

January 27, 2015

To: Senators Claire Ayer
From: Eilis O’Herlihy, Executive Director, NASW-VT
Re: S. 9 An act relating to improving Vermont’s system
for protecting children from abuse and neglect

Thank you for your dedicated work and attention to issues relating to Vermont’s child protection system. I am writing on behalf of NASW-VT, the professional association for social workers. We have over 450 members statewide, many of whom work within or alongside the systems charged with keeping Vermont’s children safe.

It is with our dedicated members in mind that I am writing to you concerning Senate Bill S. 9 “An act relating to improving Vermont’s system for protecting children from abuse and neglect”. There are several provisions within the current bill which are concerning to our members. Those include:

- **Concern #1: Including social workers within the scope of who is authorized to take children into custody.** Currently, social workers work alongside law enforcement officers who are charged with taking children into custody. Changing this practice to include case workers would jeopardize the safety of caseworkers, and create major barriers to the establishment of trust and communication between caseworkers and the families they serve.
- **Concern #2: Creation of “Failure to Protect a Child” felony crime.** This new language exposes mandated reporters and parents/guardians to new criminal liability if they “should have known” about a child abuse/neglects situation and failed to report. This language is vague and broad. In addition, we are concerned that exposure to criminal prosecution could deter caregivers or guardians from seeking help and assistance – especially those who may be struggling with substance addiction, or victims of interpersonal violence.
- **Concern #3: Expansion of information release.** Release of information regarding child abuse and neglect reports should be thoughtful and balance the rights of the public, the interests of the child and the privacy rights of caregivers.
- **Concern #4: Qualifications and expertise.** NASW-VT believes that a Masters in Social work guarantees a particular level of experience and education. The current language of the bill requires that individuals “assigned to carry out investigations have a Masters of Social Work or an equivalent degree, or relevant experience”. We feel that this language, especially about ‘relevant experience’, is far too broad and does not serve the interests of public protection.

We look forward to continuing this conversation about this important piece of legislation.

Sincerely,

Eilis O’Herlihy, Executive Director
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