

California Consistency in Determining Findings Transfer of Learning

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Consistency in Determining Findings Transfer of Learning (TOL)

Objective:

This Transfer of Learning (TOL) Packet is designed as a companion to the [*California Consistency in Determining Findings Instructor Led Training \(ILT\) Skill Building curriculum*](#). This TOL includes two activities on evaluating evidence, and one activity on documentation. All activities in this packet may be completed using the case vignette in Activity #2 or using your own cases.

How to Use:

This TOL packet can be used in a variety of settings to include:

- During instructor led training with support from a facilitator
- During supervision to coach staff when using the *Consistency in Findings* Matrix to determine findings
- Unit Meeting as a group activity with guidance from a Supervisor or lead staff
- Individually with follow-up from a Supervisor or trusted peer

Activity #1: Evaluating Evidence

Purpose:

The Guiding Principles of *Consistency in Findings* tell us that our findings should be a reflection of the evidence gathered during the investigation. It is important for APS professionals to be skilled in evaluating the quality of the evidence gathered. This exercise will help APS professionals identify and rate the quality of each piece of evidence in a case.

The higher the score given for a piece of evidence, the higher the quality of evidence. Evidence with a higher rating, or higher quality, should be weighed more heavily than lower rated evidence. The concept of “higher quality” can also be attributed to evidence pointing to unfounded.

Evidence can be rated 1 (weakest) to 3 (strongest) towards a finding of unfounded or confirmed. For this exercise we will not be rating evidence for an inconclusive finding because inconclusive is usually used when there is not enough evidence or the evidence is conflicting.

*There is no “right” answer for these, so just use your best judgement. This exercise is not meant to be a standardized tool, but rather a guide to use when you are thinking about the evidence you have gathered.

Instructions:

You can use your own case or the case vignette in Activity #2 for this exercise.

1. Review Table 1: Scale of Strength. Table 1 demonstrates what weak and strong evidence may be rated for a physical abuse allegation. The top row has examples of elements rated as weak, neither weak nor strong, or strong for a confirmed finding. In the second row there is the same rating scale with examples for an unfounded finding.
2. Review Table 2: Worksheet Rating Sample. Table 2 demonstrates how to use a worksheet to rate your evidence and come to a finding using a self-neglect case.
3. Use the case vignette on Gregory G. or your own case to fill out the Handout: Worksheet Rating Exercise to enter your evidence, rating and finding.

Table 1: Scale of Strength: With an example of an allegation of *physical abuse*.

1 (Weak)	2 (Neither weak nor strong)	3 (Strong)
Examples for a CONFIRMED Finding: -Report from a family member who may have their own agenda -3rd party reports from someone not involved in the situation	Examples for a CONFIRMED Finding: -Client states that they “get in trouble” with the A/P but does not elaborate further	Examples for a CONFIRMED Finding: -Recent bruise with a specific pattern -Clear video with timestamp of the abuse occurring
1 (Weak)	2 (Neither weak nor strong)	3 (Strong)
Examples for an UNFOUNDED Finding: -No injuries or bruises were seen on the client’s body	Examples for an UNFOUNDED Finding: -Client’s demeanor does not change when A/P suddenly enters the room -Client denies any abuse	Examples for an UNFOUNDED Finding: -Client and another family member separately state that RP wants A/P to move out of the client’s home so the RP falsely reported A/P for physical abuse.

Table 2: Worksheet Rating Sample: With an example of an allegation of self-neglect.

Evidence	Rating	Finding
Client missed last 2 medical appointments	3	Confirmed
Client reports that he does not like going to see his doctor	3	Confirmed
APS professional observed empty medication bottles in the home	3	Confirmed
Family states that client does not tell them about his medical appointments	2	Confirmed
Client reports he does eat enough; however, RP states client chooses unhealthy food	1	Unfounded

