

# Collecting Evidence in Elder Abuse and Neglect Cases

## Voiceover

00:00

Welcome to *The Beat*—a podcast series from the COPS Office at the Department of Justice. Featuring interviews with experts from a varied field of disciplines, *The Beat* provides law enforcement with the latest developments and trending topics in community policing.

## Jennifer Donelan

00:16

Today both of our guests are joining us by phone.

Hello, everyone, and welcome to *The Beat*. I'm Jennifer Donelan, your host. Today, we're talking about collecting evidence in elder abuse and neglect cases. And joining us are Detective Adam Gibson of the Quincy Illinois Police Department and Officer Cherie Hill of the Anaheim Police Department, who both have a lot of experience in dealing with this. So, we're not going to waste any time. We're going to start with Officer Hill out of Anaheim.

Officer Hill, recognizing that elder abuse involves different types of actions—physical or sexual abuse and/or caregiver neglect—tell our listeners what's involved with the evidence collection across these different types of elder abuse.

## Officer Cherie Hill

01:02

Hi, Jennifer. Yeah, these are actually very complicated cases. What we need to think about when we look at these cases is think about the fact that our victim, our elder is potentially going to be incapacitated, incapacitated due to dementia, due to having certain medications on board, due to the fact that they might be deceased. We need to look at the evidence in each individual case and make sure they are very succinct in details.

The written word for officers is going to be extremely important when an officer goes out and they respond to a case. I want you to write down, I want you to look at what you see, what you smell, what you observe, statements or decided utterances by victims if they can state them or even assessment in the case.

The other thing that's really important, Jennifer, in these cases is separate out a victim and a caretaker. A lot of times in these cases, our caretaker is going to be our, our suspect. I don't want people to be misled by the fact that a caretaker might be there. It might seem like they're loving and caring about that elder that has been physically neglected or physically abused. Separate them out. Studies show that caretakers right now, whether it's an adult child, a grandchild of somebody that's been hired by the family, that majority of them are in these particular cases, the suspects in our cases. Do not, as an officer, be misled by the way the person presents themselves when you're on scene.

But certain things that you want to look for: remember in cases of physical abuse, there's going to be some unusual bruises. You want to look at particularly the face, the neck, the torso, the lateral arms of the subject. See bruising. Document that bruising that you find on that person. Look at ligature marks. Sometimes, you're going to find out that when somebody's been falsely imprisoned, there's been ligature marks. They've been tied down.

The other thing also that you want to look at, look for injuries that might match hands, fingers, or objects on an elder. Something else that you want to do is when you respond to a scene is if there's any medical records laying around. Pick up those medical records. Also, something else that's really important is on these cases with elder abuse or elder neglect, get medical records from a physician.

And one way that you can do that is go into the medicine bottle. You're going to look at the medical—go into the victim's—like their kitchen. Open up a cupboard. Go into their medicine cabinet. Find out what prescription bottles they have there. You want to find out what bottles they've been prescribed to take, what medications they've been prescribed. That way, when that person gets into the hospital, if they have the presence of that medication or the absence of that medication, lab work will show that it's in their system, that they've been giving that medication or not giving that medication. That could also be indicative of neglect or abuse. But also, on that bottle, you're going to have the name of that doctor, the attending physician. A lot of times, what will happen on these cases is the caretaker's going to doctor shop. If you want to look on that bottle, find out what they're supposed to get and go ahead and find that who that doctor is.

There's others things that we can look at when we're out on scene. You want to find out if, again, presence or absence of medications to treat the elder, if there's food in the refrigerator. Really very basic things, much like we would do with a child abuse case. Are there soiled beddings or chairs? Is there an absence of a phone and other mobility device? In other words, when you look at the medical records, was that person supposed to have a cane or a walker that enables them to walk around? Or they're bedridden? Med data [sounds like] for medical records also come in handy.

