### THE GA MODEL

How We Got Here With Little Funding











### **ENABLING OBJECTIVES:**

Describe the process for bringing key groups together for a more holistic approach to combatting dependent adult abuse.

Identify the way law enforcement, social service, and prosecution can each enhance the solution to obstacles encountered.

Describe three key components of how investigations are enhanced when these agencies work together.





# The GA Team

#### GEORGIA'S CRIMES AGAINST THE DISABLED AND ELDERLY TASK FORCE (CADE)



















# How it all began in 2012...







### HB 1110 in 2012

#### dropped Feb 2012

LC 33 4681S/AP

House Bill 1110 (AS PASSED HOUSE AND SENATE)

12

By: Representatives Cooper of the 41<sup>st</sup>, Benton of the 31<sup>st</sup>, Yates of the 73<sup>rd</sup>, Howard of the 121<sup>st</sup>, Lindsey of the 54<sup>th</sup>, and others

### A BILL TO BE ENTITLED AN ACT

- 1 To amend Title 30, Title 31, and Title 35 of the Official Code of Georgia Annotated, relating
- 2 to handicapped persons, health, and law enforcement officers and agencies, respectively, so
- 3 as to strengthen provisions relating to the protection of elder adults; to clarify provisions
- 4 relating to the neglect of elder persons and disabled adults; to revise provisions relating to
- 5 penalties relative to the owning or operating of unlicensed personal care homes; to authorize
- 6 the Department of Community Health to provide for additional criminal offenses for
- 7 background checks for owners, directors, and employees of personal care homes and other
- 8 facilites; to authorize the Georgia Bureau of Investigation to investigate reports of elder
- 9 abuse; to provide for related matters; to repeal conflicting laws; and for other purposes.

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1776	

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- 116 (11) Identify and investigate violations of Article 8 of Chapter 9 of Title 16;
- 117 (12) Identify and investigate violations of Article 5 of Chapter 8 of Title 16; or
- 118 (13) Identify and investigate violations of Code Section 16-5-46; and
- 119 (14) Identify and investigate violations of Code Section 30-5-8 or 16-5-100."



116	(11) Identify and investigate violations of Article 8 of Chapter 9 of Title 16;
117	(12) Identify and investigate violations of Article 5 of Chapter 8 of Title 16; or
118	(13) Identify and investigate violations of Code Section 16-5-46; and
119	(14) Identify and investigate violations of Code Section 30-5-8 or 16-5-100."





# **GBI** Working Group

3/26/12 Initial meeting between DHS FSIU Manager Pat King, GBI Director Vernon Keenan, DBHDD, DCH, SSA, Gwinnett PD and DeKalb DA's office

4/19/12 1st ANE Work Group Meeting

- Identified Obstacles
- Addressing obstacles is the work of the group









## 4/19/12 1st ANE Work Group Meeting

Members of The ANE Work Group are professionals representing state, local, and federal agencies involved with the investigation and prosecution of abuse, neglect, and exploitation as well as agencies providing protective, social, regulatory oversight, and victim assistance to at-risk adults.

The introductory meeting was called in response to an emerging crime trend of unlicensed personal care homeowners targeting at-risk adults for the purpose of financially exploiting the residents; a form of human trafficking later named Benefits Trafficking.





## Problems Identified:



#### **EXECUTIVE SUMMARY**

- 1. Law enforcement resources to address elder abuse are limited.
- Law enforcement officers have limited training and experience in addressing abuse of the elderly and at-risk adults.
- The criminal justice system (law enforcement, prosecutors, and judges) do not understand elder abuse related crimes and are in need of training.
- Elder exploitation incidents are often treated by the criminal justice system as incidents
  of domestic violence or as civil matters only.
- Law enforcement agencies do not consistently notify the Adult Protective Service, as they are mandated to do, when they encounter elder abuse and other at risk adult abuse incidents.
- Law enforcement does not consistently respond to APS reports of abuse by following up on their reports with a criminal investigation.
- Non-law enforcement agencies often have agency imposed data sharing limitations they
  can share information with law enforcement agencies, but not with other social service
  agencies about victims and suspects.
- Adult Protective Services advised that they do not have the authority or resources to take custody of abuse victims unless the victim asks to go with the APS investigators.
- 9. Unlicensed homes, often described as "independent living homes," are referred to the county's code enforcement office for investigation of potential violations once the homes are cited for code violations, the home and the residents are moved to other locations to avoid investigation.

- Personal Care Homes are licensed with DCH individually, but owners may have multiple licensed locations.
- 11. Prosecutors often have evidence preservation hurdles (Crawford v. Washington issues) how to preserve victim testimony for trial before victim dies or decompensate, due to victims and witnesses being elderly and often in poor health.
- Pre-licensing background investigations standards for personal care home owners and operators are currently very lax and allow parties with significant and relevant criminal histories to be licensed.
- Victims are often reluctant to report the abuse crimes due to fear and shame.
- 14. Financial exploitation abuse is pandemic and is often complicated by financial institutions requiring subpoenas to produce banking records and for charging law enforcement for the records.
- HIPPA is often used as a reason not to provide medical records for law enforcement and social service agency investigations.