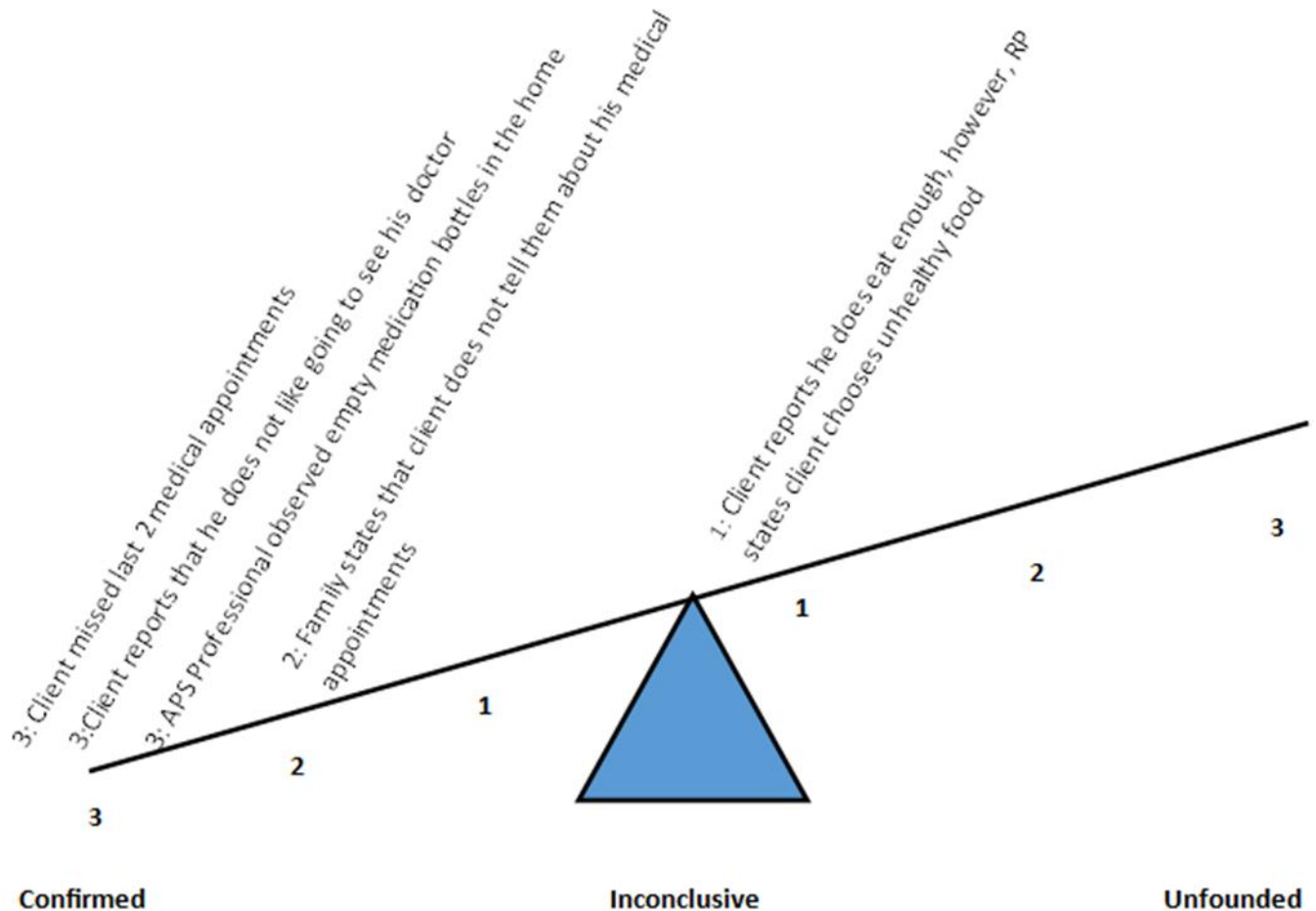
Handout: Worksheet Rating Exercise: (APS professional complete with their own case information)

Evidence	Rating	Finding

Evidence Scale

Another way of looking at evidence is by placing it on a scale. The rating indicates how far from the middle the evidence should be placed. Any rating 1, 2, or 3 can suggest that the allegations are confirmed or unfounded.

Using the self-neglect example above, this is what the evidence would be rated:



The placements of the evidence are on the scale. Since we rated "Client reports he does eat enough, however, RP states client chooses unhealthy food" a one, the placement of that evidence will be placed closer to the center of the scale which is closer to inconclusive. And since we rated "client missed last two medical appointments", "Client reports that he does not like going to see his doctor", and "APS professional observed empty medication bottle in the home" are all rated three's, they are listed further out from the Inconclusive center of the balance image. The last evidence of "family states that client does not tell them about his medical appointments" was rated a two and will sit closer than the three ratings.

Even though there is one piece of evidence that suggests the allegation is unfounded, there are more, higher-rated (stronger) evidence that suggests the allegation is confirmed. Remember that we use *Preponderance of Evidence* as our burden of proof. For the example above, the allegation of Self-Neglect would be confirmed.

Inconclusive findings apply only when the other two findings are not met. Inconclusive is not intended to serve as default finding. A finding of Inconclusive would be appropriate if there is not enough evidence to suggest either Confirmed or Unfounded. Another instance when Inconclusive would be appropriate is when the scale is perfectly balanced. For example, you have one piece of weak evidence, rating 1, suggesting Confirmed and another piece of weak evidence, suggesting Unfounded.

