



Indiana Adult Protective Services

WHAT IS APS AND WHAT DO YOU DO?

What is APS?

- The Adult Protective Services (APS) Program was established in 1985 to investigate reports and provide intervention and protection to endangered adults who are victims of abuse, neglect, or exploitation.
- APS field investigators operate out of the offices of county prosecutors throughout the state.
- Indiana is the only state in which the APS program is a criminal justice function. Although criminal cases must go through law enforcement in most counties.
- Indiana APS is not a service organization and does not provide services other than referrals.

18 different Hub counties

- All but one APS unit covers multiple counties.
Some units cover up to 8 counties.
- Each county has an elected Prosecutor.
- Each county also has a court system which dictates procedures for that individual county.
- Thus APS investigations and outcomes can vary from county to county even in the same APS unit.
- APS manpower varies from unit to unit. APS employ's fulltime, part time and even some volunteers.
- One APS unit is entirely part time.

Is APS like CPS/DCS?

APS

- Investigates Abuse, Neglect and Exploitation of Endangered Adults
- APS has 24 full time and 7 part time investigators along with 18 Directors that also investigate. The equivalent of 41 investigators.
- APS investigates but is not funded for services.
- APS may petition the court for removal of an endangered adult, but placement is limited and not under APS authority.

DCS

- Investigates Abuse, Neglect and Exploitation of Children
- DCS has 1592 family case managers to maintain a supervisor ratio of 1:6
- DCS has funding for services and can be recommended by the family case managers.
- DCS may petition the court to remove a child and has placement options such as foster care or residential facilities.

What is and endangered adult?

IC 12-10-3-2

"Endangered adult" defined

Sec. 2. (a) Except as provided in subsection (b), as used in this chapter, "endangered adult" means an individual who is:

- (1) at least eighteen (18) years of age;
- (2) incapable by reason of mental illness, mental retardation, dementia, habitual drunkenness, excessive use of drugs, or other physical or mental incapacity of managing or directing the management of the individual's property or providing or directing the provision of self-care; and
- (3) harmed or threatened with harm as a result of:
 - (A) neglect;
 - (B) battery; or
 - (C) exploitation of the individual's personal services or property. (Cont)

IC 12-10-3-2

“Endangered adult” cont.

(b) For purposes of IC 12-10-3-17, IC 35-42-2-1, and

IC 35-46-1-13, "endangered adult" means an individual who is:

- (1) at least eighteen (18) years of age;
- (2) incapable by reason of mental illness, mental retardation, dementia, or other physical or mental incapacity of managing or directing the management of the individual's property or providing or directing the provision of self-care; and
- (3) harmed or threatened with harm as a result of:
 - (A) neglect; or
 - (B) battery.

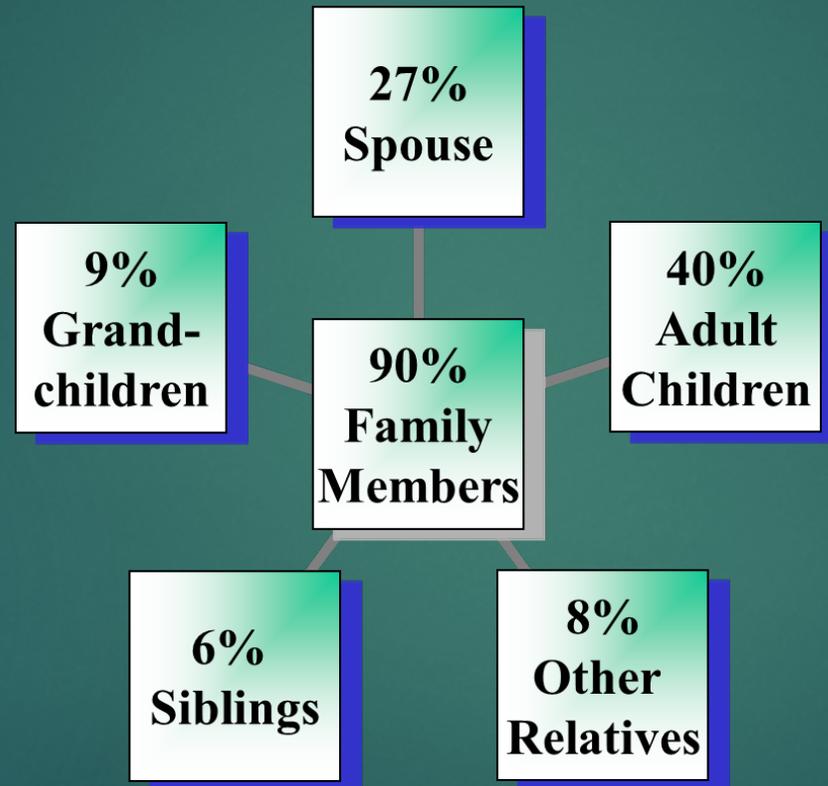
(c) An individual is not an endangered adult solely:

- (1) for the reason that the individual is being provided spiritual treatment in accordance with a recognized religious method of healing instead of specified medical treatment if the individual would not be considered to be an endangered adult if the individual were receiving the medical treatment; or
- (2) on the basis of being physically unable to provide self care when appropriate care is being provided.