## Solutions Identified:



#### **EXECUTIVE SUMMARY**

#### Solutions:

- 1. Public education and awareness of the problem should be increased.
- All criminal justice personnel (law enforcement, prosecutors, and judges) should receive training on related subject matter.
- 3. Expedite investigation and prosecution of crimes against the elderly and at-risk adults.
- 4. Evidence preservation procedures should be developed and codified.
- Multidisciplinary cooperation and collaboration must be better developed between law enforcement and non-law enforcement government agencies to ensure equal protection for the elderly and at-risk adult victims.
- Memorandum of Understanding (MOU) should be created between the involved agencies to facilitate the sharing of information between agencies to support investigations and enforcement.
- Statutory changes to provide law enforcement with the ability to expeditiously and in a low or no cost manner obtain financial records related to abuse and exploitation.
- Funding resources should be developed to support efforts to train, educate, and investigate related issues.





# Obstacles Identified:

**Awareness** 

Collaboration

Data/Intel Sharing

Victim Services

Case Prosecution

**Multiple Jurisdictions** 





# Then a large complex case occurred...

72 charges being filed against current, former Alzheimer's caregivers in Commerce











### Among the findings, authorities said, were that:

- patients were restrained with bed sheets and were subjected to inhumane and undignified conditions;
- staff was "double diapering" patients, a practice whereby multiple diapers are placed on patients at once to keep the employees from changing soiled diapers as often;
- patients were subject to physical abuse, such as being struck or hit with water;
- employees had prior felony convictions for charges from voluntary manslaughter to drugs, even though state regulations prohibit convicted felons from working in a personal care facility;
- unauthorized personnel were administering medications to the patients;





# Criminal Charges (for 20 people)



- 7 Probation ranging from 12 months to 6 years.
- 5 Pre-Trial Diversion & Community Service
- 6 Nolle Prossed/Dismissed
- 1 Guilty Plea
- 1 Not Guilty





### AT THE END OF THE EXPERINCE...







# More work in these areas:

Awareness

Collaboration

Data/Intel Sharing

Victim Services

**Case Prosecution** 

Multiple Jurisdictions





### Legislative Work Group

naturally formed as an outgrowth of the ANE Work Group.

One of the more important subcommittees due to the ever-changing nature of ANE

```
2013 HB 78 Moved the ARA criminal statutes to the criminal title so law enforcement could locate them more easily.
2017 HB 571 Created a specialized elder and disabled adult abuse prosecutor (Will Johnson)
2018 HB 803 Crimes and offenses; trafficking a disabled adult, elder person, or resident; prohibit
```

2018 HB 635 Provides for Adult Abuse, Neglect, and Exploitation **Multidisciplinary Teams** ("MDTs").

2018 HB 897 Georgia Power of Attorney (POA) Act; revise

2018 SB 406 "Georgia Long-term Care **Background Check Program**" enact; public safety; promote

2019 HB 424 Abuse of Access as new means of elder abuse.

2019 HB 424 Allows law enforcement to conduct HFR inspections after required training (added to the Gang Bill)

2020 HB 987 Staffing/overhaul of assisted living facilities.

2021 HB 363 Funneled all physical assault/battery incidents on elderly to the felony statute.

2023 HB 219 Enhanced venue in digital or electronic currency theft and money laundering, including electronic transfers of money





### 2013 HB 78

Crimes and offenses; protection of disabled adults and elder persons; change provisions

HB 78 moved these statutes to the criminal title so law enforcement could locate them more easily.

Title 30. HANDICAPPED PERSONS, GEORGIA CODE

Title 31. HEALTH, GEORGIA CODE

Title 16. CRIMES AND OFFENSES, GEORGIA CODE

Protection of Elder Persons (§§ 16-5-100 — 16-5-105)

16-5-100. Definitions.

16-5-101. Neglect to a disabled adult, elder person, or resident.

16-5-102. Exploitation and intimidation of disabled adults, elder persons,

and residents; obstruction of investigation.

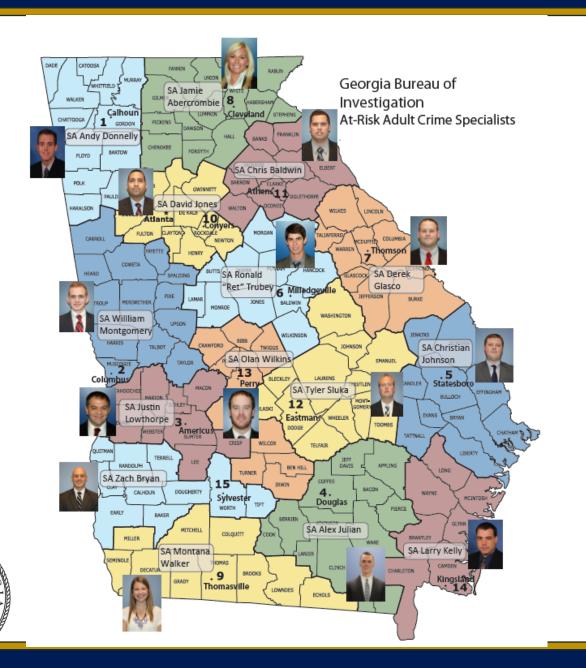
16-5-103. Exceptions to criminal liability.

16-5-104. Venue.

16-5-105. Applicability.







