

SUBJECT: Implementing a training program for certain DFPS officers

COMMITTEE: Human Services — favorable, without amendment

VOTE: 7 ayes — Frank, Rose, Klick, Manuel, Noble, Ramos, Shaheen  
1 nay — Hull  
1 absent — Campos

SENATE VOTE: On final passage (April 27) — 31 - 0

WITNESSES: None (*considered in a formal meeting on May 1*)

BACKGROUND: Some have suggested that a standardized training program for Department of Family and Protective Services' (DFPS) investigator trainings would help to prevent unnecessary harm to children and families.

DIGEST: SB 1447 would require the Department of Family Protective Services (DFPS) to develop a training program for each person who investigated instances of suspected child abuse or neglect at the state or local level, including investigative supervisors.

**Definitions, policies, and procedures.** The bill would require DFPS investigator training program to include instruction on certain definitions and policies, including those for abuse and neglect, policies related to the dispositions of investigations, risk findings related to relevant investigations, and policies on identifying potential relative placements before an adversary hearing.

The training also would be required to include instruction on provisioned notification procedures for kinship providers regarding the appeal process for denied home assessments for potential placement, and procedures for defining, identifying, and supporting protective capabilities of youths aged 13 or older.

Additionally, the training would provide for instruction on the investigative standards, such as case file documentation and required assessments for certain proposed relative or designated caregiver placements.

**Rights of alleged perpetrators and community resources.** The training program would include instruction on the rights of alleged perpetrators, including the requirement to notify them of their right to record an interview and to request an administrative review of the DFPS' findings. The training would also include the rights provided by the Fourth Amendment of the U.S. Constitution, how to inform alleged perpetrators of those rights, and the search and seizure elements of those rights.

DFPS training also would be required to have the burdens of proof for evaluating and producing evidence and information on available community resources to address a child's risk factors and avoid delays in referrals for services and resources.

**Forensic investigative techniques.** The training program also would be required to provide department investigators with training on forensic investigative techniques and protocols, including:

- techniques for conducting investigative interviews with alleged perpetrators of and witnesses to alleged child abuse or neglect;
- techniques for searching for and identifying witnesses and collateral sources who could potentially provide information regarding an allegation of child abuse or neglect;
- scaling abuse or neglect markings and injuries accurately;
- photographing abuse or neglect markings and scenes according to protocols;
- techniques for reconstructing events and statements using timelines, protocols for collecting and packaging evidence, and protocols for accurately representing allegations of abuse or neglect using notes, photographs, and timelines;
- analyzing and applying forensic evidence to the statutory definitions of abuse and neglect and possible signs and symptoms of abuse and neglect; and

- procedures for analyzing and applying forensic evidence to established statutory standards, including the burden of proof.

**Other provisions.** DFPS would be required to administer an exam to each investigator and supervisor to test the individual's knowledge and competency of the information provided in the training program. An investigator or supervisor could not be assigned to investigate or supervise investigation of any case until the individual successfully completed the training program and passed the exam.

In developing and implementing the training program, DFPS would be required to encourage professionalism, procedural standardization, and investigative disposition accuracy in the investigation of suspected child abuse or neglect. In addition, DFPS would collaborate with appropriate Department of Public Safety (DPS) personnel, licensed attorneys, forensic medical professionals, appropriate law enforcement agency personnel, and any other appropriate professionals.

DFPS would be required to adopt rules necessary to implement the bill as soon as practicable after the effective date of the bill.

The bill would take effect September 1, 2023.

**NOTES:**

According to the Legislative Budget Board, the fiscal implications of the bill cannot be determined due to the unknown cost to provide a new training program to all current and new investigators and investigative supervisors.