

1 S.190

2 Senator Vyhovsky moves that the bill be amended by adding a Sec. 2a to
3 read as follows:

4 Sec. 2a. 24 V.S.A. § 1940 is amended to read:

5 § 1940. SPECIAL INVESTIGATIVE UNITS; BOARDS; GRANTS

6 (a) Pursuant to the authority established under section 1938 of this title, and
7 in collaboration with law enforcement agencies, investigative agencies,
8 victims' advocates, and social service providers, the Department of State's
9 Attorneys and Sheriffs shall coordinate efforts to provide access in each region
10 of the State to special investigative units ~~which~~ that:

11 (1) shall investigate:

12 (A) an incident in which a child suffers, by other than accidental
13 means, serious bodily injury as defined in 13 V.S.A. § 1021; and

14 (B) potential violations of:

15 (i) 13 V.S.A. § 2602 (lewd or lascivious conduct with child);

16 (ii) 13 V.S.A. chapter 60 (human trafficking);

17 (iii) 13 V.S.A. chapter 64 (sexual exploitation of children);

18 (iv) 13 V.S.A. chapter 72 (sexual assault); and

19 (v) 13 V.S.A. § 1379 (sexual abuse of a vulnerable adult); and

20 (2) may investigate:

21 (A) an incident in which a child suffers:

1 (i) bodily injury, by other than accidental means, as defined in 13
2 V.S.A. § 1021; or

3 (ii) death;

4 (B) potential violations of:

5 (i) 13 V.S.A. § 2601 (lewd and lascivious conduct);

6 (ii) 13 V.S.A. § 2605 (voyeurism); and

7 (iii) 13 V.S.A. § 1304 (cruelty to a child); and

8 (3) may assist with the investigation of other incidents, including
9 incidents involving domestic violence and crimes against vulnerable adults.

10 (b) Any interview of a child pursuant to this section shall be electronically
11 recorded. As used in this subsection, “electronically recorded” means an audio
12 and visual recording that is an authentic, accurate, unaltered record of the
13 interview.

14 (c) A special investigative unit organized and operating under this section
15 may accept, receive, and disburse in furtherance of its duties and functions any
16 funds, grants, and services made available by the State of Vermont and its
17 agencies, the federal government and its agencies, any municipality or other
18 unit of local government, or private or civic sources. Any employee covered
19 by an agreement establishing a special investigative unit shall remain an
20 employee of the donor agency.

1 ~~(e)~~(d) A Special Investigative Unit Grants Board is created, which shall
2 comprise the Attorney General, the Secretary of Administration, the Executive
3 Director of State’s Attorneys and Sheriffs, the Commissioner of Public Safety,
4 the Commissioner for Children and Families, a representative of the Vermont
5 Sheriffs’ Association, a representative of the Vermont Association of Chiefs of
6 Police, the Executive Director of the Center for Crime Victim Services, and the
7 Executive Director of the Vermont League of Cities and Towns. Special
8 investigative units organized and operating under this section may apply to the
9 Board for a grant or grants covering the costs of salaries and employee benefits
10 to be expended during a given year for the performance of unit duties as well
11 as unit operating costs for rent, utilities, equipment, training, and supplies.
12 Grants under this section shall be approved by a majority of the entire Board
13 and shall not exceed 50 percent of the yearly salary and employee benefit costs
14 of the unit. Preference shall be given to grant applications which include the
15 participation of the Department of Public Safety, the Department for Children
16 and Families, sheriffs’ departments, community victims’ advocacy
17 organizations, and municipalities within the region. Preference shall also be
18 given to grant applications which promote policies and practices that are
19 consistent across the State, including policies and practices concerning the
20 referral of complaints, the investigation of cases, and the supervision and
21 management of special investigative units. However, a sheriff’s department in

1 a county with a population of fewer than 8,000 residents shall upon application
2 receive a grant of up to \$20,000.00 for 50 percent of the yearly salary and
3 employee benefits costs of a part-time special investigative unit investigator,
4 which shall be paid to the department as time is billed on a per hour rate as
5 agreed by contract up to the maximum amount of the grant.

6 ~~(d)~~(e) The Board may adopt rules relating to grant eligibility criteria,
7 processes for applications, awards, and reports related to grants authorized
8 pursuant to this section. The Attorney General shall be the adopting authority.