# GBI At-Risk Adult Program And Specialists May 2015





# Then another BIG Investigation

### Gwinnett County, GA

Dec 2015 - Operation Mercury

5 to 10 people in each unlicensed home.

12 houses were searched

53 count indictment

This investigation started with a domestic dispute in May 2015

## Gwinnett judge grants bonds to 9 held in illegal care home case







# A 3<sup>rd</sup> large case developed

- Atlanta, Forsyth, and Albany, GA
   Sept 2017
- Concerned neighbors called law enforcement multiple times
- People begging for food
- People wandering the street
- Apartments were previously condemned by code enforcement

Multiple agencies investigate unlicensed personal care facility















{ Providing Excellent Care for Love Ones When You Can't }

Private, Safe, Decent, Specialized Affordable Housing Payee Services & Healthy/Meals Appointment & Medication Management

Onsite Doctors, Counselors, Case Management

Serving Seniors, Mentally III, Dual Diagnosed, HIV, Cancer, Minor Medical Conditions

404-454-0388 | 404-454-7664

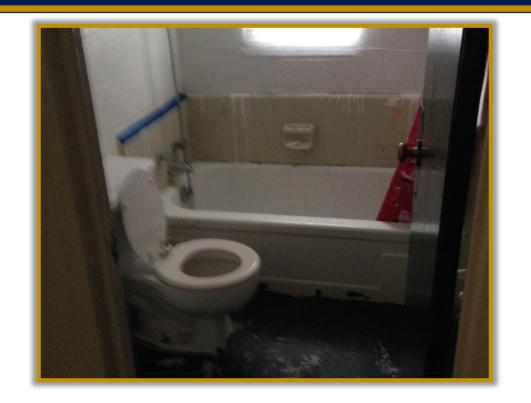
(Providing Professional Courteous Services for over 15 Years.)

24 hour supervised facilities

Housing
Payee Services
Med Management

Onsite Doctors
Counselors
Case Managers

Over 15 years





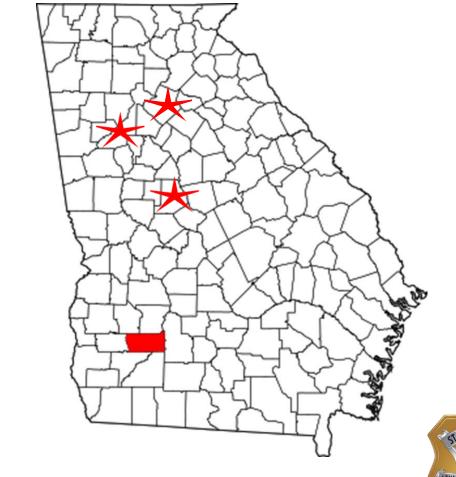




### 4 defendants in all:

Owner/Operator, Nurse, Rep Payee & Pharmacist







Agencies who assisted:

DBHDD, HFRD, APS, GBI, PAC, local police, local DA, AG's Office

#### President's Message: The Year Ahead (November 2017)

#### Louis M. Dekmar, Chief of Police, LaGrange, Georgia, Police Department

As my favorite philosopher, Dr. Seuss, penned, "You have brains in your head. You have feet in your shoes. You can steer yourself any direction you choose." For 125 years, the IACP has steered the direction of the law enforcement profession in order to support our 30,000 members representing more than 150 countries across the globe.

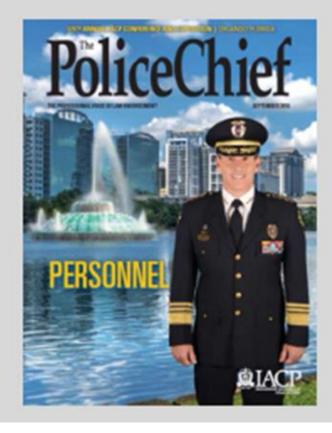
Since the late 1800s, IACP has been the gold standard in training, leadership development, and management models that are recognized and adopted throughout the policing world. As the issues faced by law enforcement continue to change, the opportunities to steer our profession continue as well.

#### At-Risk Adults

Another issue in need of increased focus by IACP is the victimization of at-risk adults. The global population of people aged 60 years and older will more than double from almost 1 billion today to 2 billion in the next 30 years.<sup>4</sup> Additionally, a staggering 1 in 10 at-risk adults are victims of abuse, neglect, and exploitation.

In response to this important issue, IACP will join with key stakeholders to develop roll call training videos, investigative protocols, and victim advocacy initiatives. This measure, has already received a grant for \$240,000 from the U.S. Department of Justice and will be co-chaired by Georgia's Bureau of Investigations Director, Vernon Keenan, and Division of Aging Services Manager, Pat King.<sup>5</sup>