Again, on physical evidence as an officer, you want to look for bruises, rashes, and bedsores on that subject. Bedsores can be absolutely indicative of abuse or neglect. Photograph, get statements from neighbors, social workers, family members, physicians, and nurses. Another important thing that we often don't think about, get APS reports. You want to contact Adult Protective Services. They can actually be very helpful in these types of cases. Have they've been out, responded to the scene before? Other types of evidence, the injuries themselves, make sure to measure those injuries.

## **Donelan**

*05:06*

Thank you, Officer Hill. Let's get to Detective Adam Gibson, again, from the Quincy Illinois Police Department. Detective Gibson, your turn on this one, recognizing that elder abuse involves different types of actions, physical, sexual abuse, it could be caregiver neglect. Could you tell our listeners what's involved with evidence collection?

## **Detective Adam Gibson**

*05:36*

Evidence collection really is no different from any other crime, but photographic evidence seems to be most important in any elder abuse cases. Oftentimes, you can't do a good interview with the victim so that's why photographs and sometimes using video evidence becomes so much more important in these cases.

## **Donelan**

*05:49*

Detective Gibson, in your opinion, why is it so important that law enforcement officers are aware, more aware of the possibility of elder abuse?

## **Gibson**

*05:57*

Well, I think making officers aware is extremely important because it's a crime that's often unreported. And in many cases, officers or first responders, will that be ambulance personnel, fire personnel come in to these cases unexpectedly. So I think it's important to raise awareness and to let officers know things to look for so that they're more aware of the issue in things to look for to help solve it.

## **Donelan**

*06:33*

Thank you, Detective Gibson. Officer Hill, why is it so important that officers are aware of the possibility of elder abuse?

## **Hill**

*06:42*

Elder abuse is on the rise. There are 10,000 people that turn 65 or older in the United States per day. You have to remember that these people are also the people that prior to the recession, they had money. So it's important that we recognize that there are people out there that are going to prey upon our elders. One, because these people have resources. They have finances. They have money. They have houses. It's important that we recognize that this is a very vulnerable population many times. They're vulnerable because of something that I mentioned earlier. A lot of these people are on medications. They could be mentally challenged. The medications might give them capacity issues, making them again very vulnerable.

Some of these people, and I hate to say 65, but let's talk about older as we age. That a lot of these people are incapacitated due to health reasons, physical limitations. It puts them at risk of being abused.

## **Donelan**

*07:37*

Thank you, Officer Hill. Detective Gibson, any additional thoughts about why it's so important that officers are aware of the possibility of elder abuse?

## **Gibson**

07:45

Well, I think making officers aware is extremely important because it's a crime that's often unreported. And in many cases, officers or first responders, will that be ambulance personnel, fire personnel, come in to these cases unexpectedly. So I think it's important to raise awareness and to let officers know things to look for so that they're more aware of the issue in things to look for to help solve it.

## **Donelan**

08:19

Thank you, Detective. What kind of challenges do law enforcement officers encounter when collecting evidence in these cases, Officer Hill?

## **Hill**

08:26

Jennifer, that's a really good question. Simply, what I've spoken about earlier is a lot of times as patrol officers, when we respond, the person that answers the door of a potential victim is going to be that caretaker, is going to be that child of the elder. And they many times—I would say the majority of times—present themselves as caring and loving toward the victim. I think the challenge for us in law enforcement is we need to recognize that these people, majority of them in these types of cases, are the abusers. Studies substantiate that. What we need to do is look further. We need to go in and attempt to talk to that victim. Short of them being able to talk, what we want to do is we want to look around. This is another challenge. Look at that person, look at the body. Look for signs of abuse. Are they malnourished? Do they have bruises? Have a caretaker turn them over. Is there a bed sore there? So these are the challenges, I think.

I think another challenge that is very real is we don't want to recognize that the elders are being mistreated. I think as a society, we don't want to recognize that elders are being mistreated. But the reality is they are. So, just look beyond what that caretaker is telling you. Really look at the objective evidence in these types of cases.

