

## Adult Abuse

### 313.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others.

#### 313.1.1 DEFINITIONS

Definitions related to this policy include:

**Adult abuse** - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult's care.

### 313.2 POLICY

The Grafton Police Department will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

### 313.3 NOTIFICATION

Members of the Grafton Police Department should notify the appropriate county elder-adult/adult-at-risk agency when an officer takes a report of adult abuse of an elder at risk or adult at risk.

For purposes of notification, an "elder adult at risk" is any person who is 60 years of age or older who has experienced, is experiencing or is at risk of experiencing abuse, neglect, self-neglect or financial exploitation (Wis. Stat. § 46.90(1)(br)). An "adult at risk" is any adult 18 years of age or older who has a physical or mental condition that substantially impairs his/her ability to care for his/her own needs, and who has experienced, is experiencing or is at risk of experiencing abuse, neglect, self-neglect or financial exploitation (Wis. Stat. § 55.01(1)(1e)).

Members should ensure notification is made to the Division of Quality Assurance, Office of Caregiver Quality regarding an adult who was abused in a care facility or while under the care of a facility.

### 313.4 QUALIFIED INVESTIGATORS

Department of Social Services should be contacted to assist in cases of adult abuse. These investigators should:

- (a) Conduct interviews in appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to adult abuse investigations.
- (c) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed.
- (d) Provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.
- (e) Participate in or coordinate with multidisciplinary investigative teams as applicable (Wis. Stat. § 46.90(5)(c); Wis. Stat. § 55.043(2)).

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[See attachment: MOU with Ozaukee County APS.pdf](#)

### **313.5 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 officer 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 protective 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.

#### **313.5.1 REQUEST FOR ASSISTANCE**

If requested, a member shall accompany an investigator or worker of an elder-adult-at-risk agency or an adult-at-risk agency during visits to a residence of a victim and provide assistance as requested or necessary when (Wis. Stat. § 46.90(5)(c); Wis. Stat. § 55.043(2)):

- (a) The investigator or worker is investigating suspected abuse, neglect, self-neglect or financial exploitation.
- (b) The victim is 60 years of age or older or is 18 years of age or older and has a physical or mental condition that substantially impairs his/her ability to care for his/her own needs.

The identity of the requesting investigator/worker should be documented.

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### **313.6 PROTECTIVE CUSTODY**

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the officer should make reasonable attempts to contact the appropriate county elder-adult/adult-at-risk agency. Generally, removal of an adult abuse victim from his/her family, guardian or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the officer should take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction. If this is not a reasonable option, the officer shall ensure that the adult is delivered to a hospital facility and ensure that the appropriate county elder-adult/adult-at-risk agency was notified.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking an adult abuse victim into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking the adult into protective custody.

When adult abuse victims are under state control, have a state-appointed guardian or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

### **313.7 INTERVIEWS**

#### **313.7.1 PRELIMINARY INTERVIEWS**

Absent extenuating circumstances or impracticality, officers should audio record the preliminary interview with a suspected adult abuse victim. Officers should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available.

#### **313.7.2 DETAINING VICTIMS FOR INTERVIEWS**

An officer 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 one of the following applies:

- (a) Exigent circumstances exist, such as:
  1. A reasonable belief that medical issues of the adult need to be addressed immediately.
  2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.

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3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.
  - (b) A court order or warrant has been issued.

#### **313.8 MEDICAL EXAMINATIONS**

When an adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the adult. The officer should also arrange for the adult's transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the adult for a medical examination, the supervisor should consider other government agencies or services that may obtain a court order for such an examination.

#### **313.9 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.

##### **313.9.1 SUPERVISOR RESPONSIBILITIES**

The Detective Bureau supervisor should:

- (a) Work with professionals from the appropriate agencies, including the appropriate county elder-adult/adult-at-risk agency, 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 an officer notifies the Detective Bureau 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.

##### **313.9.2 OFFICER RESPONSIBILITIES**

Officers 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 the checklist or form developed for this purpose.
- (b) Notify the Detective Bureau supervisor so an interagency response can begin.

#### **313.10 STATE MANDATES AND OTHER RELEVANT LAWS**

Wisconsin requires or permits the following:

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#### **313.10.1 RECORDS BUREAU RESPONSIBILITIES**

The Records Bureau is responsible for:

- (a) Providing a copy of the adult abuse report to the appropriate county elder-adult/adult-at-risk agency as required by law.
- (b) Retaining the original adult abuse report with the initial case file.