### **CURRENT ISSUE**



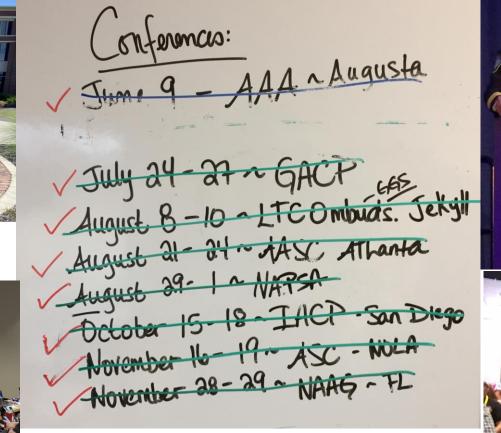




Training from Coast to Coast













# Legislative Work Group 2018 was an important year!

2018 HB 803 Crimes and offenses; trafficking a disabled adult, elder person, or resident

2018 HB 635 Provides for Adult Abuse, Neglect, and Exploitation Multidisciplinary Teams ("MDTs").

2018 HB 897 Georgia Power of Attorney (POA) Act; revise

2018 SB 406 "Georgia Long-term Care **Background Check Program**" enact; public safety; promote





# 2020 - IACP Roll Call Videos

https://www.theiacp.org/elder-abuse



Home > Identifying and Responding to Elder Abuse: An Officer's Role

# Identifying and Responding to Elder Abuse: An Officer's Role

Enhancing law enforcement's ability to confront evolving types of crime committed against the vulnerable elderly demographic.

Understanding Elder Abuse False Imprisonment

Financial Abuse By A Stranger
Financial Exploitation By A Family Member
Physical Abuse
Neglect (2 Cases)











### **Elder Abuse Part Six: Understanding Elder Abuse**







## Obstacles Identified/Addressed:

Awareness	2-Day At-Risk Adult Crime Tactics (ACT) Training, One Day ANE 101 for Law Enforcement, Suspicious Deaths class for county Coroners.
Collaboration	Work Group – GBI Working Group, Financial Exploitation Work Group, Legislative Work Group
Data/Intel Sharing	GBI Analyst & DAS Epidemiologist
Victim Services	Ongoing training to Victim/Witness Assistance Personnel & Prosecuting Attorney's Council of GA (PACGA)
Case Prosecution	Prosecuting Attorney's Council hired a specialized statewide prosecutor to assist local District Attorney's; Abuse, Neglect & Exploitation Training for Prosecutors by Prosecutors - ongoing
Multiple Jurisdictions	Issue of prosecution when locations in multiple jurisdictions still is an issue but not as severe





### Obstacles Identified/Addressed:

### **Awareness**

- 2-Day Certified At-Risk Crime Tactics Specialist (CACTS) Training
- One Day ANE 101 for Law Enforcement
- Suspicious Deaths class for County Coroners







### **Awareness**

**Training, Training, Training** 

### Certified At-Risk Crime Tactics Specialist (CACTS) Training

The class is reserved for law enforcement, prosecutors, judges, EMS, bank investigators/trainers/risk managers, regulatory agencies, medical, and social services agencies that respond to the abuse, neglect, and exploitation of at-risk adults.

The ACT class is approved for 12 hours POST credit, CLE, EMS, and LCSW CEUs.

Began in 2011 and 1,470 law enforcement personnel trained, 4,172 total attendees

- One Day Class for Law Enforcement ANE 101
- Suspicious Deaths Training at Coroner's In-Service
- National Conferences –

NAPSA, IACP, NAMFCU, NAAG, MOCIC, Gulf Coast Elder Abuse Conf, Masters Conf (medicolegal death investigators),





### Obstacles Identified/Addressed:

### Collaboration

GBI Working Group
Financial Exploitation Work Group
Legislative Work Group
Law Enforcement and APS lunches
Unlicensed Personal Care Home monthly meetings









### Additional subcommittees

naturally formed as an outgrowth of the ANE Work Group.

### Financial Exploitation Work Group

Financial Exploitation Summit in 2015 was the beginning of improving cooperation between financial institution, law enforcement, prosecutors, social services/regulatory agencies, and other professions that respond to financial exploitation.

Quarterly the financial institutions, law enforcement, prosecutors, APS Case Workers & other mandated reporters meet to review current trends, discuss obstacles and share outcomes.





### Financial Exploitation Work Group Participants

#### **Federal:**

**US** Attorney

US Dept. of Justice

US Dept. Homeland Security

US Federal Bureau of Investigation

**US Postal Inspector** 

**US Secret Service** 

US Security & Exchange Commission

**US** Treasury

#### **Financial Institutions:**

**BBB Central** 

**Brand Bank** 

Georgia's Own CU

SouthCrest Bank

State Bank & Trust

Wells Fargo

Not all agencies listed due to lack of space.

#### Local:

Albany PD

Atlanta PD/DA

**Brooks Co SO** 

Chatham Co DA

Cherokee Co SO

Columbus PD

DeKalb PD/DA

Duluth PD

Dunwoody PD

**Enotah DA** 

Fairburn PD

Jasper PD

Lawrenceville PD

Lowndes Co SO

McDonough PD

Newton Co SO

Putnam Co SO

Snellville PD

Troup Co SO

Walton Co DA

#### State:

Attorney General – MFCU

**DBHDD** 

DHS/APS/FSIU/LTCO

GBI – ARA and Financial Units

Secretary of State – Securities





# How to overcome the obstacles identified at the Financial Exploitation Work Group:

- Adult abuse protocol similar to child abuse
- Power of attorney registration with rules
- Communication/cooperation between agencies
- Multi-disciplinary teams across the state
- Database managed by GBI
- Skills/training
- Dedicated prosecutor in each office
- Make venue same as identify fraud law
- Local point person for financial institutions
- Education, community outreach
- Stronger legislation
- Public awareness campaign





