p> <p>PowerPoint: Investigating Elder Abuse</p>

LESSON OUTLINE	INSTRUCTOR NOTES
<p>Lesson Goal</p> <p>To provide students with the knowledge of basic terms used when referring to elder abuse such as elderly person, abuse of elderly person, and exploitation of elderly person. It will also identify the necessary investigative actions that an officer will take to protect threatened or abused elderly person.</p> <p>Objectives</p> <p>2-1 Define elderly person.</p> <p>2-2 Define abuse of elderly person.</p> <p>2-3 Define exploitation of elderly person.</p> <p>2-4 Verify the alleged or possible abuse of an elderly person.</p> <p>2-5 Respond to an elderly person being victimized.</p> <p>2-6 Develop a plan of action to immediately remove the threat to the victim of elder abuse.</p> <p>2-7 Take action as required to protect the victim or threatened person of elder abuse.</p> <p>2-1 Define elderly person.</p> <p>An <i>elderly person</i> is a person 60 years of age or older who is suffering from the infirmities of aging as manifested by advanced age or organic brain damage, or other physical, mental, or emotional dysfunction, to the extent that the ability of the person to provide adequately for his own care or protection is impaired.</p> <p>2-2 Define abuse of an elderly person.</p> <p><i>Abuse of an elderly person</i> (or disabled adult) means:</p>	

LESSON OUTLINE	INSTRUCTOR NOTES
<p>(a) Intentional infliction of physical or psychological injury upon an elderly person (or disabled adult);</p> <p>(b) An intentional act that could reasonably be expected to result in physical or psychological injury to an elderly person (or disabled adult);</p> <p>(c) Active encouragement of any person to commit an act that results or could reasonably be expected to result in physical or psychological injury to an elderly person or disabled adult.</p> <p>Florida Statute §825.01 defines <i>caregiver</i> as “a person who has been entrusted with or has assumed responsibility for the care or the property of a disabled adult or elderly person; includes, but is not limited to, relatives, court-appointed or voluntary guardians, adult household members, neighbors, health care providers, and employees and volunteers of facilities.”</p> <p>Florida Statute §825.102 (2) states that <i>aggravated abuse of an elderly person</i> occurs when a person:</p> <p>(a) Commits aggravated battery on an elderly person or disabled adult;</p> <p>(b) Willfully tortures, maliciously punishes, or willfully and unlawfully cages, an elderly person or disabled adult; or</p> <p>(c) Knowingly or willfully abuses an elderly person or disabled adult and in so doing causes great bodily harm, permanent disability, or permanent disfigurement to the elderly person or disabled adult. A person who commits aggravated abuse of an elderly person commits a felony of the first degree punishable as provided in s. 775.082, s. 775.083, or s. 775.084. A person who commits lewd or lascivious battery upon an elderly person commits a second degree felony (825.1025(2)).</p>	

LESSON OUTLINE	INSTRUCTOR NOTES
<p>2-3 Define exploitation of elderly person.</p> <p><i>Exploitation of an elderly person</i> transpires when someone knowingly, by deception or intimidation, endeavors to obtain or use an elderly person's funds, assets or property. The suspect's intent must be to deprive the person of the use, benefit, or possession of the funds, assets, or property, or to benefit someone other than the elderly person temporarily or permanently. A person who exploits an elderly person whose property value is \$100,000 or more commits a first degree felony (825.103(2)(a)).</p> <p>A young officer may not easily relate to Florida's elderly citizens, who have become one of the largest populations in this state. More and more, officers will come to the aid of our elderly population. It is imperative that an officer treats the elderly with the same care, concern, and enthusiasm that he or she treats any other victim of abuse.</p> <p>Many elderly persons in this state are in need of protective services. These services support elderly persons' rights. These are the same rights that other citizens have. These services also protect them from abuse, neglect, and exploitation. Florida Statute Chapter 825 deals with the abuse, neglect, and exploitation of elderly persons. It establishes protective services programs for all elderly persons who need them.</p> <p>An officer may become aware of suspected abuse or neglect of an elderly person during the course of a separate investigation, through direct contact with a citizen in the community, or through dispatch. The officer should keep in mind that the reporter or complainant might have valuable information to aid the investigation; conversely, the complainant may have a negative agenda. The reporter or complainant may be a family member, caregiver, a DCF representative, neighbor, medical worker, or any other person</p>	