#### **313.10.2 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.

#### **313.10.3 RESTRAINING ORDER**

When an officer reasonably believes that an elder adult or adult at risk is in immediate and present danger of abuse based on an allegation of a recent incident of abuse or threat of abuse (other than financial abuse alone), the officer should contact the appropriate county elder-adult/adult-at-risk agency and request that they obtain a restraining order against the person alleged to have committed or threatened such abuse, if that person is not in custody (Wis. Stat. § 813.123).

### **313.11 TRAINING**

The Department should provide training 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.
- (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.

## **Attachments**

## **MOU with Ozaukee County APS.pdf**

**Memorandum of Understanding (MOU)**  
between  
**Ozaukee County Adult Protective Services (APS)**  
and  
**Grafton Police Department**

**Purpose**

Ozaukee County Adult Protective Services (APS) and Law Enforcement agencies in Ozaukee County recognize the need for a coordinated and cooperative response to protect Adults at Risk and keep them safe. This Memorandum of Understanding is intended to establish a uniform process for response to, and investigation of, reports of abuse, neglect and financial exploitation.

*Adults at Risk is defined by statute as: Any person age 60 or older, **OR** Any person age 18-59 who has a physical or mental condition that substantially impairs his or her ability to care for self, who has experienced, is experiencing, or is at risk of experiencing abuse, neglect or financial exploitation.*

This Memorandum of Understanding also complies with Wis. Stats § 46.90(3)(a) and 55.043(1g) requiring county Elder Adult/Adults-At-Risk(EA/AAR) agencies to develop a policy for notifying and working with law enforcement agencies to respond to and protect Adults at Risk.

See attached Appendix A for definitions.

**COLLABORATION**

Ozaukee County Law Enforcement and Ozaukee County APS mutually agree that interdisciplinary interventions are the most effective method of resolving cases of abuse, neglect and exploitation of adults at risk. Ozaukee County APS has established an Interdisciplinary Team (I-Team) as required under the elder abuse funding contract. The purpose of the I-Team is to improve practice and collaboration between a wide variety of professionals and disciplines, to identify and address gaps in service, and to increase community awareness.

When complex cases arise, the above agencies may involve professionals from the I-Team to provide consultation and help develop the best responses for the cases involved. This collaborative approach ensures:

- sharing of available knowledge and resources,
- elimination of duplication of services,
- effective system of client referral, assessment and response,
- better coordination of criminal investigation, and,
- a shared commitment to victim safety and holding abusers accountable.



Representation of law enforcement on the Ozaukee County EA/AAR I-Team is strongly encouraged. Each law enforcement agency is asked to identify a contact person for assistance or consultation for human services staff in elder or adult at risk cases.

### **The Role of Law Enforcement in Responding to Reports of Abuse, Neglect, Self-Neglect and Financial Exploitation of Adults at Risk.**

Law Enforcement personnel are responsible for protecting the community with a focus on finding, investigating and prosecuting crime. Law Enforcement also has a significant role in protecting adults at risk through investigating crimes by alleged abusers or through securing adults at risk who are likely to harm themselves or others.

- Law Enforcement will accompany the APS worker if, based on the report details, the worker believes he/she or the adult at risk may be injured or harmed during response to the report of abuse, neglect or financial exploitation. Examples of situations that may require law enforcement accompaniment include the presence of alcohol, drugs, weapons, dangerous animals or a history of prior calls for service.
- Law Enforcement may be asked to act, or accompany an APS worker, when impediments such as interference by a guardian, caregiver or family member are preventing an agency worker from talking with the adult at risk.
- Law Enforcement should make a referral to APS when an investigation leads the officer to believe that an individual at risk may be experiencing, is at-risk of experiencing, or has experienced self-neglect, neglect, financial exploitation or abuse. It is preferred that Law Enforcement submit their referrals directly to APS via email. Law Enforcement may email a copy of their incident report to [APS@ozaukeecounty.gov](mailto:APS@ozaukeecounty.gov) so that complete information is received. Upon receiving the referral, APS will make a determination on the appropriate response within 24 business hours. On-Call Crisis Intake can be contacted to assist in situations requiring a more urgent response, such as an Emergency Protective Placement.
- Law Enforcement agencies will assume primary responsibility for the collection, processing, preservation, and storage of physical evidence in suspected cases of criminal abuse, neglect or financial exploitation of an adult at risk.
- Law Enforcement should advise APS when any criminal investigation involving abuse, neglect or financial exploitation of an adult at risk is referred to the District Attorney's office, the Wisconsin Department of Justice, or the U.S. Attorney's Office for prosecution.
- At the conclusion of any criminal investigation, whether done independently by Law Enforcement or completed jointly with APS, Law Enforcement should provide APS with the relevant information (police reports, etc.) for them to complete their state required reporting.