# How to overcome the obstacles identified at the Financial Exploitation Work Group:

- Adult abuse protocol similar to child abuse
- Power of attorney registration with rules
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  - Database managed by GBI
- Skills/training
- Dedicated prosecutor in each office
- Make venue same as identify fraud law
- Local point person for financial institutions
- ✓ Education, community outreach
- Stronger legislation
- ✓Public awareness campaign





### Financial Exploitation Work Group Contact

**David Blake** 

Financial Forensic Specialist

Georgia Dept. of Human Services DAS

GBI – Crimes Against Disabled Adults & Elderly (CADE) Task Force

David.Blake@dhs.ga.gov

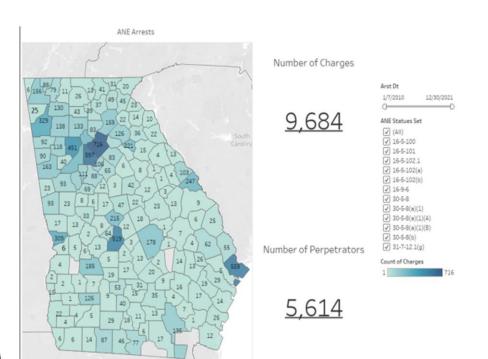


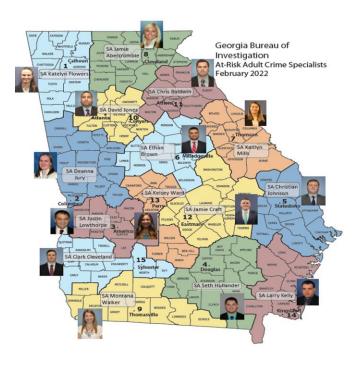


#### Obstacles Identified/Addressed:

#### **Data/Intel Sharing**

#### **GBI** Analyst & DAS Epidemiologist





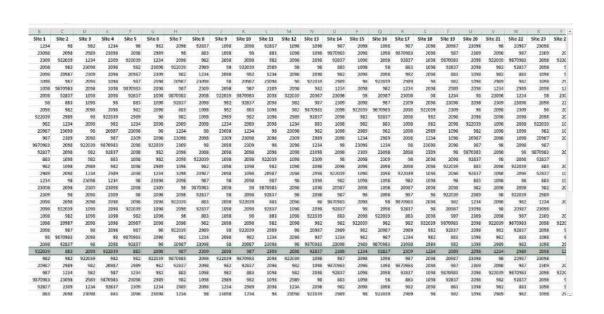


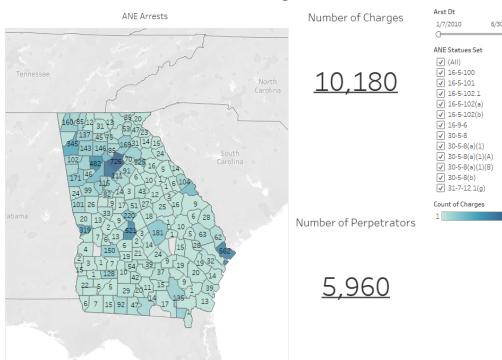
© 2022 Mapbox © OpenStreetMap



## DATA – numbers made into pictures!

@ 2023 Mapbox @ OpenStreetMap





**ANE Charges** 



## **Data and Intel Sharing**

#### **DAS Epidemiologist**

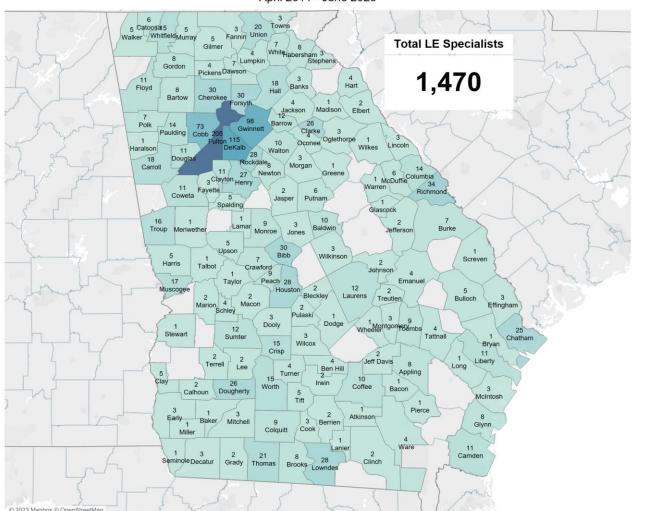
- Pulled the numbers of how many APS cases were substantiated and then went to LEOS, etc.
- Program to make the numbers more visible and more comprehensive.

#### **GBI Intel Analyst**

- The Intel Analyst assigned to the program digs deeper into the alleged suspects and tips then contacts outside LEO.
- Uses said Program to also make the numbers were visual.

