



County of San Bernardino
Department of Aging and Adult Services

**TO REPORT ELDER OR DEPENDENT
ADULT ABUSE CALL:
1-877-565-2020
24 hours per day,
7 days per week, Toll-free**

**Penal Codes (PC) Relating to Elders and Dependent
Adults**

PC Section 368 (b)(1) - Any person who, under circumstances likely to produce great bodily harm or death, willfully causes or permits any elder or dependent adult, with the knowledge that he/she is an elder or dependent adult, to suffer, or inflicts physical pain or mental suffering, or has the care or custody of an elder or dependent adult and willfully causes or permits the person or health of the elder or dependent adult to be injured or placed in a situation where his/her person or health is endangered, is punishable by imprisonment in a county jail or state prison.

PC Section 368 (c) - Any person who, under circumstances or conditions other than those likely to produce great bodily harm, or death, who violates the law described in **PC 368 Section (b)(1)** is guilty of a misdemeanor.

PC Section 368 (d) - Any person, not a caretaker, who violates the law proscribing theft, embezzlement, forgery, or fraud, or who violates **PC Section 530.5** proscribing identity theft regarding the property or personal identifying information of an elder or dependent adult, or who knows or reasonably should know that a victim is an elder or dependent adult, when the value of property taken does not exceed \$950, is punishable by imprisonment in the county jail, a fine not exceeding \$1,000 or a fine and imprisonment. When the value of property taken exceeds \$950, the person is punishable by imprisonment in a county jail or state prison.

PC Section 368 (e) - Any caretaker of an elder or dependent adult who violates the law described in PC Section 368 (d) when the value of property taken exceeds \$950 is punishable by imprisonment in the county jail or state prison. When the value of property taken does not exceed \$950, it is punishable by imprisonment in the county jail, a fine not exceeding \$1000, or both a fine and imprisonment.

PC Section 368 (f) - Any person who falsely imprisons an elder or dependent adult by use of violence, menace, fraud, or deceit is punishable by state imprisonment.