LESSON OUTLINE	INSTRUCTOR NOTES
<p>who encounters the adult. To prevent the suspect from seeking retribution, the officer should keep the reporter's identity confidential.</p> <p>2-4 Verify the alleged or possible abuse of an elderly person.</p> <p>If a victim has serious, life-threatening injuries, the officer should begin first aid treatment. He or she should respond differently if the victim is stable and needs no medical attention by isolating and interviewing the victim, witnesses, and/or complainant.</p> <p>The officer should observe firsthand the living conditions of the elderly person by asking to see his or her living area, bedroom, or sleeping area. The officer should also ask to see and speak with the elderly person. The officer should observe the person's hygiene and note if it looks as if someone is taking care of the individual? What does it smell like? Is there appropriate food in the kitchen and refrigerator? The officer should try to determine if the elderly person has special needs that are unmet.</p> <p>If the elderly person takes medication, the officer should try to determine if that medicine affects comprehension or awareness. The officer should ask what prescriptions the individual takes or look around the house to find prescription bottles. The person may wear a medical alert bracelet or necklace or have a membership card for a support group, which are useful tools that can help the officer determine a person's medical or mental state.</p> <p>Signs of abuse or exploitation may not be obvious. The elderly person's surroundings might be hygienic, but the caregiver might not let the person leave the room. The officer may observe varying levels of neglect. It may be recent or long-standing.</p> <p>When evaluating neglect situations, it is</p>	<p><i>PowerPoint presentation: Investigating Elder Abuse.</i></p>

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<p>important to reserve judgment about people's lives and lifestyle choices. Impoverished families often lack amenities and necessities. Hygiene and cleanliness standards also vary. However, the officer may have cause for concern when the caregiver withholds needed care or items from an elderly person who endures undue hardships, or that individual's health and safety are in jeopardy.</p> <p>2-5 Respond to an elderly person being victimized.</p> <p>The caregiver may become increasingly frustrated as the disabled adult or elderly person becomes more financially, emotionally, or physically dependent. Increased frustration can lead to abuse. Sometimes a caregiver has had a lifelong relationship with the individual he or she supports.</p> <p>An abuser may see the relationship as unequal or unfair and resent the disabled adult or elderly person. This is particularly true if the caregiver's expectations of the disabled adult or elderly person's abilities are unrealistic. The caregiver might be diverting the disabled adult or elderly person's pension or Social Security funds for his or her own financial gain. Officers should look for the influence of drugs, alcohol, or mental illness of the caregiver. Such circumstances require an officer's insightful investigation.</p> <p>When an officer responds to an incident involving any kind of abuse or exploitation of a disabled adult or elderly person, he or she should be prepared to take action to protect the victim or person threatened. The officer must recognize the victim's reactions and respond accordingly. Loud or argumentative reactions can signal impending violence. Crying or laughing may express the victim's relief that an officer has finally arrived.</p> <p>Quiet or regressive behavior may indicate</p>	

LESSON OUTLINE	INSTRUCTOR NOTES
<p>suffering. The officer should take extra time to be sensitive to the victim's needs; observe carefully, speak simply, and have patience.</p> <p>Elderly persons tend to be trusting and thus vulnerable to crime and victimization.</p> <p>2-6 Develop a plan of action to immediately remove the threat to the victim of elder abuse.</p> <p>Abused or neglected disabled adults or elderly persons have some, all, or none of the following normal or trauma reactions; embarrassment that they allowed the victimization, fear that abuse may escalate, irrational anger, confusion, and denial.</p> <p>When an officer learns of a case of abuse, neglect, or exploitation of a disabled adult or elderly person, the criminal conduct becomes a public concern, not merely a private family matter and the officer should immediately remove the threat to the victim. If a crime has occurred, identify the statute violated.</p> <p>2-7 Take action as required to protect the victim or threatened person of elder abuse.</p> <p>Florida Statute mandates that any person, including any state, county, or municipal criminal justice employee or law enforcement officer who knows, or has reasonable cause to suspect, that an elderly person is abused, neglected or exploited immediately report such knowledge or suspicion to the DCF Abuse Hot Line at 1-800-96-ABUSE. Services provided are on a voluntary basis unless it is determined that the individual in need of services is mentally incapable of providing consent, as provided in Florida Statute §415.105.</p> <p>On October 9, 2008, Governor Charlie Crist signed Executive Order 08-211 enacting Florida's 'Silver Alert' program which allows the immediate broadcast of information to the</p>	

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public regarding missing elders with dementia or other cognitive impairment. The program provides a coordinated response between local and state law enforcement to quickly broadcast important information to citizens so they can assist local law enforcement in the rescue of the endangered person and notify law enforcement with helpful information.

The Silver Alert program will allow the people of Florida, as well as visitors to the Sunshine State, to help ensure the safety and security of vulnerable seniors.

Attachment 1-1:

Administer Role-play practicum—Elderly Crisis Intervention.

This exercise introduces several key concepts such as recognizing the elements of a crime, proper communication/interviewing of victim/witnesses, handling a crisis situation, and responding to elderly abuse.