## **The Role of APS in Responding to Reports of Abuse, Neglect, Self-Neglect and Financial Exploitation of Adults at Risk.**

The ultimate role of APS staff is to protect an Adult at Risk from behaviors or conditions that are placing his or her health, physical safety, welfare or financial security in substantial jeopardy. In some cases, the best way to protect an adult at risk is to work with Law Enforcement to remove the Abuser. Law Enforcement also has experience and tools to respond to situations where the Adult at Risk may harm himself/herself or others.

- APS will receive referrals directly from Law Enforcement by email at [APS@ozaukeecounty.gov](mailto:APS@ozaukeecounty.gov). On-Call Crisis Intake is available to assist in situations requiring a more urgent response, such as Emergency Protective Placements.
- Upon receiving a referral from Law Enforcement, APS will make a determination on the agency's response within 24 business hours, as required under Wis. Stats. 46.90(5)(a) 1. and 55.043(1r)(a) 1g.
- APS will make every effort to accompany Law Enforcement or offer consultation when requested for investigations involving an Adult at Risk.
- APS response may include investigating reports to determine needs to alleviate the risk of abuse or neglect, making recommendations for services, education, or legal interventions, if necessary.
- APS may provide an ongoing court liaison regarding protective placement issues. This includes, but is not limited to, conducting an annual review of court-ordered placements (i.e., Watts Reviews).
- APS staff will take appropriate emergency action during the course of an investigation, including Emergency Protective Placement under Wis. Stats. 55.06, if the agency considers the emergency action is in the best interest of the Adult at Risk and the emergency action is the least restrictive appropriate intervention.
- The APS Worker will contact Law Enforcement immediately if a report to APS leads the worker to believe that a crime has occurred, is occurring, or is imminent, and if he/she believes that substantial physical harm, irreparable injury, or death may occur to an Adult at Risk.
- APS will call Law Enforcement if the Adult at Risk requests that Law Enforcement be contacted for a report.
- APS will call Law Enforcement if a report to APS leads the worker to believe that a crime has occurred, is occurring, or is imminent and the Adult at Risk presents with cognitive impairments that appears to affect his/her ability to make a decision regarding whether to report.

## **Shared Roles in Responding to Reports of Abuse, Neglect and Financial Exploitation of Adults at Risk.**

Both APS and Law Enforcement should work together on cases involving conditions such as aggressive, dangerous, or violent behavior by the Adult at Risk, the alleged abuser, or other members of the household when the following actions are necessary:

- an Emergency Detention pursuant to Wis. Stats. 51.15;
- an Emergency Protective Services pursuant to Wis. Stats. 55.13; or
- an Emergency Protective Placement pursuant to Wis. Stats. 55.135.
- transporting the victim for performance of a medical examination, pursuant to Wis. Stats. 46.90(5)(br) or 55.043(1r)(c)
- treatment needs related to alcohol or drug abuse under Wis. Stats. 41.45(11)(b)
- an Individual-at-Risk restraining order under Wis. Stats. 813.123

Law Enforcement and APS may work as a team to develop an investigation plan, including interviewing witnesses and securing and holding information and evidence. Joint investigations minimize the number of interviews an Adult at Risk must experience and assures proper collection and protection of information in a form that will be relevant and admissible in court.

### **CRIMINAL INVESTIGATIONS**

It is recognized that Law Enforcement and Human Services have different roles, functions, and responsibilities during the investigation of suspected criminal offenses committed against an Adult at Risk. The parties will conduct separate investigations consistent with their agency's standard operating procedures. Parties agree to work cooperatively and with an open exchange of information, to the extent allowed by law.

### **TRAINING**

Ozaukee County Law Enforcement and Ozaukee County Adult Protective Services agree to work together collaboratively to mutually develop and conduct training programs for both law enforcement and agency staff.

Representatives of community-based agencies (e.g., domestic violence and sexual assault programs, community mental health programs, community programs serving individuals with disabilities, substance abuse service providers, county aging and disabilities resource center) may also participate in the development and provision of these trainings, as appropriate.

CONFIDENTIALITY

Ozaukee County APS and the Law Enforcement Agency acknowledge that reports of suspected Elder/Adult-at-Risk abuse are confidential and may not be released except in circumstances indicated under § 46.90(6)(b)1-10. or § 55.043(6)(a)1-10.

