



MEMORANDUM OF UNDERSTANDING PERTAINING TO DRUG ENDANGERED CHILDREN

This Memorandum of Understanding is entered into on the date set forth in the signature block by and between **Kansas Social and Rehabilitation Services** [hereafter SRS], **Brown County Sherriff's Office** [hereafter BCSO], **Hiawatha Police Department** [hereafter HiPD], **Horton Police Department** [hereafter HoPD], **Office of the Brown County Attorney** [hereafter CA], **Juvenile Intake & Assessment Services of the 22nd Judicial District** [hereafter Juvenile Intake], **Hiawatha Community Hospital** [hereafter Hiawatha Hospital], **Hiawatha Fire Department** [hereafter HFD], **KANZA Mental Health** [hereafter KMH], and **Educational Opportunities** [hereafter EOU].

The purpose of this Memorandum of Understanding (MOU) is to unify core agencies in Brown County to provide the most effective response possible for Drug Endangered Children (DEC). Children living in environments where substances are manufactured or sold experience physical, emotional, and developmental harm including abuse and neglect. The goal is to ensure that all children removed from a substance exposed environment will not only receive necessary immediate medical care and other services but will receive long-term services, if appropriate.

Each subscribing agency retains the sole discretion to determine the ability of that agency to comply with the terms of this MOU to the circumstances and resources existing at any given time. This MOU is not a contractual agreement that would impose any liability on the subscribing agencies for non-compliances. In consideration of the mutual promises and agreements herein contained, the parties do mutually promise and agree as follows:

Brown County Law Enforcement Agencies agree to take all reasonable steps to:

1. Notify Social and Rehabilitation Services (SRS) if children are involved. In other jurisdictions, utilize local procedure that has been established between law enforcement and SRS.
2. In an investigation where there are indications of suspected child abuse, the law enforcement investigator may want to contact an officer who has specialized expertise in child crimes.
3. Will ensure that no one is to enter the premises without the consent or being cleared by law enforcement (due to the fact of possible harmful exposure to chemicals, explosions, or possibly destroying evidence).
4. As soon as possible but not later than **four hours** after the child(ren) is identified at the drug scene, assess the child(ren)'s immediate need for medical attention. This may be done in concert with medically trained personnel who are on site. If child(ren)'s needs are emergent, call 911. **Assess child for exposure:**
 - 1) **Unresponsive** – altered breathing (rate, sound), altered gait (staggering, falling), lack of color, diaphoresis (sweating), slurred speech, psychologically at risk of harm to self or others
–**Involve medical staff immediately.**
 - 2) **Physical signs of previous trauma** (bruising, burns, etc.)
If sexual abuse is suspected within the past 72 hours—the child should be seen at the Hiawatha Hospital or other medical facility and the officer should request immediate assistance of a qualified SANE/SART staff member and contact the Brown County Child Sexual Abuse Team pursuant to the Protocol for Brown County Cases Involving Child Sexual Abuse. –**Err on the side of caution—bring the child to the closest Emergency Department if in doubt.**
5. As soon as possible within the investigation process, separate the victim(s) from the suspects at the location and safeguard the child(ren) out of view of the suspects if possible.
6. As soon as possible within the investigation process, ensure photographs are taken, prior to searching or removal of any evidences. Copy to SRS as needed.
7. As soon as possible within the investigation process, identify the parents and obtain biographical information on suspects, caregivers, and witnesses.
8. For child(ren) exposed to methamphetamine laboratories: as soon as possible, child(ren)'s clothing should be removed and bagged and sealed and given to law enforcement. Child(ren) should be bathed and clothed in new clothing after decontamination is completed.
9. Clothing, toys, baby bottles, food or drink shall not be removed from methamphetamine laboratories as these items are likely contaminated.
10. As soon as appropriate within the investigation process, conduct a preliminary forensic interview (if possible) of the child(ren) that may include determination of the following: primary caregiver, child(ren)'s knowledge of the drug manufacturing process, child(ren) victim's living area in relation to the drug scene, medical problems, and school attendance.
11. As soon as possible, measure the child(ren)'s height and reach.
12. If appropriate, take protective custody of child(ren). Fill out Emergency Custody Form. Submit Child In Need of Care paperwork to county attorney within **12** hours of taking child(ren) into police protective custody.

13. As soon as practical, process scene for evidence of child endangerment, including:
 - Diagram and measure all the rooms at the site – noting if child had access to illegal substances and/or paraphernalia.
 - Identify hazards to the child.
 - Measure and photograph the child’s belongings in proximity to the hazards.
 - Toys, food, and any other items found in proximity to chemicals should be included in the items to be tested by the crime lab.
 - Surveillance equipment, weapons and explosives should be noted, photographed, and measured. Document if weapons were loaded or the explosives were live.
 - County attorney will seek appropriate orders within 48 hours of receipt , excluding weekends and legal holidays.
14. Law enforcement agencies shall attend drug endangered children trainings with other agencies when available.

