

INTERROGATIONS BY LAW ENFORCEMENT AGENCIES

It is the policy of the schools to cooperate with law enforcement agencies in the interest of the larger welfare of all citizens. At the same time, schools have the responsibility to parents for the welfare of the students while they are in the care of the school. To carry out this responsibility, school officials should observe the following.

1. If an interrogation is to be conducted by a representative of a law enforcement agency, the building administrator will be present at all times and the parent(s)/guardian(s) must be notified and given the right to be present before the student may be interrogated.
2. However, there are exceptions to this rule as delineated in RSA 169-C:38. According to the RSA, law enforcement personnel or department employees, who are trained caseworkers, shall have the right to enter any public place, including but not limited to schools and child care agencies, for the purpose of conducting an interview with a child, with or without the consent or notification of the parent or parents of such child, if there is reason to believe that the child has been:
 - a) Sexually molested;
 - b) Sexually exploited;
 - c) Intentionally physically injured so as to cause serious bodily injury;
 - d) Physically injured by other than accidental means as to cause serious bodily injury;
 - e) A victim of a crime;
 - f) Abandoned;
 - g) Neglected.
3. For any interview conducted pursuant to paragraph 2, the interview with the child shall be videotaped if possible. If the interview is videotaped, it shall be videotaped in its entirety. If the interview cannot be videotaped in its entirety, an audio recording of the entire interview shall be made.
4. If a student is removed from the school by legal authority, parent(s)/guardian(s) will be notified of this action by school officials immediately.

Legal References:

RSA 169-C:38, *Child Protection Act; Report to Law Enforcement Authority*

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