#### In Person and Virtual Total Law Enforcement CACT Specialists

April 2011 - June 2023



Law enforcement officers trained since 2011:

1,470

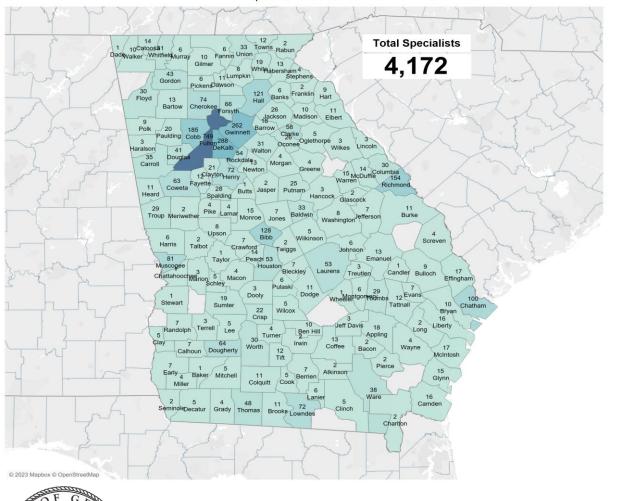
In 2020: classes stopped until we could host virtual ones in 2021.





#### In Person and Virtual Total CACT Specialists

April 2011 - June 2023



Total people trained since 2011:

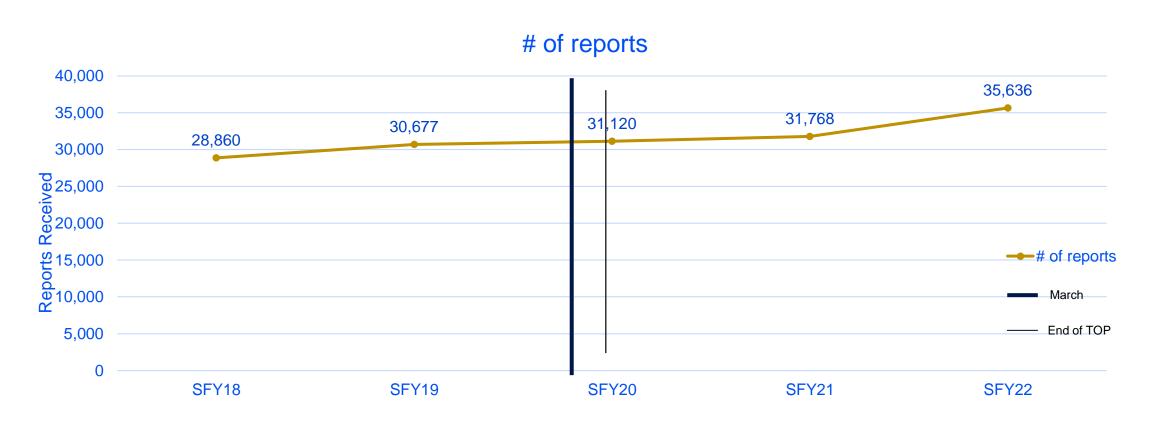
4,172

#### Attendees include:

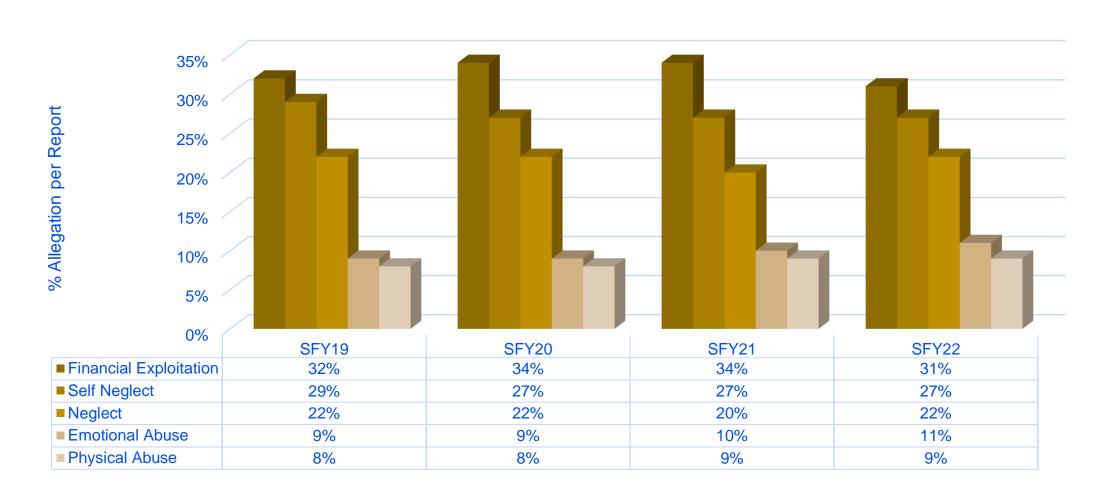
- Medical professionals
- AAA
- Mental health providers
- Prosecutors
- MFCU
- APS
- Other state agencies



