

ATTORNEYS AND LAW ENFORCEMENT CORE MEMBERS OF FATALITY REVIEW TEAMS

Adult Protective Services 2022



ESTABLISHMENT OF ILLINOIS FATALITY REVIEW TEAMS (FRTs)

FRTs have been authorized under the Adult Protective Services (APS) program since 2008.

Illinois Fatality Review Team Advisory Council



Regional Interagency Fatality Review Teams

This advisory council and its regional teams represent state and local community commitment to prevent the abuse, abandonment, neglect, and financial exploitation of at-risk adults.

ESSENTIAL FRT MEMBERS

- Illinois Department on Aging/APS
- Medical Examiner/Coroner
- Prosecutor
- Law Enforcement
- Forensic Units
- Local Health Departments
- Health Care/Social Service Agency serving persons with mental illness
- Health Care/Social Service Agency serving persons with developmental disabilities
- Local hospital, Trauma Center, or provider of emergency medicine
- In-home and community-based service providers for eligible adults
- Physician, Psychiatrist, or other knowledgeable health care provider

OTHER TEAM MEMBERS

- Aging/Disability services
- Domestic Violence Program
- Elder Law
- Emergency Services (such as Firefighters, Emergency Medical Services, and other First Responders)
- Facility Regulators (includes Long Term Care Facility, Assisted Living Facility, and Hospital Regulators)
- Financial Services
- Forensic Psychiatrists, Gerontologists, and Geriatricians
- Funeral Home Director
- Hospital Discharge Planner
- Legislator
- Long Term Care Ombudsman Program
- Medicaid Fraud Control Unit
- Probate

FRTs AT WORK . . .

- Helping to improve our understanding of why older adults and adults with disabilities die from abuse and neglect.
- Identifying gaps in services under the criminal justice and social services systems.
- Improving methods for investigating suspicious deaths.

WHAT IS A “SUSPICIOUS DEATH”?

A “Suspicious Death” is any instance in which an APS service provider agency has reason to believe that the death of an individual (aged 60 years of age or older or an adult with a disability aged 18-59) may be the result of abuse, abandonment, or neglect.

Includes:

- Deaths caused by blunt force trauma
- Deaths occurring in an undetermined manner

FRTs = A POWERFUL PUBLIC COMMITMENT

“When an at-risk adult dies, the response to the death by the community, law enforcement, and the state must include an accurate and complete determination of the cause of death, and the development and implementation of measures to prevent future deaths from similar causes.” 320 ILCS 20/15(a)[2]

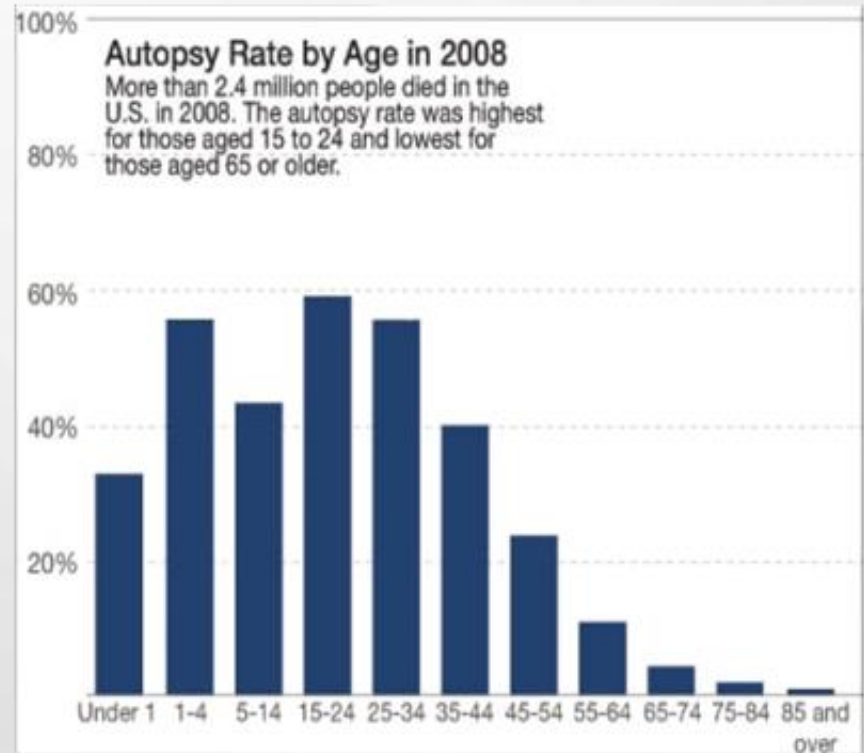
SUSPICIOUS ELDER DEATHS ARE RARELY INVESTIGATED

SOURCE:

GONE WITHOUT A CASE: SUSPICIOUS ELDER DEATH RARELY INVESTIGATED

LINK:

[HTTPS://WWW.PROPUBLICA.ORG/ARTICLE/GONE-WITHOUT-A-CASE-SUSPICIOUS-ELDER-DEATHS-RARELY-INVESTIGATED](https://www.propublica.org/article/gone-without-a-case-suspicious-elder-deaths-rarely-investigated)



ATTORNEYS AND LAW ENFORCEMENT ON FRTs

YOUR INVOLVEMENT IS IMPORTANT:

- Attorneys and law enforcement have specialized professional training.
- Your expertise enhances the analysis undertaken in case discussions relating to abuse prevention efforts.
- Your involvement strengthens collaboration, communication, and engagement to improve investigations and interventions in the criminal justice and social services systems.



Meetings are held 4 times per year.



Meetings typically last 1-2 hours.



Meetings can be attended in person or virtually.



Individual FRT cases are discussed in a closed or executive session.

MEETINGS

OPEN MEETINGS ACT AND FREEDOM OF INFORMATION ACT

FRTs are a “public body” under the Open Meetings Act.
See 5 ILCS 120/1 and 320 ILCS 20/15(d-5).

Members of fatality review teams must complete the open meetings act training located on the Illinois Attorney General’s website at:

<https://foiapac.ilag.gov/>

FRT records are exempt from release under the Freedom of Information Act.
See 5 ILCS 140/7.5(z) and 320 ILCS 20/15(d-5).

CONFIDENTIALITY

Documents and communications shared within, produced by, and created for use relating to FRT cases are confidential.

- Limited use is permitted for criminal prosecution of caregivers.
- Subject to discovery or subpoena, and are admissible as evidence, to the extent otherwise available to the public.

Members may share pertinent confidential/privileged information about a decedent with others on the FRT.

- Limited waiver is permitted for privileged communications between domestic violence advocates/counselors and domestic violence victims under the Illinois Domestic Violence Act of 1986.

INFORMATION-SHARING AND OTHER PROTECTIONS

A Coroner's or Medical Examiner's Office may share medical records relating to a death investigation with FRTs.

FRT members are not subject to examination, in any civil or criminal proceeding, concerning information presented to members or opinions formed by members based on that information.

FRT members are protected for all their acts, omissions, decisions, or other conduct arising out of the scope of their service on the review team or advisory council, except those involving willful or wanton misconduct, under the state employee indemnification act. 5 ILCS 350/1(b).

FRT CASE REVIEWS DURING CLOSED SESSIONS

INFORMATION IS PRESENTED ABOUT AN INDIVIDUAL, ANY PRE-EXISTING VULNERABILITIES, LIVING SITUATION, AND/OR RELATED CIRCUMSTANCES TO HELP UNDERSTAND THE CAUSAL PATHWAY THAT LED TO DEATH.

THE FRT DISCUSSES SERVICES THAT THE PERSON, FAMILY, AND/OR CAREGIVERS USED PRIOR TO THE INDIVIDUAL'S DEATH.

SERVICES INCLUDE BOTH FORMAL AND INFORMAL IN-HOME AND COMMUNITY-BASED ASSISTANCE, AS WELL AS ASSISTANCE PROVIDED BY FIRST RESPONDERS.

THE FRT DISCUSSES IDEAS TO IMPROVE SERVICES, THE DELIVERY OF SUPPORTS, AND/OR THE CRIMINAL JUSTICE AND SOCIAL SERVICES SYSTEMS.

APS FRT MEMBERSHIP

If you would like to serve on a fatality review team in your area, please contact your local adult protective services provider agency.

VISIT:

[HTTPS://WEBAPPS.ILLINOIS.GOV/AGE/PROVIDERPROFILESEARCH](https://webapps.illinois.gov/age/providerprofilesearch)

OR

CALL: 1-866-800-1409