
Adult Abuse

309.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse and or neglect of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for Montgomery County Sheriff's Office personnel as required by law.

309.2 POLICY

The Montgomery County Sheriff's Office will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

309.3 MANDATORY NOTIFICATION

Deputies of the Montgomery County Sheriff's Office shall notify the director of the department of social services in the county in which the person resides or is present when the deputy has reasonable cause to believe that a disabled adult is in need of protective services in order to protect him/her from abuse, neglect or exploitation.

For the purpose of this notification, a disabled adult is a person at least 18 years of age who, due to a physical or mental incapacity, is unable to perform or obtain for him/herself essential services, and who does not have able, responsible and willing persons to perform or obtain essential services. Exploitation is the illegal or improper use of a disabled adult or his/her resources for another's profit or advantage.

309.3.1 NOTIFICATION PROCEDURE

Notification shall be made orally or in writing to the director of the county department of social services. The notification shall include:

- (a) The name and address of the adult.
- (b) The name and address of the adult's caretaker.
- (c) The age of the adult.
- (d) The nature and extent of the adult's injury or condition resulting from abuse, neglect or exploitation.
- (e) Any other pertinent information.

309.4 INVESTIGATORS

The Investigators should:

- (a) Conduct interviews in appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to adult abuse investigations.
- (c) Present all cases of alleged adult abuse to the prosecutor for review.

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- (d) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed.
- (e) Provide referrals to DSS for therapy services, victim advocates, guardians and support for the victim and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable.

309.5 INVESTIGATIONS AND REPORTING

All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating deputy in all circumstances where a suspected adult abuse victim is contacted.
- (b) Any relevant statements the victim may have made and to whom he/she made the statements.
- (c) If a person is taken into custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.
- (e) Whether the victim was transported for medical treatment or a medical examination.
- (f) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.
- (g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.
- (h) Previous addresses of the victim and suspect.
- (i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

309.6 CUSTODY

Generally, removal of an adult abuse victim from his/her family, guardian or other responsible adult should be left to the county department of social services when its members are present or have become involved in an investigation.

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Deputies of this office should immediately notify, in cases of emergency, the county department of social services so that it may provide for protective services when necessary.

309.7 INTERVIEWS

309.7.1 PRELIMINARY INTERVIEWS

Deputies should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating deputies should defer interviews until a person who is specially trained in such interviews is available.

309.7.2 DETAINING SUSPECTED ABUSE VICTIMS FOR AN INTERVIEW

A deputy should not detain an adult involuntarily who is suspected of being a victim of abuse solely for the purpose of an interview or physical exam without his/her consent or the consent of a guardian unless a court order or warrant has been issued.

309.8 DRUG-ENDANGERED VICTIMS

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking or use of narcotics.

309.8.1 SUPERVISOR RESPONSIBILITIES

The Criminal Investigations Director should:

- (a) Work with professionals from the appropriate agencies, including the county department of social services, other law enforcement agencies, medical service providers and local prosecutors to develop community specific procedures for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when a deputy notifies Narcotics Investigations supervisor that he/she has responded to a drug lab or other narcotics crime scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives there.
- (c) Initiate a report when deputies respond to drug labs or other narcotics crime scenes. The deputies should document the environmental, medical, social and other conditions that may affect the adult.

309.8.2 DEPUTY RESPONSIBILITIES

Deputies responding to a drug lab or other narcotics crime scene where an adult abuse victim is present or where there is evidence that an adult abuse victim lives should:

- (a) Document the environmental, medical, social and other conditions of the adult, using photography as appropriate and notify the Department of Social Services.

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309.9 STATE MANDATES AND OTHER RELEVANT LAWS

North Carolina requires or permits the following:

309.9.1 RECORDS SECTION RESPONSIBILITIES

The Records Section is responsible for:

- (a) Providing a copy of the adult abuse report to the county department of social services as required by law.
- (b) Retaining the original adult abuse report with the initial case file.

309.9.2 RELEASE OF REPORTS

Information related to incidents of adult abuse or suspected adult abuse shall be confidential and may only be disclosed pursuant to State law and the Records Maintenance and Release Policy.

309.10 TRAINING

The Office may provide training as needed on best practices in adult abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting interviews and collection of evidence.
- (c) Availability of therapy services for adults and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to adult abuse investigations.
- (f) Availability of victim advocates or other support.