# **APS Report Data**

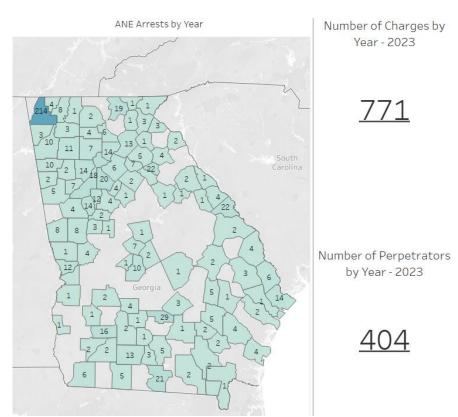


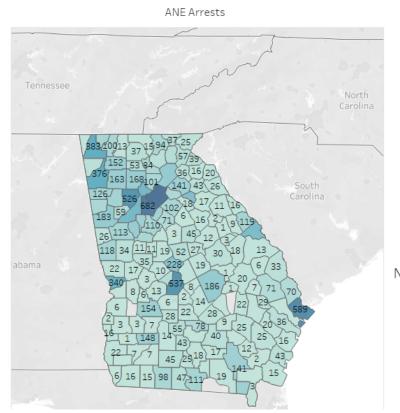
# Allegations Reported by Type



# **Criminal Charges**







Arst Dt Number of Charges 1/7/2010 6/30/2023 ANE Statues Set ✓ (AII) √ 16-5-100 11,564 √ 16-5-101 √ 16-5-102(a) √ 16-5-102(b) √ 16-9-6 ✓ 30-5-8 ✓ 30-5-8(a)(1)

Number of Perpetrators

ANE Charges

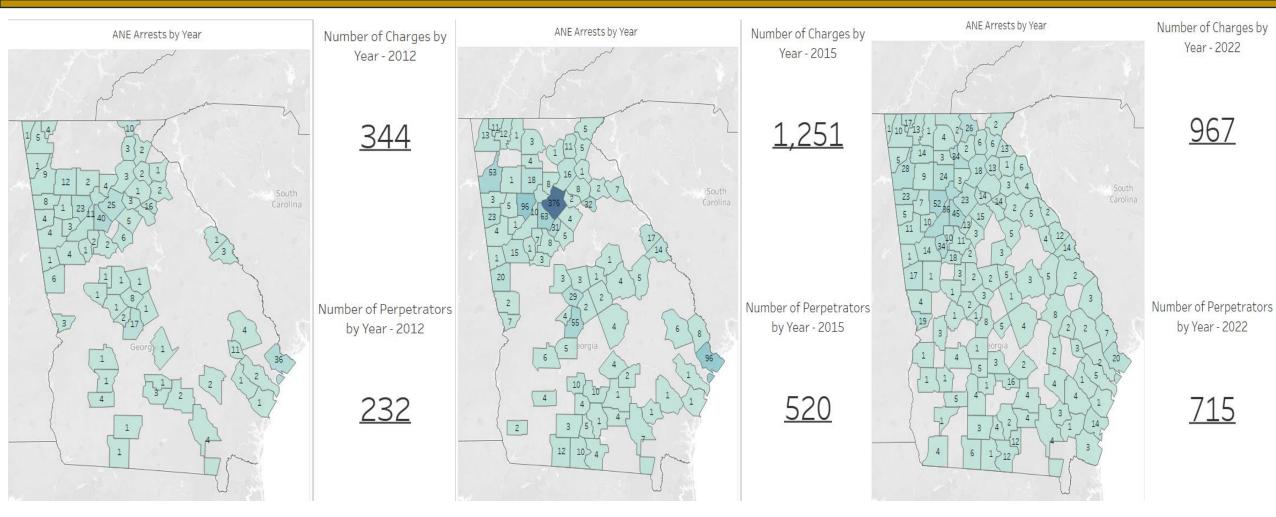
6,761





✓ 30-5-8(a)(1)(A) √ 30-5-8(a)(1)(B) ✓ 30-5-8(b) √ 31-7-12.1(g)

Count of Charges





Criminal Charges Fluctuate But Number Of Perps Continues To Grow



#### Obstacles Identified/Addressed:

#### Victim Services

Ongoing training to Victim/Witness Assistance Personnel & Prosecuting Attorney's Coursing Sacga)

Wrap Around Services – Victim Centered Investigations
GANE App assists with this for both LEO and APSWARE

Multi-Disciplinary Teams Created to ensure the same as smooth as possible







#### Connections

- Victim Advocate Academy- Introduced them to the concept of atrisk adult victims
- Human Trafficking Task Force- stable reminder that at-risk adults can be victims, too.
- Market our trainings to criminal justice-based victim advocates
- Join other task forces such as DV and SA to represent the needs of at-risk adults.

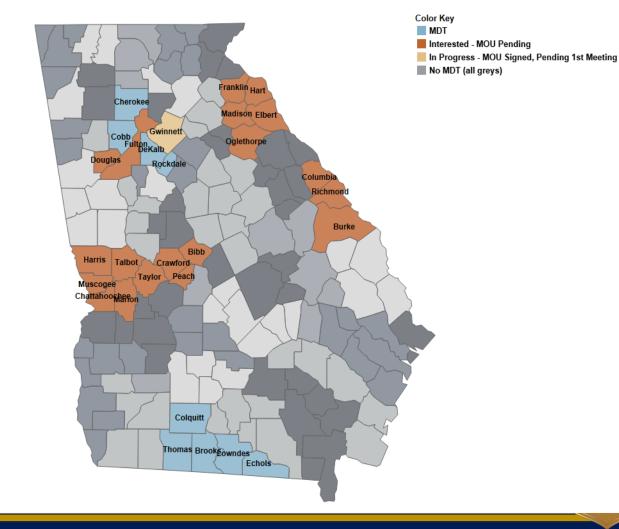




#### **Multidisciplinary Teams by Judicial Circuit**

As of November 2022

# Judicial Circuit Multidisciplinary Teams (MDT)





### **GANE APP:**



# GA Abuse, Neglect & Exploitation (GANE) App (GBI, DHS, Alzheimer's Assoc.)

- Agency: Reporting/Resources
- Contact: APS via app
- GA Law
- Placement Facilities
- Temp Emergency Relocation Funds TERF
- Missing Person
- Screenings:
  - ANE
  - Financial Capacity Instrument

