

Maricopa County Legal Remedies and Victim Resource Guide for Elder Abuse

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Terms & Statutory Definitions

Refer to full resource guide and Arizona Revised Statutes Title 13 (azleg.gov) for more information.

Vulnerable Adult Abuse

- **A.R.S. § 13-3623** – Statute that defines the crime of elder abuse. People commit this offense if, under certain circumstances, they cause a vulnerable adult to suffer a physical injury or endangers the person's health or well-being. (See Title 13)
- **A.R.S. § 46-451(A)(11)** – “**Vulnerable adult**” means a 18+ individual who is unable to protect himself from abuse, neglect or exploitation because of a physical or mental impairment. Vulnerable adult includes an incapacitated person as defined in section 14-5101.

Domestic Violence

- Statutes may apply based on relationship status in the crime.

Emotional Abuse

- **A.R.S. § 13-3623 (F) (3)** – **Emotional abuse** is a pattern of ridiculing, demeaning, making derogatory remarks, verbally harassing, threatening to inflict physical or emotional harm to a vulnerable adult.

Financial Exploitation

- **A.R.S. § 46-451(A)(5)** – “**Exploitation**” means the illegal or improper use of a vulnerable adult or their resources.

List of Crimes and Offenses

Vulnerable Adult Abuse includes **physical, sexual, emotional, verbal, domestic or sexual violence, financial exploitation** and meets the definition of a **vulnerable adult**. Later in Life Abuse refers to older adults that are 50+ years old. It is important to realize that age alone does not qualify an individual as a vulnerable adult. An alert, functioning 80-year-old may not be a vulnerable adult. When investigating, it is critical to look for changes in the person's overall behaviors. Look for: communication style, economic conditions, emotional health, physical limitations, personal appearance and condition of the surroundings.

To determine victim's mental state, refer to the MAG's Vulnerable Adult Protocol for a list of physical or mental functioning, neglect, abuse, or financial exploitation status indicators. Dementia is a general term for loss of memory and mental abilities severe enough to interfere with daily life. Learn more at alz.org/firstresponders.

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Investigation Tips

Financial Exploitation

- Obtain all information on victim, including PII, contact, NOK, Medical (doctor(s), prescriptions, diagnosis)
- Obtain all banking information (Bank Names, Account Number(s))
- If guardianship is present, document dates when established
- Impound copies of ALL evidence (Bank records, court orders, medical records, if available)

In-Home Calls

- Document what makes the person a VA
- Interview all present in home, including victim, if possible
- Photograph injuries and the home environment, including med supplies, food, etc.
- Collect relevant evidence
- Follow-up at hospital if applicable
- Report to APS

Group/Facility Calls

- Document what makes the person a VA
- Interview any staff with knowledge of incident and collect their identifying and contact info
- Collect victim's face sheet, care notes and incident report(s)
- Check security cameras, view if possible, then document
- Follow-up at hospital if applicable
- Report to APS

Patrol Response

- Must be able to prove impairment/vulnerability
- Prove or establish the suspect is in a position of
- Trust & Confidence
- Provide mandated victims' rights information pursuant to A.R.S. § 13-4405 information provided to victim by law enforcement agencies

Resources on Elder Abuse

Domestic Violence Resources

- National DV Hotline: 800-799-SAFE (7233)
- www.thehotline.org

Elder Abuse Resources

- Call 2-1-1
- Arizona Coalition To End Sexual And Domestic Violence: 602-279-2980
- APS: 877-767-2385
- Area Agency On Aging, Region One, 24 Hr Senior Help Line: 602-264-4357

Housing Resources

- AAA Doves Program 24-Hour Helpline: 602-264-4357
- DV Stop Hotel Program/Emergency Shelters: 844-SAFE-DVS (723-3387)

Other Resources

- DES Commodity Senior Food Program (CSFP) 855-432-7587
- St Mary's Food Bank Alliance: 602-242-FOOD (3663)
- United Food Bank: 480-926-4897
- Elder Care Resources: 800-677-1116
- Find Help Phoenix: 602-264-2255
- Maricopa Crisis Line: 602-222-9444

For a full list of resources, see the Maricopa County Legal Remedies and Victim Resource Guide on Elder Abuse: <https://bit.ly/MCLRVRGuide>