

Introduction & Summary

DCF engages in joint investigations with law enforcement for child protection:

- [24 V.S.A. § 1940](#): Creates special investigative units tasked with collaborating across agencies to investigate serious child abuse, sexual offenses, human trafficking, and crimes against vulnerable adults.
- [33 V.S.A. § 4915 \(g\)](#): DCF “shall report to and receive assistance from” law enforcement in certain instances (e.g. child sexual abuse, serious physical abuse/neglect, potential danger to child or worker, incident in which child suffers).
- [33 V.S.A. § 4915 \(f\)](#): DCF “may collaborate” with others, such as law enforcement or other departments/agencies or jurisdictions to evaluate risk to child and determine service needs.

Reasons DCF works jointly with others include:

- Protect victims from undue, repetitive interviewing and related trauma
- Allow information sharing between law enforcement and DCF without redundancy
- Prevent confusion between child protection responders
- Share expertise
- Protect criminal cases

DCF Language Recommendation

Make clear in Title 13 that any records in DCF possession are not criminal records and may be utilized by DCF in the course of its business, as provided by [33 V.S.A. § 4921](#). DCF proposes the following language be included at 13 V.S.A. §7607(c):

Information and materials gathered by the Department for Children and Families during a joint investigation with law enforcement, including law enforcement affidavits and related references to such information and materials, are considered Department records that shall be maintained and may be utilized as statutorily prescribed by Title 33, Chapter 49 and produced in response to a lawful discovery order.

DAIL Language Recommendation

We propose adding the following to 13 V.S.A. § 7607(c):

Information and materials gathered by Adult Protective Services during a joint investigation with law enforcement, including, but not limited to, law enforcement affidavits and other investigative materials, are considered records of the Department of Disabilities, Aging, and Independent Living, which shall be maintained and may be utilized as authorized by 33 V.S.A. Chapter 69 and produced in response to a lawful discovery order.