What is happening to them?

- **Abuse:** Any touching (Battery) of a person in a rude and insolent manner. Verbally abusing an individual.
- **Neglect:** The intentional withholding of essential care or service. Abandonment of an individual is also considered neglect. Also included is self-neglect.
- **Exploitation:** The intentional misuse of a person's property, person or services for financial gain.
- Any other criminal statute including those with enhancers because of the person's age or mental capacity.

Who is doing it to them?



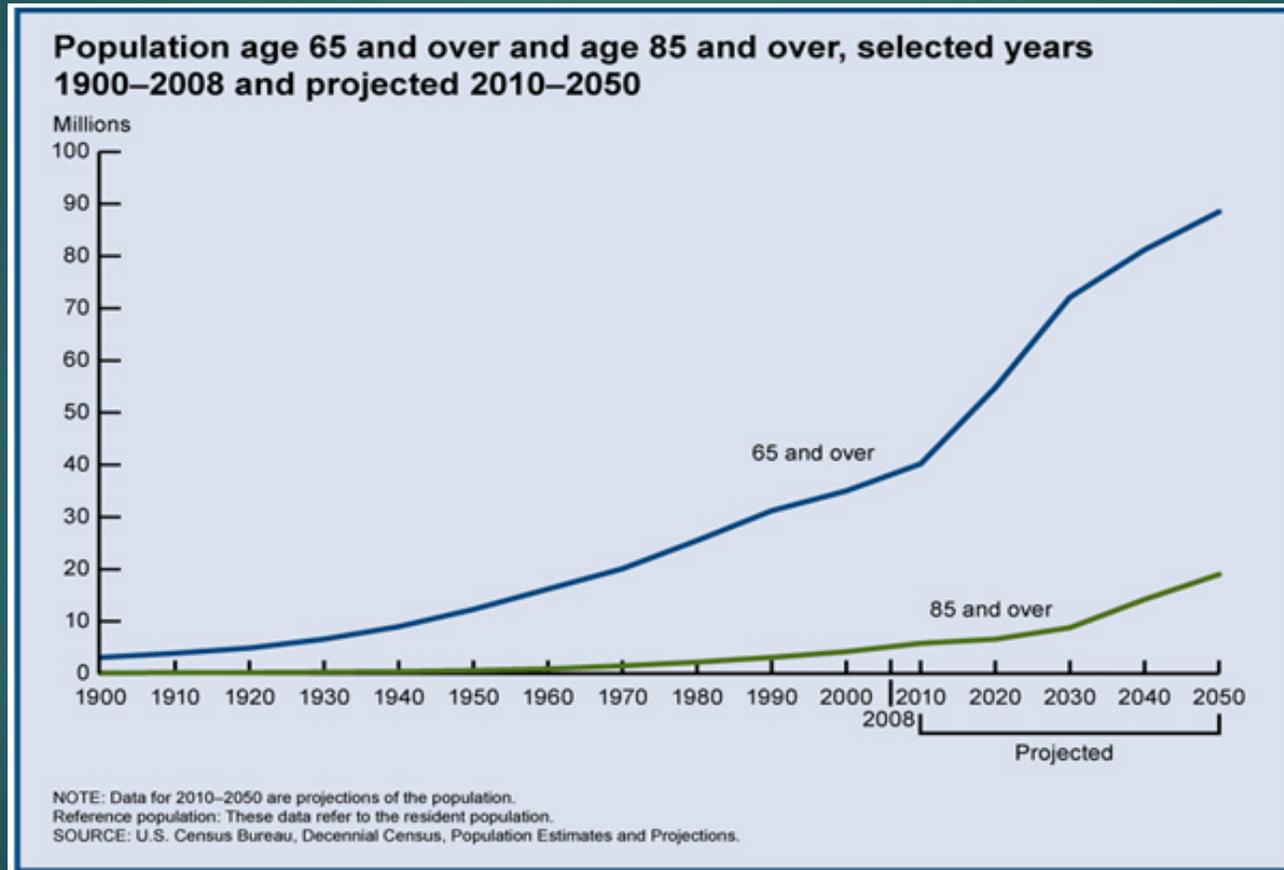
What can APS do?

- ▶ Determining if the individual is an endangered adult.
- ▶ Investigating the allegations.
- ▶ Unannounced home visits.
- ▶ Interviewing victims, witnesses and perpetrators.
- ▶ Referring to law enforcement if the allegation rises to a criminal level.
- ▶ Tracking information in the APS case management system.
- ▶ Referring to other services or agencies.
- ▶ Protective service orders.

Why has it become a problem?

- Elder abuse must be come a priority
- Number of elderly will increase in the next 20 years
- Elder abuse and neglect investigations create challenges
 - lack of physical evidence
 - lack of eyewitnesses
 - conflicting statements
- Most live independently
- If there is a decline in some intellectual abilities often it is not severe enough to cause problems in daily living

The world is getting older



Elder Abuse vs. Domestic Abuse

- Both are under reported .
- Both have stigmas attached.
- Both are “family issues” not to be aired in public.
- Both have financial implications, “ I would rather live like this than go to a nursing home.
- Who will care for my kids/ Who will care for my pet.
- It is often about power and control.





What can we do about it?