A Guide for Individuals and Legal Representatives when an Allegation of Abuse or Neglect has Been Made

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CONNECTICUT
Developmental Services

A Guide for Individuals and Legal Representatives when an Allegation of Abuse or Neglect has Been Made*

**For purposes of this document, legal representative may include a legally appointed conservator or guardian.*

When there is an allegation or a claim of abuse or neglect, DDS's first priority is always to ensure that the individual is safe, secure, and receiving the supports they need.

We understand that this is a stressful time for both the individual and their legal representative. DDS is committed to ensuring a fair and thorough investigative process. *Please be aware the process might take several months.*

How are reports of abuse and neglect made?

- Allegations of abuse or neglect for individuals with an intellectual disability are called into the **Department of Developmental Services (DDS) Abuse Investigation Division (AID)** at 1-844-878-8923 for ages eighteen (18) and above.

- **Ages seventeen (17) and under:** Allegations of abuse or neglect involving individuals with an intellectual disability, ages seventeen (17) and under, will be reported to the **Department of Children and Families (DCF)** for investigation.

- **Ages eighteen (18) to fifty-nine (59):** Allegations of abuse or neglect for individuals with an intellectual disability, ages eighteen (18) to fifty- nine (59), will be handled through the DDS abuse and neglect investigative process as outlined below.

- **Ages sixty (60 and above):** Allegations of abuse or neglect involving individuals with an intellectual disability, ages sixty (60) and above, will also be reported to the **Department of Social Services (DSS).**

What happens after a report of abuse or neglect is made?

- **AID** writes a report called an "intake" with details about the allegation.

- The intake is sent to the Abuse/Neglect Liaison for the DDS region where the individual receives supports and the DDS Case Manager is notified.

- **AID** may also issue a request for an **Immediate Protective Services Plan (IPSP)** with recommendations to the **DDS** region to ensure the health and safety of the alleged victim(s). Recommendations may include, but are not limited to notifying the police, taking the alleged perpetrator off duty, a medical assessment for the alleged victim(s), and emergency respite services until the investigation is complete.

How/when are Legal Representatives notified?

- The **DDS** Case Manager of the alleged victim(s) will notify any Legal Representative(s) who is not the alleged perpetrator that an allegation of abuse/neglect has been made at the time the AID intake is received by the DDS region. If there is no **DDS** Case Manager assigned to the alleged victim, **DDS** regional staff will notify the Legal Representative(s).

- To protect the integrity of the investigation, the DDS Case Manager is able to provide Legal Representative(s) with limited information and is not given updates during an open investigation.

- If the Legal Representative is also the alleged perpetrator, their first contact may be from the **DDS** Case Manager who is addressing an **IPSP** request or an **AID** investigator.

Who conducts the investigation?

- If the individual receives supports from a private provider, investigations are generally conducted by the agency itself. Private provider agencies are required to have an adequate number of staff trained by the **DDS Division of Investigations (DOI)** to conduct investigations within their agencies.

- DDS also has a list of Connecticut licensed private investigators who have completed the **DOI** investigator training. Private providers may choose to hire a private investigator on their own. Funding for private investigators is limited, but DDS may also provide a private provider with one time funding-to hire a private investigator in cases where repeated allegations and investigations have occurred, or a serious conflict of interest exists.

- If the individual receives supports in a DDS operated facility, DOI will conduct the investigation.

- If the alleged abuse happens in a family home, or if the legal representative is the alleged perpetrator, AID will conduct the investigation.

Who can a Legal Representative contact about an open investigation?

- Questions or concerns regarding the status of an open investigation should be directed to the DOI Lead Investigator for the region. (Department of Developmental Services Division of Investigations (DDS DOI) Contact List). Limited information may be available to protect the integrity of the investigation.

- Questions about an ***Individual Protective Service Plan,*** **(IPSP)** should be directed to the Case Manager. If the Case Manager is unable to resolve the issue, the Regional Abuse/Neglect Liaison should be called.

What happens once the investigation is complete?

- The regional DOI staff and Regional Director or designee will review and approve all investigation reports submitted by investigating agencies/staff.

- Once this review process has been completed, the DDS Case Manager or regional designee will be notified by the Abuse/Neglect Liaison's office of the findings and recommendations.

- The DDS Case Manager will then inform the alleged victim and any Legal Representative(s) of the outcome of the investigation and recommendations made as long as the legal representative is not the alleged perpetrator.

- According to Conn. Gen. Stat § 46a-11c (a), the person filing the report of abuse or neglect shall be notified of the findings upon such person's request.

How can a Legal Representative obtain information about a completed investigation?

- Requests for ***redacted*** investigation reports by a parent or legal representative who is not the subject of an investigation must made in writing/email to the Regional Director.

- According to Connecticut State Law, investigation reports cannot be obtained by a Freedom of Information request.

- Releases of ***redacted*** investigation reports to others may be released by the presentation to DDS of a valid court order or subpoena. An exception would be, as noted above, in cases where the Legal Representative is the alleged or substantiated perpetrator of the abuse or neglect, or residing with the alleged or substantiated perpetrator.