

**Memorandum of Understanding  
Between  
Vermont Department for Children and Families, Family Services Division  
And  
Vermont State Police**

This Memorandum of Understanding (MOU) between the Vermont Department for Children and Families, Family Services Division (DCF) and the Vermont State Police (VSP) is to establish a protocol regarding the delivery of children, pursuant to 33 V.S.A. § 5302(b)(1), in situations in which a VSP officer removes a child from his or her surroundings in order to protect the immediate welfare of that child. This MOU also clarifies that if a VSP officer issues a citation pursuant to 33 V.S.A. § 5221, to a child in DCF custody, that officer shall notify the supervising DCF caseworker or cause that caseworker to be notified.

33 V.S.A. § 5302(b)(1) requires that the officer deliver that child to a location designated by DCF. It is understood by the parties to this MOU that DCF will make every reasonable effort to limit the designated locations to those within the VSP Barracks geographic region in which the child was removed. The parties understand further that DCF may deliver the child on behalf of VSP if this does not create a safety risk and if the well-being of the child would be served by doing so. This may be the case if DCF has an existing relationship with the child and/or if DCF would be available to deliver the child in a timelier manner. Other circumstances may also justify DCF delivering the child on behalf of VSP.

33 V.S.A. § 5221 requires that a law enforcement officer who issues the citation shall also issue or cause to be issued a notice to the child's custodial parent, guardian, or custodian. VSP understands that DCF is the legal custodian of some children and, in those cases in which a VSP officer is issuing a citation for a delinquency case and is made aware that the child is in DCF custody, that officer shall issue or cause to be issued the notice to the DCF caseworker supervising that child.

Accepted



Steve R. Dale, Commissioner  
Vermont Department for Children and Families

4/10/09  
Date

Accepted



James W. Baker, Director  
Vermont State Police

3/21/09  
Date