The Department requests that staff be identified in law enforcement reports with contact information (phone, address) of the Department; staff personal information should not be used.

MEMORANDUM REVIEW

Law Enforcement and Ozaukee County Adult Protective Services will meet as needed to identify issues of mutual concern, to identify solutions relating to Elder and Adult at Risk abuse, neglect, self-neglect and financial exploitation, or to review and amend procedures contained in this Memorandum of Understanding. Each party agrees to meet annually to review this document if significant staffing changes or policy and procedure changes affect the process defined in this Memorandum.

*Liza Drake*

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Director, Ozaukee County Human Services

*5/25/23*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Sheriff, Ozaukee County Sheriff's Department

\_\_\_\_\_  
Date

*[Signature]*  
\_\_\_\_\_  
Chief of Police, Village of Grafton Police Department

*6/13/2023*

\_\_\_\_\_  
Date

## APPENDIX A DEFINITIONS

**Adult at Risk**, as defined in Wis. Stat. § 55.043(1e), means any adult who has a physical or mental condition that substantially impairs his or her ability to care for his or her needs and who has experienced, is currently experiencing, or is at risk of experiencing abuse, neglect, self-neglect, or financial exploitation.

**Elder Adult at Risk**, as defined in Wis. Stat. § 46.90(br), means 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.

**Abuse**, as defined in Wis. Stat. § 46.90(1)(a), means any of the following:

1. Physical abuse: intentional or reckless infliction of physical pain or injury, illness, or any impairment of physical condition.
2. Emotional abuse: language or behavior that serves no legitimate purpose and is intended to be intimidating, humiliating, threatening, frightening, or otherwise harassing, and that does or reasonably could intimidate, humiliate, threaten, frighten, or otherwise harass the individual to whom the conduct or language is directed.
3. Sexual abuse: a violation of criminal assault law, s. 940.225 (1), (2), (3), or (3m).
4. Treatment without consent: the administration of medication to an individual who has not provided informed consent, or the performance of psychosurgery, electro-convulsive therapy, or experimental research on an individual who has not provided informed consent, with the knowledge that no lawful authority exists for the administration or performance.
5. Unreasonable confinement or restraint: the intentional and unreasonable confinement of an individual in a locked room, involuntary separation of an individual from his or her living area, use on an individual of physical restraining devices, or the provision of unnecessary or excessive medication to an individual, but does not include the use of these methods or devices in entities regulated by the department if the methods or devices are employed in conformance with state and federal standards governing confinement and restraint.

**Caregiver**, as defined in Wis. Stat. § 46.90(1)(an), means a person who has assumed responsibility for all or a portion of an individual's care voluntarily, by contract, or by agreement, including a person acting or claiming to act as a legal guardian.

**Financial exploitation**, as 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

2. than fair market value, or in other ways convey money or property against his or her will without his or her informed consent.
3. Theft, as prohibited in s. 943.20.
4. The substantial failure or neglect of a fiscal agent to fulfill his or her responsibilities.
5. Unauthorized use of an individual's personal identifying information or documents, as prohibited in s. 943.201.
6. Unauthorized use of an entity's identifying information or documents, as prohibited in s. 943.203.
7. Forgery, as prohibited in s. 943.38.
8. Financial transaction card crimes, as prohibited in s.943.41.

**Fiscal Agent**, as defined in Wis. Stat. § 46.90(1)(eg), includes any of the following:

- A guardian of the estate appointed under s. 54.10
- A conservator appointed under s. 54.76
- An agent under a financial power of attorney under s. 243.07
- A representative payee under 20 CFR 416.635
- A conservatorship under the U.S. Department of Veterans Affairs.

**Neglect**, as 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.

**Self-neglect**, as 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.

**Adult protective services (APS)**, under Wis. Stat. § 55.02, refers to any services that, when provided to an individual with developmental disabilities, degenerative brain disorder, serious and persistent mental illness, or other like incapacity, keep the individual safe from abuse, neglect, or misappropriation of property or prevent the individual from experiencing deterioration or from inflicting harm on himself or herself or another person.

The terms adult protective services (APS) agency and adult protective services (APS) system are used to refer to the agency or agencies to which the county has assigned responsibility under Wis. Stat. § 55.02 for planning and carrying out the county's protective services responsibility.

