



# Florida Child and Adult Protective Services

Marjory Stoneman Douglas Public Safety Commission Meeting  
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# Child Protective Services

- Authorized by Chapter 39, Florida Statutes
- Initiated through a report to the Florida Abuse Hotline and assessed to determine if the information rises to a reasonable level of suspected abuse, neglect, or abandonment based on statutory criteria for a child
- A local Child Protective Investigator (CPI) is deployed to locate the child[ren] and assess family functioning to determine the safety of each child.
- CPIs coordinate with law enforcement as appropriate depending on local arrangements of joint investigations, suspected criminal activity, or staff safety concerns.



# Child Protective Services

Florida child welfare professionals seek to achieve these goals:

- Safety
- Permanency
- Child well-being
- Family well-being



# CPI Investigative Process

- Safety-focused, family-centered, and trauma informed
- Engage the family
- Partner with all involved with the family
- Gather information
- Assess and understand information
- Plan for child safety



# CPI Investigative Process

- Determination of unsafe child – services implemented via case plan if the child can safely remain in the home
- Unsafe and high risk – CPI determines if removal is necessary to protect the child
- Removal – highest level of CPI intervention for child safety



# Adult Protective Services

- Authorized by Chapter 415, Florida Statutes
- Initiated through a report to the Florida Abuse Hotline and assessed to determine if the information rises to a reasonable level of suspected abuse, neglect, exploitation, or self-neglect based on statutory criteria for a vulnerable adult
- A local Adult Protective Investigator (API) is deployed to locate the adult and conduct an investigation.
- Adult Protective Services is responsible for preventing further harm to victims.



# Adult Protective Services

## **Vulnerable Adult**

a person 18 years of age or older whose ability to perform the normal activities of daily living or to provide for his or her own care or protection is impaired due to a mental, emotional, sensory, long-term physical, or developmental disability or dysfunction, or brain damage, or the infirmities of aging.



# Adult Protective Services

- **Capacity to consent** means that a vulnerable adult has sufficient understanding to make and communicate responsible decisions regarding the vulnerable adult's person or property, including whether or not to accept protective services offered by the department.
- **Lacks capacity to consent** means a mental impairment that causes a vulnerable adult to lack sufficient understanding or capacity to make or communicate responsible decisions concerning person or property, including whether or not to accept protective services.





# API Investigative Process

- Conducts an on-site investigation to determine if a vulnerable adult is being abused, neglected, or exploited by a caregiver or experiencing self-neglect
- Determines if the alleged victim has the capacity to consent to receive recommended services
  - Lack of capacity to consent requires a court order for API intervention
- Determines immediate risk to the victim and provision of necessary services
- Evaluates the need and provision of protective supervision
- Refers any criminal activity to law enforcement and the state attorney
- The Adult Protective Services Program supports ongoing case management and in-home services through community-based services.



# API Investigative Process

- Services – recommended and implemented as needed for safety, care, and support with appropriate consent
- Protective Supervision – removal from unsafe home and placement into facility when appropriate



# API Investigative Process

- An API is NOT authorized to:
  - Initiate a Baker Act commitment
  - Take a vulnerable adult into state custody
- The API determines the **victim's personal risk of further abuse by a caregiver**; not the risk the victim's behavior poses to others.
- An adult with capacity to consent can decline DCF involvement and APS services at any time.



# CPS – APS Comparison

## Child Protective Services

- Serves any child under age 18
- State custody
- Does not transition to APS at 18

## Adult Protective Services

- Serves only elderly or disabled adults
- No state custody
- Must meet vulnerable adult criteria:
  - have capacity to consent and accept services; or
  - lack capacity to consent for service intervention.



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