
**Report to
The Vermont Legislature**

Child Abuse Reports to Law Enforcement

**In Accordance with 2015 Act 60 Sec 22(d): An act relating to improving
Vermont's system for protecting children from abuse and neglect**

Submitted to: House Committee on Human Services
House Committee on Judiciary
Senate Committee on Judiciary
Senate Committee on Health and Welfare
Joint Legislative Child Protection Oversight Committee

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**AGENCY OF HUMAN SERVICES
Department for Children and Families**

Child Abuse Reports to Law Enforcement

In 2015, the Legislature passed Act 60 into law. This comprehensive legislation aimed to improve the State's approach to prevent and protect children from child abuse and neglect. Section 22(d) of this Act directed the Commissioner of the Department for Children and Families (DCF) to report to the House and Senate Committees on Judiciary, the House Committee on Human Services, the Senate Committee on Health and Welfare, and the Joint Legislative Child Protection Oversight Committee on the reports it makes to law enforcement pursuant to 33 V.S.A. §4915(g).

Act 60 amended 33 V.S.A. § 4915 with the following language:

(g) The Department's shall report to and receive assistance from appropriate law enforcement in the following circumstances:

- (1) Investigations of child sexual abuse by an alleged perpetrator 10 years of age or older;
- (2) Investigations of serious physical abuse or neglect requiring emergency medical care, resulting in death, or likely to result in criminal charges;
- (3) Situations potentially dangerous to the child or Department worker; and
- (4) An incident in which a child suffers:
 - (A) Serious bodily injury as defined in 13 V.S.A § 1021, by other than accidental means; and
 - (B) Potential violations of:
 - (i) 13 V.S.A. §2602 (lewd and lascivious conduct with child);
 - (ii) 13 V.S.A. chapter 60 (human trafficking);
 - (iii) 13 V.S.A. chapter 64 (sexual exploitation of children); and
 - (iv) 13 V.S.A. chapter 72 (sexual assault).

In FY 16, DCF made the following reports to law enforcement:

- Investigations of child sexual abuse per 33 V.S.A. §4915(g)(1) and (4) – 636 cases. Of this number, DCF substantiated 171 cases.
- Investigations of serious physical abuse or neglect per 33 V.S.A. §4915(g)(2) – 27 cases. Of this number, DCF substantiated 4 cases.

DCF has a “Police Assist” check off on their Child Abuse Report which is filled out at the end of the investigation phase of the case. The total number of 366 Police Assists recorded for FY16.

DCF does not track the reasons why law enforcement may not assist. There may be instances that law enforcement has indicated to our staff that the information provided in our reports does not indicate a crime occurred. For example, DCF investigates situations involving youth where the alleged behavior may be inappropriate, but not criminal.

The DCF data collection system does not have the capacity to track reports to law enforcement that arose from situations potentially dangerous to the child or the DCF worker per 33 V.S.A. §4915(g)(3). The mechanism for collecting the data referenced above is the completion of a data form at the conclusion of an investigation or assessment. As such, police assistance to workers assigned to on-going cases is not currently possible to track. Anecdotally, DCF District Offices report strong relationships with law enforcement, and that they do call for assistance when needed and that law enforcement is responsive.

If the number of substantiated cases as compared to the number of law enforcement assists is any indication, DCF and law enforcement are co-investigating at an expected rate. However, without a more accurate means of collecting and tracking this data, DCF cannot offer a confirmed conclusion at the time of this report.

As indicated, one of the challenges for DCF is our inability to add new data fields to our current data collection system. As policy changes and evolves, so must our data collection tools in order to conduct data-driven analysis of our policy and practice.