

### DECISION MATRIX FOR REPORTING TO LAW ENFORCEMENT (4/19/12)

(Note: This matrix directly corresponds with OPWDD'S *Protocol for Reporting Potential Crimes to Law Enforcement* dated 8/18/11).

Description of Incident	Exceptions/Definitions	By staff, intern, contractor, consultant, volunteer	By another person receiving services to another	Report to Law Enforcement	
				YES	NO
Intentionally hitting, slapping, pinching, kicking, hurling, strangling, shoving...whether or not such action causes injury.	Exception- if the action is taken to prevent injury.  Physical injury means impairment of physical condition or substantial pain.	<b>X</b>		<b>X</b>  (unless exception applies)	
Intentionally hitting, slapping, pinching, kicking, hurling, strangling or shoving...intends to cause physical injury to the other and causes such physical injury.	Physical injury means impairment of physical condition or substantial pain.		<b>X</b>	<b>X</b>	
Unauthorized or unnecessary use of restrictive personal intervention techniques... including using more physical force than necessary...likely to cause... injury.		<b>X</b>		<b>X</b>	
Unauthorized or inappropriate use of restraint... knowingly acting in a manner likely to cause physical or mental injury.	Includes use of mechanical restraining devices and/or medication.	<b>X</b>		<b>X</b>	
Other misconduct directed at a person receiving services that includes verbal threats, screaming, taunting, or shouting with intent to cause ridicule, humiliation, scorn, contempt, pain...		<b>X</b>		<b>X</b>	
Staff, intern, contractor, consultant, volunteer knowingly acts or fails to act, in a manner likely to be injurious to physical or mental welfare of an individual		<b>X</b>		<b>X</b>	
Death of a person receiving services not due to natural causes				<b>X</b>	
Theft and property crimes against individuals receiving services		<b>X</b>	<b>X</b>	<b>X</b>	

**DECISION MATRIX FOR REPORTING TO LAW ENFORCEMENT (4/4/12)**

(Note: This matrix directly corresponds with OPWDD'S *Protocol for Reporting Potential Crimes to Law Enforcement* dated 8/18/11)

Description of Incident	Exceptions/ Definitions	By staff, intern, contractor, consultant, volunteer	By another person receiving services to another	Capable of Consent		NOT capable of Consent		Report to Law Enforcement	
				<u>Only One</u>	<u>Both</u>	<u>Only One</u>	<u>Both</u>	YES	NO
<p>Any sexual abuse as defined by paragraph 624.4(c)(2) that involves a person receiving services and an employee, intern, consultant, contractor or volunteer.</p> <p>Any sexual contact between a person receiving services and a person not receiving services who is not an employee, intern, consultant, contractor or volunteer of an agency in which it is unknown if the person receiving services has the capacity to consent to sexual activity and a sexual consent determination has not been completed within 24 hours.</p>	<p>Exception - when a person with developmental disabilities was a service recipient and became an employee of a service provider and/or had a preexisting relationship with another service recipient.</p>	<b>X</b>						<b>X</b> (unless exception applies)	
								<b>X</b>	

**DECISION MATRIX FOR REPORTING TO LAW ENFORCEMENT (4/4/12)**

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Description of Incident	Exceptions/ Definitions	By staff, intern, contractor, consultant, volunteer	By another person receiving services to another	Capable of Consent		NOT capable of Consent		Report to Law Enforcement	
				<u>Only One</u>	<u>Both</u>	<u>Only One</u>	<u>Both</u>	YES	NO
Any sexual contact between two persons receiving services in which one person's capacity to consent to sexual activity is unknown and a sexual consent determination has not been completed within 24 hours.			<b>X</b>					<b>X</b>	
Any sexual contact between two persons receiving services in which one person uses force or coercion.			<b>X</b>					<b>X</b>	
Any sexual contact between two persons receiving services in which both persons have the capacity to consent to sexual activity and no force or coercion is used.			<b>X</b>		<b>X</b>				<b>X</b>
Any sexual contact between two persons receiving services in which both persons do NOT have the capacity to consent to sexual activity and no force or coercion is used.			<b>X</b>				<b>X</b>		<b>X</b>

**DECISION MATRIX FOR REPORTING TO LAW ENFORCEMENT (4/4/12)**

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Description of Incident	Exceptions/Definitions	By staff, intern, contractor, consultant, volunteer	By another person receiving services to another	Capable of Consent		NOT capable of Consent		Report to Law Enforcement	
				<u>Only One</u>	<u>Both</u>	<u>Only One</u>	<u>Both</u>	YES	NO
Any sexual contact between a person receiving services and another person who is not receiving services and not a staff, intern, contractor, consultant or volunteer, in which the person receiving services does NOT have the capacity to consent to sexual activity.						<b>X</b>		<b>X</b>	