Available on all platforms (IOS, Windows, Android)
<a href="http://eyeonapp.com">http://eyeonapp.com</a>



#### Obstacles Identified/Addressed:

#### **Multiple Jurisdictions**

Issue of prosecution when locations in multiple jurisdictions still is an issue but not as severe

- The venue for crimes against disabled adults & the elderly is where the victim resides, or a portion of the crime took place.
- Better training for prosecutors on the use of RICO
- 2023 HB 219 Enhanced venue in digital or electronic currency theft and money laundering, including electronic transfers of money





#### Obstacles Identified/Addressed:

#### Case Prosecution

 Prosecuting Attorney's Council (PAC) hired a specialized statewide prosecutor to assist local District Attorney's

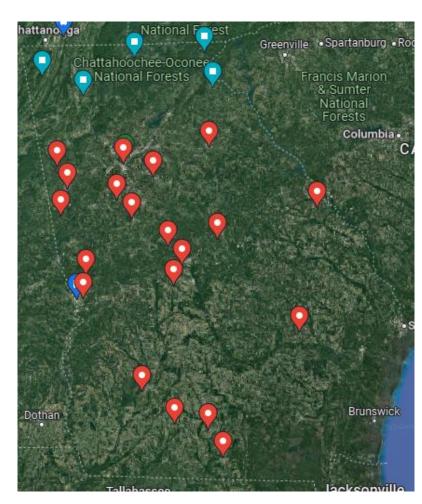
2017 HB 571 created a specialized elder and disabled adult abuse prosecutor (Will Johnson)

- Abuse, Neglect & Exploitation Training for Prosecutors by Prosecutors.
- Conflict Cases and assistance cases to local jurisdictions.
- Legislation review and advice during the session.
- Networking and case resource assistance.





### PROSECUTION LOCATIONS



Baldwin

Bibb

Monroe

Lowndes

Carroll

Muscogee

Clarke

Peach

Colquitt

Rabun

Cook

Richmond

Dougherty

Rockdale

Fannin

Fayette

**Fulton** 

uitori

Gordon

Haralson

Harris

Heard

**Spalding** 

**Stephens** 

**Toombs** 

Walker





# Community Partners













### The North GA Elder Abuse Task Force

(non-profit 501c3 foundation)

- Monthly and Quarterly Intel Networking Lunches with Law Enforcement & APS
- Radio and TV talks in rural communities
- Senior Center Educational Seminars about Scams

- One Day Trainings For Law Enforcement
- Case Assists for APS and Law Enforcement
- Free Scent Kits to Public Safety and APS



Joe Gavalis, Law Enforcement Coordinator



# Ongoing projects for the State, Local, & Federal Multidisciplinary Team

- **✓** GA Chiefs of Police White Paper
- ✓ Ongoing revisions to GA Law (Legislative Work Group)
- **✓** Benefits Trafficking codified
- ✓ Prosecutor's Manual
- Annual Public Safety Training
- ✓ Roll Call Training Video (project with IACP and GACP)
- Specialized ANE Unit at GBI with 15 Specialists
- ✓ State-wide ANE Prosecutor
- ✓ State-Wide Financial Exploitation Work Group
- ✓ Medical Examiner/Coroner Training







Attorney General
Chris Carr

# Georgia's Champions!



Wendall Willard, State Legislator



Sharon Cooper, State Legislator



Vernon Keenan, Former GBI Director



Former 1<sup>st</sup> Lady Sandra Deal

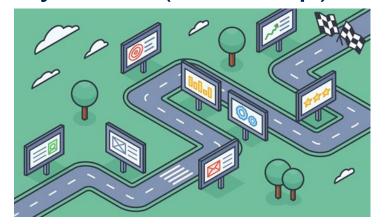


Pat King, Former FSIU Manager



### Roadmap Recommendations:

- Determine the status of crimes and resources in your state
- Be the Champion
- Research what agencies have to respond in protecting, investigating, and prosecuting
- Convene a meeting of stakeholders to determine their authority, roles and responsibilities
- Identify the obstacles they have (roadmap)







### **Questions?**

Anna Thomas, MS Gerontology, CACTS
Section Manager, Forensic Special Initiatives Unit
GBI Crimes Against Disabled Adults and Elderly (CADE) Task Force
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47 Trinity Ave. S.W., 1st Floor
Atlanta, Georgia 30334
anna.thomas1@dhs.ga.gov

Heather Strickland
Assistant Special Agent in Charge
Region Eleven Field Office
1170 U.S. Hwy 29 N
Athens, Georgia 30601
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WILLIAM D. JOHNSON
Prosecuting Attorneys' Council of Georgia
Adult Abuse, Neglect, and Exploitation Prosecutor
Juvenile Court Resource Prosecutor
wjohnson@pacga.org

