After Reporting Abuse
Brown Bag Thursday

Scott Phillips,
*MUI Investigative Unit, DODD*

Cindy Kuhr,
*Victim Specialist and Consultant*

Rocco Ross
*Detective, Stark County*

Welcome!
Before we begin...

Presenters will take questions
Type your questions in the webinar chat box

A recording will be posted
DODD Work Space, Webinar Catalog
http://dodd.ohio.gov/workspace/Pages/default.aspx

Continuing Professional Development Credit Hour
1 hour of CPD is available for viewing this live webinar in the following areas: Adult Services/Day Habilitation, Investigative Agent, Service and Support Administration, Superintendent and CBDD Board Members

CPD webinar attendance policy
• As of November 2015, participants must view the full hour in order to receive CPD credit. The full webinar policy is available on the DODD Work Space  http://dodd.ohio.gov/workspace/Pages/default.aspx
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Download the DODD App
http://dodd.ohio.gov/StayConnected/ed/Pages/default.aspx
After Reporting Abuse, Today’s Speakers:

Scott Phillips
MUI Investigations Unit

Cindy Kuhr
Victim Specialist

Rocco Ross
Detective, Stark County
Common signs, including subtle changes in behavior and activities

When and how to report suspected cases of abuse

Advocacy and other resources

A recording of the Signs and Symptoms of Abuse webinar is available in the DODD Webinar Catalog on the DODD Training Page.
After Reporting Abuse

Criminal investigation
- Conducted by law enforcement
- Establish offense

Administrative investigation
- Conducted by DODD or CBDD
- Investigative Agent
- Focus on cause and contributing factors and prevention planning
Phil and Billy live with one other roommate and share most of their services.

A pattern of verbal aggression has been escalating between Phil and Billy over the past few months.

Eventually things get out of control and Phil assaults Billy.

The provider at the home calls the police who respond immediately.

Billy had a significant black eye.
Scenario 1: Phil and Billy

Provider
- Attend to immediate needs of both
- Report MUI within 4 hours

Criminal investigation
- Phil admits to assaulting Billy
- Billy can choose to press charges, but declines to do so.
- Witness statements from provider and 3rd roommate

If no charges are filed, administrative investigation drives outcomes for Phil and Billy.
Agent has 30 working days to investigate and determine

*What happened?*
*Who was responsible?*
*Why did it happen?*

Investigation may include

Conducting interviews,
Reviewing witness statements and police reports

Focus on causes and contributing factors and prevention planning
Administrative Investigation

IA’s investigation revealed that Phil and Billy had a pattern of escalation and spend a significant amount of time together in the home.

An effective prevention plan would find ways to limit Phil and Billy’s time together to prevent the possibility of escalation in the future.

Review of services available for both Phil and Billy
Scenario 2: Daniel

Margo shows up to her evening shift at Daniel’s house.

A provider she had not met before was with Daniel for the day, substituting for his usual provider.

Margo didn’t get much information from the substitute provider in-person or in the day log that the team uses to communicate information about Daniel’s day.
Scenario 2: Daniel

Margo notices that Daniel is much quieter than usual Margo arrives.

Sensing something is wrong, Margo asks Daniel a few more question about how he spent his day than she normally would have.

Daniel tells Margo that the substitute provider slapped his face several times, yelled at him and insulted him.

Daniel shows some redness on his face, but no substantial physical marks.
Provider Responsibilities

Report MUI within 4 hours of discovery.

Report incident to manager/administrator of the provider agency.

Immediate action is critical.
Criminal Investigation

Investigation includes witness statements, pictures of red marks

Evidence standard for criminal investigation - *beyond a reasonable doubt*

Victim assistance can be implemented early in the process

Supportive services available through local Sheriff’s department and prosecutor’s office
Administrative Investigation

Evidence standard for an administrative investigation - *a preponderance of the evidence*

Abuser Registry - *clear and convincing evidence*

MUI Investigations

• **Substantiated**
  Determined by preponderance of the evidence. This means it is more likely than not the incident occurred.

