



MILWAUKEE POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

115 - CRIMES AGAINST THE ELDERLY

GENERAL ORDER: 2014-100
ISSUED: July 31, 2014

EFFECTIVE: July 31, 2014

REVIEWED/APPROVED BY:
Captain Regina Howard
DATE: July 18, 2014

ACTION: Creation of SOP

WILEAG STANDARD(S): NONE

115.00 PURPOSE

The purpose of this standard operating procedure is to establish guidelines for the investigation of crimes against the elderly.

115.05 POLICY

It is the policy of the Milwaukee Police Department to thoroughly investigate all reports of crimes against the elderly in compliance with Wis. Stat. § 46.90.

115.15 DEFINITIONS

A. ELDER ADULT AT RISK

Defined in Wis. Stat. § 46.90(br), as any person age 60 or older who has experienced, is currently experiencing, or is at risk of experiencing abuse, neglect, self-neglect, or financial exploitation.

B. ABUSE

Defined in Wis. Stat. § 46.90(1)(a), but not limited to the following:

1. Physical abuse.
2. Emotional abuse.
3. Sexual abuse.

C. FINANCIAL EXPLOITATION

Defined in Wis. Stat. § 46.90(1)(ed), means any of the following:

1. Obtaining an individual's money or property by deceiving or enticing the individual, or by forcing, compelling, or coercing the individual to give, sell at less than fair market value, or in other ways convey money or property against his or her will without his or her informed consent.
2. Theft, as prohibited in Wis. Stat. § 943.20.

3. The substantial failure or neglect of a fiscal agent to fulfill his or her responsibilities.
4. Unauthorized use of an individual's personal identifying information or documents, as prohibited in Wis. Stat. § 943.201.
5. Unauthorized use of an entity's identifying information or documents, as prohibited in Wis. Stat. § 943.203.
6. Forgery, as prohibited in Wis. Stat. § 943.38.
7. Financial transaction card crimes, as prohibited in Wis. Stat. § 943.41.

D. NEGLECT

Defined in Wis. Stat. § 46.90(1)(f), means the failure of a caregiver, as evidenced by an act, omission, or course of conduct, to endeavor to secure or maintain adequate care, services, or supervision for an individual, including food, clothing, shelter, or physical or mental health care, and creating significant risk or danger to the individual's physical or mental health. "Neglect" does not include a decision that is made to not seek medical care for an individual, if that decision is consistent with the individual's previously executed declaration or do-not-resuscitate order under Chapter 154, a power of attorney for health care under Chapter 155, or as otherwise authorized by law.

E. SELF-NEGLECT

Defined in Wis. Stat. § 46.90(1)(g), means a significant danger to an individual's physical or mental health because the individual is responsible for his or her own care but fails to obtain adequate care, including food, shelter, clothing, or medical or dental care.

115.20 DEPARTMENT ON AGING

The Milwaukee County Department on Aging/Aging Resource Center of Milwaukee County is the designated agency that will receive reports of elder abuse. [REDACTED]

[REDACTED]

The Sensitive Crimes Division (SCD) shall be the liaison with the department on Aging/Aging Resource Center and shall review and conduct follow up investigations of elder abuse and neglect. Investigations shall include evidence collection and case development. Elderly victims may later recant, minimize, deny, or fail to cooperate with prosecution to protect the abuser.

115.25 POLICE RESPONSIBILITIES

Members of the Milwaukee Police Department shall comply with the following:

1. Respond to calls for assistance made by the Department on Aging.

2. Assist in the investigation of reported elder abuse cases. Investigative duties may include the following:
 - a. Interviews of the following: victim (including all spontaneous statements or dying declarations), suspect, family members, neighbors, and hospital visitors.
 - b. Review pertinent documents including, but not limited to, the computer aided dispatch (CAD) printouts, 911 tape, medical alerts.
 - c. Crime Scene and Evidence Collection
 1. Locate crime scene.
 2. Photograph crime scene.
 3. Preserve evidence.
 4. Document all prescription medications.
 - d. Photograph Injuries
Photograph injuries and areas where there is a complaint of pain.
 - e. History of Abuse
 1. Document prior police contact.
 2. Determine the existence of past contacts or referrals with the Department on Aging or other social service agencies.
 3. Note information (possibly legal documentation) concerning past court involvement or proceedings such as a guardianship action.
 - f. History of Treatment
 1. With the proper authorization, obtain past medical records, including paramedic run sheets, nursing station notes, emergency room logs, x-rays and lab results;
 2. Identify a list of all medications, including each physician's name, dosage, and date of prescription;
 3. List each medical service provider and physician that has treated the elder over the last several years, including a list of medical professionals who can bear witness to the elder's level of functioning;
 4. Maintain current contact with treating hospital staff to see if complainant's memory has improved due to improved care, nourishment, and medical treatment.

3. Notify your shift commander of all reported incidents of elder abuse. The shift commander shall notify the Sensitive Crimes Division (SCD). The SCD supervisor will evaluate and determine a response.

SCD shall evaluate all incidents involving crimes against the elderly and may respond or coordinate with investigating members.

Note: Questions regarding investigation of incidents involving crimes against the elderly shall be directed to the member's shift commander who may consult with SCD.



EDWARD A. FLYNN
CHIEF OF POLICE

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