

Adult Protective Services

When I attended the Indiana Law Enforcement Academy I left with the same feeling many whom "did it right before me". I had higher expectations of my own knowledge. To say it simply, I thought I knew it all. It didn't take long to figure out that I really knew very little. It took even longer for me to realize that once your on the scene not knowing what to do is not an option. Nor is being on the scene a time for training. I found myself countless times in this scenario my first few years. I now want to help those new and veteran officers out on one specific difficult scene. You arrive to a domestic call and find a severe mentally retarded victim bruised and unable to communicate. No one else is at home upon your arrival. We have all been there. But few of us had a clue on what to do next. This is where my unit comes in. By Indiana law Adult Protective Services is the law enforcement arm of endangered adults. Every county in Indiana has an APS unit whom works for your county Prosecutor's Office. I will give a general description of what most Adult Protective Service units do throughout the state. Later I will describe what my unit performs on a daily basis. I hope this will provide you with much needed clarification and assist you in the near future.

The Adult Protective Services (APS) Program was established to investigate reports and provide intervention and protection to vulnerable adults who are victims of abuse, neglect, or exploitation. APS field investigators operate out of the offices of county prosecutors throughout the state.

If the APS Unit has reason to believe that an individual is an endangered adult, the adult protective services unit shall investigate the complaint or cause the complaint to be investigated by law enforcement or other agency and make a determination as to whether the individual reported is an endangered adult. To be eligible for service under this program, an individual must be a resident of the state of Indiana, 18 years of age or older, physically or mentally incapacitated and reported as abused, neglected or exploited. Indiana is the only state in which the APS program is a criminal justice function. APS reports to the hub prosecutor. The hub prosecutor is the largest county in the APS area ie Marion, Hendricks, Hamilton and Boone Marion being the hub county.

Abuse: Any touching (battery) of a person in a rude and insolent manner.

Neglect: The intentional withholding of essential care or service. Abandonment of an individual is also considered neglect.

Exploitation: The intentional misuse of a person's property, person or services for financial gain.

Signs of An Endangered Adult:

Not allowing the dependant person to talk or see visitors.

Indifference or anger toward the dependent person.

Aggressive behavior (threats, insults, harassment, etc).

Conflicting accounts of incidents.

Withholding affection.

History of substance abuse, mental illness, criminal behavior, or family violence.

Financial Abuse Indicators:

Unusual or inappropriate activity in bank accounts.
Refusal to spend money on dependent person for health care of personal items.
Numerous unpaid bills.
Living environment not comparable with income.
Missing furniture, silverware, jewelry, etc.
A recent will when elder seems incapable of writing a will.

Physical Indicators:

Soiled clothing or bed.
Dehydration or malnutrition.
Frequent use of emergency room or hospital.
Cuts, lacerations, puncture wounds.
Any injury inconsistent with history.
Bruises on the upper arms or in the shape of object.
Presence of old and new bruises at the same time.
Injury that has not been cared for.
Cigarette burns.
Lack of necessities in the home, such as water, food, and medicine.

Behavioral Indicators:

Confusion or disorientation.
Denial, unlikely stories.
Fear, withdrawal, non-responsive, hesitation to talk openly, helplessness, depression, agitation, anxiety, and anger.

I work for the Marion County Prosecutor's Office as a Criminal Investigator assigned to Adult Protective Services. Marion County is the only hub Prosecutor's Office in the state that has sworn Criminal Investigator's that work criminal cases from the beginning to prosecution that I know of. The other hubs in the state will rely on the assistance of the local law enforcement for the actual charges however, they will assist throughout the investigation. My everyday duties include investigating financial exploitation and abuse of endangered adults.

One of the most common misconceptions is that we work any case involving an elderly person. This could not be further from the truth. We will work a case with anyone over the age of 18 that has been found in compliance by a physician. With that said we can not work cases on someone simply because of their age. They must be in compliance to make their own decisions ie dementia, Alzheimer and mental retardation are common qualifiers. APS is not responsible for placement of any individual. That said there is no magical place to take anyone. You might come to a scene where a parent of an endangered adult has passed away and now you are left trying to figure out what to do with the special needs adult now left alone. Call your APS unit and seek advice immediately. In most cases you will have to do a medical ID on the victim to the local hospital pending APS getting involved. Another common misconception is reporting poor living conditions. In most cases APS has no authority to tell anyone whom is competent how to live. You might have county ordinance against the violations that can be investigated by your county health department.

I want to list a few common scenes you will come upon during your career that you should or could be contacting APS for assistance.

1. You receive a report that an elderly person is being taken advantage by their children. Upon speaking to the complainant they advise you the victim is elderly has dementia and her children are never around. Contact your APS unit.
2. You receive a report of a special needs person lost and confused. Contact your APS unit.
3. You receive a report from the local school that one of the special needs students whom is 18 or older came to school with injuries. Contact your APS unit.
4. You receive a report that an elderly person has been doing very strange things that appear to be dementia in the neighborhood. ie appearing lost walking the streets, leaving the dog outside on the leash for more than two days, sitting on the front porch at am and unexplained damage to their vehicle. These are all signs of the onset of dementia.
5. Keep a watchful eye out there when you come in contact with these persons. If you arrive at a domestic and notice an elderly parent or special needs person living in the home check them for injuries. If he or she will hit their spouse they will defiantly hit their parent, child or sibling.

The Marion County Prosecutor's Office has 6 Investigators assigned to APS. We receive nearly 180 cases per month. Child Protective Services working the same area has over 200 investigators and can only be assigned a certain number of cases to each investigator and they don't work criminal cases. With the downfall of our current economy all of law enforcement is seeing a rise in cases of financial exploitation and neglect.

In closing we all take for granted that persons with special needs are loved and cared for by family or they would simply be in a group home or state hospital right? Nearly every financial and abuse case I get sometimes more than 30 per month are from their own family using their special needs family member money for their own gain. I hope this has assisted you in your future endeavors as law enforcement officers responding to special needs victims and whom you can contact for assistance.

If you are unsure whom to contact for your area you can email or call me and I will let you know.

Doug Wilber
Criminal Investigator A.P.S Unit
Marion County Prosecutor's Office
251 E Ohio St Suite 160
Indianapolis, IN 46204
Phone: 317-327-8581
Fax: 317-327-5404
dwilber@indy.gov