Under Wis. Stat. § 55.02(6r), protective services include any of the following:

- Outreach.
- Identification of individuals in need of services.
- Counseling and referral for services.
- Coordination of services for individuals.
- Tracking and follow-up.
- Social services.
- Case management.
- Legal counseling or referral.
- Guardianship referral.
- Diagnostic evaluation.
- Other

**Degenerative brain disorder** means the loss or dysfunction of an individual's brain cells to the extent that he or she [an individual] is substantially impaired in his or her ability to provide adequately for his or her own care or custody." [Wis. Stats. 55.01 (1v)]

**Developmental disability** means a disability attributable to brain injury, cerebral palsy, epilepsy, autism, Prader-Willi syndrome, intellectual disability, or another neurological condition closely related to an intellectual disability or requiring treatment similar to that required for individuals with an intellectual disability, which has continued or can be expected to continue indefinitely and constitutes a substantial handicap to the afflicted individual. "Developmental disability" does not include dementia that is primarily caused by degenerative brain disorder. (Wis Stat. 51.01 (5) (a)-(b))

**Serious and persistent mental illness** means a mental illness that is severe in degree and persistent in duration, that causes a substantially diminished level of functioning in the primary aspects of daily living and an inability to cope with the ordinary demands of life, that may lead to an inability to maintain stable adjustment and independent functioning without long-term treatment and support, and that may be of lifelong duration. "Serious and persistent mental illness" includes schizophrenia as well as a wide spectrum of psychotic and other severely disabling psychiatric diagnostic categories, but does not include degenerative brain disorder or a primary diagnosis of a developmental disability as defined in Wis. Stats. 51.01 (5) (a), or of alcohol or drug dependence." [Wis. Stats. 55.01(6v)]

**Other like incapacities** means those conditions incurred at any age which are the result of accident, organic brain damage, mental or physical disability or continued consumption or absorption of substances, producing a condition which substantially impairs an individual from adequately providing for his or her care or custody. [Wis. Stats. 55.01 (5)]

**Elder Adults/Adults at Risk Interdisciplinary Team:** Given the complexity of APS cases, and the fact that there are often gaps in the services needed to assist victims, a broad range of professionals looking at a case and planning possible interventions and/or care plans is likely to arrive at effective results. Interdisciplinary teams provide many benefits including:

- Support and validation for case workers as well as consultations on complex cases.
- Increased knowledge of community resources.
- Wider range of alternative solutions to consider.
- Better coordination of interagency efforts.

**Individuals-at-Risk Restraining Order:** As defined in Wis. Stats. 813.123, a restraining order is more accurately called a “temporary restraining order.” A temporary restraining order is a court order that may remain in effect no longer than seven days unless extended by the court. At the end of this period, the order either ends or is replaced by another court order called an injunction. An injunction can last up to four years. Both types of orders require the respondent to stop engaging in specific behavior for the time period noted in the order. If a respondent violates an order, he or she may be arrested, fined or imprisoned.

The individual at risk restraining order may be petitioned for by:

- an elder adult/adult at risk,
- his or her guardian,
- an interested person acting on behalf of an individual at risk, or
- an EA/AAR agency.



## APPENDIX B

### CRIMINAL CODE

Some incidents of abuse of the elder persons or other vulnerable adults may constitute one or more crimes codified under Wisconsin State Statutes, including but not limited to:

- Abuse of vulnerable adults [s 940.285]
- Administering dangerous or stupefying drug [s 1941.32]
- Attempted crimes [s 939.32]
- Battery, substantial battery or aggravated battery [s 940.191]
- Battery-special circumstance [s 940.19(6)]
- Consumer fraud and unfair trade practices against elderly or disabled persons [s 100.264]
- Criminal trespass to dwelling [s 943.14]
- Damage to property [s 943.01]
- Disorderly conduct [s 947.01 ]
- Domestic abuse incidents; arrest and prosecution [s 968.075]
- Emotional abuse [as included in the definition of "Intentional Abuse" in s 940.295(1 )(j ) 1. b.]
- Endangering safety by use of dangerous weapon [s 941.20]
- False imprisonment [s 940.30]
- Forgery [s 943.38]
- Fraudulent writings [s943.39(2)]
- Harassment [s 947.013]
- Injury by negligent handling of dangerous weapons, explosives or fire [s 940.24]
- Intimidation of a victim [s 940.44; s 940.45]
- Kidnapping [s 940.31]
- Misappropriation of personal identifying information or documents [s 943.201 ]
- Mistreating animals [s 951.02]
- Reckless injury [s 940.23]
- Recklessly endangering safety [s 941.30]
- Robbery [s 943.32]
- Sexual Assault [s 940.225]
- Stalking [s 940.32]
- Taking a hostage [s 940.305]
- Tampering with household products [s 941.3271]
- Theft [s 943.201], and,
- Threats to injure or accuse of crime [s 943.30].