Discussion Questions:

1. How difficult was it to rate each piece of evidence? Why?
2. Are there any other sources of relevant information or evidence?
3. Did rating the evidence help determine the quality of the evidence?
4. Did rating the evidence help guide you to findings for the allegation?

Activity #2: Worksheet

Purpose:

Using the *Consistency in Findings Matrix* can seem daunting at first. This worksheet is designed to increase comfort level while using the Matrix.

Instructions:

1. As you read the following case vignette, write down each piece of evidence you identify.
 - a. You will add these to the "signs of abuse" column in the worksheet on page 8.
2. After the "signs of abuse" column is completed, think about any evidentiary issues relating to each piece of evidence listed in the "signs of abuse" column, then write those in the "evidentiary issues" column.
3. Please refer to the *Consistency in Findings Matrix* for examples.
4. The first piece of evidence has been completed in the chart for you.
5. This exercise is not meant to be a standardized tool, but rather a guide to use when you are thinking about the evidence you have gathered.

Definitions:

- Signs of Abuse: Abuse indicators are observable signs that you can see/hear/smell that may indicate that abuse is occurring. Indicators may be physical, behavioral, or environmental.
- Evidentiary Issues to Consider: This section will guide your thinking about the case information to achieve a more balanced evaluation of the evidence. In other words, this conceptualization will help you analyze some of the more complex and/or ambiguous issues which may or may not contribute to the abuse allegations.

Case Vignette: Gregory G.

A referral is received for Gregory G. (he/him) who is an 82-year-old widower. The Reporting Party (RP) is the client's son, Henry (he/him), who lives out of state. The RP states that when he spoke to his father yesterday, the client informed him that his "friend," Kerri (she/her), the Alleged Perpetrator (A/P), moved in with him a week ago. The RP states that the client met Kerri about a month ago at a coffee shop near his apartment. The client receives subsidized housing benefits through Section 8 and may be at risk of losing his housing if the A/P remains

living with him without it being reported to his Section 8 worker. The RP states that he suspects the A/P is misusing substances and is "siphoning" money from the client but the RP could not provide any specific examples.

During the face-to-face visit you are able to meet with Gregory in private as the A/P is not present. He tells you that he needs assistance with minor housekeeping, laundry, and grocery shopping. He met Kerri, the A/P at a coffee shop he walks to every morning. She needed a place to stay after leaving her abusive husband, so the client offered her a place to live in exchange for caregiving assistance. The client states he plans on speaking to his Section 8 worker and adding the A/P to his lease as his caregiver. The client tells you that he trusts the A/P and he does not believe she would steal from him or take advantage of him.

The following day at 10am you call the A/P on the phone, who presents with slurred speech. She confirms that she met the client at a coffee shop. She states that she was in a "bad situation" but the client offered her a place to stay in exchange for some help around the home, so she agreed. You ask the A/P if she is currently under the influence of a substance. She laughs and states "yeah, I had a couple of drinks a little while ago". She goes on to say that she would never steal from the client because he is her friend. You ask the A/P if she has any income, and she states that she is waiting for her disability case to be approved and currently she only has Electronic Benefit Transfer (EBT) public assistance benefits. She adds that she makes some money on the side by making and selling jewelry.

As part of your investigation, you obtain the client's bank statements for the last four months. The last bank statement shows that client only has \$242.00 left in his account. There were three large cash withdrawals of \$600.00 each in the last two weeks, which does not reflect client's spending pattern seen in the previous three months.

Allegation: *Financial Abuse*

Signs of Abuse	Evidentiary Issues to Consider
There were three large cash withdrawals which do not reflect client's spending pattern over the previous three months.	A/P has no formal income, only EBT and selling jewelry, but you do not know how much she makes.

Discussion Questions:

1. How comfortable do you feel with assigning a finding to the allegation of financial abuse (or the allegation you chose from a different case)?
2. If not comfortable, what other information would increase your confidence in your finding?
3. Based upon your evaluation of the evidence in this case, what would your findings be?

Activity #3: AFTER

Purpose:

While it is important to be able to apply the Matrix to evaluate the evidence in your investigations, it is also important to be able to accurately document how you came to your findings.

The AFTER acronym is not meant to replace your own unique writing style. Instead, it is meant to be used as a tool to help organize your investigation and findings. If you typically use dot points, or a paragraph narrative, you can still use AFTER to organize your case information at the end of your investigation.

Instructions:

Using either your own case or the case vignette in Activity #2, write up a narrative using the acronym AFTER:

Abuse Type

Findings Determination

Theory of events that led up to the allegation

Evidence that supports your finding

Required Action

**Our Why:
Revolutionize the way
people work to ensure
the world is a healthier
place.**



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