This exercise should be performed at least three times by a combination of officers and at each occasion genders/race/cultural differences should be modified to reflect different outlook and learning points.

Instructions for Conducting Role-Play Practicum

- The purpose of the role-play practicum is to allow the students to problem solve, practice, and learn. The practicum is not a test. The instructor should allow students to learn through trial and error. As students practice and observe, instructor should allow them to critique and correct their own behaviors.
- The primary focus of the practicum is listed under Expected Officer Behavior.
- The instructor may enhance or modify the role-play, but should not replace it with his or her own.
- The role-play must be performed at least three times and a minimum of three different student officers will participate in each.
- As with a real life situation, factors within the role play should vary each time.

To conduct the role-play practicum:

1. Privately brief the role-players on their roles.
2. Brief the student officer(s) and class on the situation and begin the role-play with the student officer's approach to the scene.
3. Continue the role-play until the expected officer's behavior is reached, or it is determined that the student officer has given his or her best effort.
4. Ask the class for feedback on what the student officer did well or could have done differently.
5. Ask the class questions related to the expected officer behavior with emphasis on issues such as officer safety, type of crime, and elements of the crime.
6. Ask the student officer to provide his or her own feedback on their performance.
7. Select another student officer and again brief the class on the situation.
8. Continue the role-play (the role-players should vary behavior and facts of the incident from the initial role-play).
9. Gather feedback as in 4 through 6.
10. Select a third student officer and brief the class on the situation.
11. Continue the role-play (the role-players should change their behavior and make up new facts about the incident).
12. Gather feedback as in 4 through 6.

Role-play Practicum: Elderly Crisis Intervention

Background

The officers in this scenario are versed in all aspects of law enforcement that include Introduction to Law Enforcement, Constitutional Law, Legal Resources, Classification of Law, Elements of Offenses, Communication and Interpersonal skills/Human Interaction, Taking Statements, Interviewing, Report Writing, and Writing the Report. This exercise will expand on their knowledge of interviewing during a crisis situation.

Logistics

The scenario will take place in a classroom or appropriate outside venue. It will require one facilitator and four role players.

Equipment Issued to Officer

The officer will be issued a portable radio, a red/blue gun, and a duty belt.

Dispatch Information

The officer is dispatched to area of the Johnson Street Mall in reference to an elderly female bleeding from the head. The female appears disoriented and confused but has refused medical treatment. This area has had three known strong armed robberies in the last three months; however, there is no information at this time to confirm that a crime has been committed.

Facilitator

This is a teaching scenario. You will act as a dispatcher, initially dispatching one officer to the scene. There will be one “elderly” victim and three potential witnesses. Assure that the victim is questioned and handled appropriately and that all witnesses are questioned separately as to their involvement and/or knowledge of the incident. Also, at the end of scenario, facilitate a guided discussion allowing role playing students to debrief and follow up discussions with recruit observers.

Note

This is not an arrest situation.

Role Player Props

Victim and witnesses identification

Role Player 1 (Victim)

You are an elderly female in your eighties who was in the area of the Johnson Street Mall. You do not recall how you arrived at the mall or what you were doing in the area. You have no recollection of any events of the day. You do know your personal information, but you’re not sure where you reside. You can provide names and phone numbers of out of state relatives. You have no memory of being injured.

Role Player 2 (Witness)

You observed the victim being knocked to the ground by an unknown white male dressed in khaki shorts and a white T-shirt style shirt with a picture of a dog, unknown breed, on the front. You advised that the subject beat the elderly victim about the head with what appeared to be a black semi-automatic weapon and then jumped into a dark green vehicle and fled the area in unknown direction. No further details are given.

Role Player 3 (Witness)

Answer only questions asked by the officer after stating several times that you do not want to get involved. If questioned appropriately, give identical information supplied by witness 1.

Role Player 4 (Witness)

You observed the victim inside of the mall shopping alone in a department store. You also observed the victim with a shopping bag from the store and a multicolored large purse. The victim left through the east exit of the mall complex. You did not see the attack. However if questioned further, you did observe a W/M matching the description of the suspect following the victim around the department store and exiting behind the victim as she left the mall.

Role Player Behaviors

- Victim will be cooperative but disoriented and confused.
- All other role players will also be cooperative and willing to assist the officer but only to the point described in scenario.
- Force officer to lead interview and ask appropriate questions.
- Allow the officer to set the context and present options.

Expected Officer Behaviors

- Demonstrate appropriate interviewing skills.
- Demonstrate an understanding of the basic elements of the specific crime committed.
- Demonstrate an understanding of responding to a crisis.
- Demonstrate an understanding of elderly issues and elderly response and resources.
- Demonstrate proper communication/safety skills.