• **Unsubstantiated**
  After a preponderance of the evidence there was either insufficient evidence that the incident occurred or no evidence that the incident occurred

Prevention plan would include steps for the provider agency
Regina’s daughter Michelle lives with her and has always provided most of Regina’s care.

Michelle’s boyfriend moves in recently and began intercepting Regina’s access to her medication and the Social Security Income Regina receives.
When Michelle broke her arm, Regina had need for a provider to come and assist her with some Homemaker Personal Care (HPC) needs.

When Judy came to provide services, Regina saw her chance to ask for help.

Regina tells Judy that she and Michelle do not feel that they are safe in their home.

Judy is, like all providers, a mandated reporter so she calls the police.
Abuse is often reported

- To an investigative agent
- To a Service and Support Administrator (SSA)
- By providers who know the person well
- By family members visiting the person

Concerns about situations that might involve abuse can be reported anonymously

- To a county board of developmental disabilities
- By calling the DODD Abuse and Neglect Hotline 1-866-313-6733
- Online at dodd.ohio.gov/reportabuse
Criminal Investigation

Felony charge for stealing from an individual with disabilities

Alleged drug abuse, drug trafficking

Charges for stealing Regina’s mail and her SSI benefits

Possible human trafficking violations

Evidence gathered might include
   Witness statements
   Pharmacy records
   Medication Admin. Records
   Banking records, etc.
Victim Assistance

Regina and Michelle report that they do not feel safe in their home.

A Victim’s Assistance program can

• Help them create a safety plan

• Provide domestic abuse counseling and support

• Help guide and support both Michelle and Regina through the criminal investigation through prosecution
Administrative Investigation

IA’s investigation aiding and supporting criminal investigation

Prevention plan might include
  Having a provider or other natural support come to the home regularly

Boyfriend could be on the abuser registry even if there is no criminal conviction
Laurel is 22 and living with her parents.

She recently started a job coaching program where she’s been working with Carrie, a career counselor.

They’ve spent about 25 hours a week together, with Carrie cheering Laurel on and providing lots of positive support.
Scenario 4: Laurel

When Laurel feels safe enough, she shares with Carrie that she is being sexually abused by someone in her home and that she doesn’t feel safe there.

Laurel asks Carrie not to tell anyone.
Victim’s Assistance

Getting the victim to safety

Getting them to a hospital
Sexual Assault
Nurse Examiner (SANE)

Getting advocacy involved right away
• Sparing the victim multiple interviews
• Long-term support through prosecution
• Closed-circuit testimony

Criminal Investigation

Evidence Gathering
Victim’s statement (with advocate)
Interviewing possible witnesses
Collecting physical evidence

Administrative Investigation

Carrie need to report the allegation within 4 hours to appropriate entities, including the police, CBDD, children’s services bureau

IA will address causes and contributing factors

Prevention plan would include ways to keep Laurel safe from her abuser who also lives at her home
Questions?
Don’t forget

CPD Certificates

For those viewing live
Certificates will be automatically emailed to registered attendees who have logged in today, Certificates may take up to 30 days.

Viewing with a group?
Use the attendance sheet to request CPD credit for groups audiences
- Ink signatures are not necessary, just supervisor name
- Certificates are unavailable 90 days after the webinar date

Group Attendance sheet:
https://docs.google.com/spreadsheets/d/1Olh8Z-AxJo6v1vesNMwt9f9GqlYFrpAjsH5uGhygPT0/edit?pli=1#gid=1152295534

Please note the CPD webinar attendance policy effective October 2015
• Participants must view the full hour rather than 75% of the hour
• Full text of the policy is available on the DODD Work Space
  http://dodd.ohio.gov/workspace/Pages/default.aspx
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Trauma Informed Care

March 31 @ noon

Watch for more information in Announcements on the DODD Training Page, and in the Work Space Update email.