## **Donelan**

09:41

Let me ask Detective Gibson now. In your opinion, how can an officer be more proactive, effective in cases that involve elder abuse?

## **Gibson**

9:49

I think part of that stems also with the awareness given officers the education to know what to look for in— to the officers taking a few extra minutes when you're dealing with senior citizens, especially in a home environment where there may be caregivers or children that live with the elderly parent, just to look around and assess what's going on and see if things look normal or healthy in that environment and just take the time to visit with the senior to see what their reactions are?

## Hill

10:22

Again, that's a very good question. We have to be constantly aware. That means educating ourselves. Much like many years ago, we educated ourselves about child abuse. We need to educate ourselves about the fact that elders are victims. We need to look at the type of evidence that can strongly support a case and that means, you know, listening to the training such as this, you know, digging deeper, what types of crimes are being committed against these elders.

So when we get out, here's another thing. Let's say that person has dementia, right? This happened in our city recently. This person with dementia flagged down an officer and said, "Look at my face. I've been beaten up by my daughter." And the officer looked at her and said, "Oh my God, she's been beaten up." She was an elder.

And they called the daughter to the scene and the daughter was the caretaker. The daughter said, "Well, my mom has dementia. She fell and she's making all of this up." Well, it ends up that this elderly victim actually was a victim of a crime and her daughter was the abuser. It's not just listening to that caretaker, it's digging deeper in these types of cases.

## Donelan

11:26

Officer Hill, the last question. Concretely, how might Adult Protective Services be helpful in these cases that law enforcement pursue when involving elder abuse?

## Hill

11:39

That's actually another great question. Historically, Adult Protective Services and law enforcement do not get along. We have a cultural difference in the way we go about and we investigate. What I found through my years having been a detective in elder abuse for 12 years, I found that Adult Protective Services can actually benefit our cases. Many times these people that are victims have been victims potentially of other crimes by other caretakers or other subjects. But, Adult Protective Services goes out and responds when a crime might not seem— that it rises to a level that it would go become criminal. So Adult Protective Services have a lot of records, prior cases on many of these cases.

The other thing that they can do is they can go out concurrently with us and assist that elder. Let's say that I have an elder that is being neglected by their child. I have nowhere to place this person short of them going into the hospital on a 5150. Adult Protective Services can actually benefit us by getting additional resources for us. So, they can be a big benefit in our cases.

## **Gibson**

12:41

I'm very fortunate in my area in Quincy that we have a very good working relationship with adult protective services. They have access to some records and things that I don't have easy access to, so the two of us work hand in hand to try to combat the problem.

## **Donelan**

13:00

I want to thank both of our guests so much for joining us and shedding light on this. Officer Hill, can people get in touch with you regarding this topic? If so, what's the best email address?

## **Hill**

13:10

Absolutely, [chill@anaheim.net](mailto:chill@anaheim.net). So it's going to be C-H-I-L-L-at-ANAHEIM-dot-NET.

## **Donelan**

13:21

And, Detective Gibson, can people contact you regarding this topic? And if so what is the best email address?

## **Gibson**

13:28

Yes. Anybody can feel free to contact me at any time. My email address is A - G as in George - I Ida - B Boy - S Sam - O Ocean - N Nora - at - Q as in Queen - U Union - I Ida - N Nora - C Charles - Y Young - I IDA - L Lincoln - dot - G-O-V [[agibson@quincyil.gov](mailto:agibson@quincyil.gov)].

## **Donelan**

13:51

To Officer Hill of the Anaheim Police Department, Detective Gibson of the Quincy Illinois Police Department, thank you both for joining us. And thank you to our listeners for joining us on *The Beat*.

## **Voiceover: *The Beat* Exit**

14:03

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## **Voiceover: Disclaimer**

*15:02*

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