The Hiawatha Fire Department agrees to take all reasonable steps to:

1. Assist law enforcement as necessary with appropriate decontamination of children found in methamphetamine lab environments.

The Brown County Attorney’s Office agrees to take all reasonable steps to:

1. Aggressively prosecute drug endangered children cases. A Child In Need of Care (CINC) case would be filed by the end of the first business day following receipt of necessary law enforcement investigative reports in cases warranting a child in need of care petition.
2. Provide consultation to Brown County Law Enforcement Agencies on strategies and court preparation for drug-endangered children cases.
3. Provide child victim advocacy throughout the criminal legal process.
4. Attempt to recover lab costs incurred by the investigating agency and/or SRS for blood and urine analysis and medical evaluations of drug-endangered children when a suspect(s) is convicted of a DEC charge.
5. Attend joint drug endangered children training sessions with law enforcement and other appropriate agencies when available.
6. Will exercise its obligations and responsibilities in filing of Child In Need of Care proceedings predicated on drugs, particularly Methamphetamine, being in a child’s environment and/or the filing of criminal charges of child endangerment in cases warranting the same.

Brown County 22nd Judicial District Juvenile Intake Services agrees to take all reasonable steps to:

1. If available, assist the Sheriff's Department and Police Departments and other service agencies involved with a child placed in Police Protective custody that has been found to have been exposed to a DEC environment.
2. Assist in the temporary placement of a child away from the DEC environment and the DEC suspect(s) to a location where it is reasonably assured that the child will remain in a safe environment until placement has been ordered by the District Court.
3. Provide such records as juvenile intake reports and POSIT assessments to the County Attorney's Office before the end of the next working day.
4. Ensure that the child will be placed in an appropriate environment.

Brown County Social and Rehabilitation Services (SRS) agrees to take all reasonable steps to:

1. Coordinate services to drug endangered children, including the sharing of information with law enforcement, after a search warrant or DEC investigation has been initiated and law enforcement has established probable cause to suspect that a child has been abused or neglected.
2. Attend joint drug endangered children training sessions with law enforcement and other appropriate agencies when available.
3. SRS will assess and/or investigate all of the presenting concerns specific to each individual child, with accordance to Kansas Statute and Regulations. Reports made to SRS regarding children found in a home with a methamphetamine lab will be forwarded to law enforcement. If requested, SRS will participate in a timely joint investigation to ensure child safety.
4. Obtain the drug endangered child's medical history and history of SRS involvement, if available, and provide relevant information to law enforcement (or other assigned personnel) after a drug endangered child has been taken into police protective custody.
5. Help the child understand why they are being separated from his/her parents. The social worker will assist the child in understanding the actions being taken on his/her behalf and what actions will be taken to help their parents.
6. Clothing, toys, baby bottles, food or drink shall not be removed from methamphetamine laboratories as these items are likely contaminated.
7. Attend training when available in the provision of services to substance-addicted parents and their children.
8. Make a referral to the appropriate community based service (foster care) provider if the child is placed in SRS custody with out of home placement. Child Welfare Community Based Service Providers (St. Francis and TFI) will be responsible for complying with all aspects of their contracts and comply with all court orders and make decisions in the best interest of the child.
9. Ensure that the school counselor, at the child's school of attendance, is aware that this child unwittingly experienced a traumatic event, which may affect the child's behavior or performance at school.

10. SRS will seek payment from parental insurance to cover the costs of medical testing. SRS will be payer of last resort for any necessary medical expenses not covered by established medical insurance, within available resources.

Hiawatha Community Hospital agrees to the following procedures for the care of drug-endangered children:

If possible, obtain a copy of orders from a physician in advance for DEC cases.

INITIAL CARE AT THE SCENE

- Should be administered within 2 hours of discovery.
- WHO IS RESPONSIBLE TO GIVE CARE—Preferably EMT, Paramedics, or HFD
- ASSESS: Airway, Breathing, Circulation, Vital Signs
- Treat any questionable findings
- DECONTAMINATION (if appropriate):
 - Remove clothing – should be collected by law enforcement at the scene
 - Wash thoroughly with warm water and soap, if possible
 - Redress in clean clothing
- RED FLAGS
 - Respiratory compromise – difficulty breathing, excessive coughing, shortness of breath
 - Confusion
 - Excessive sleepiness
 - Excessive Hyperactivity

IMMEDIATE CARE

- Should be administered within **2 and no later than 4 hours** after discovery
- LOCATION OF CARE – Emergency Room, Urgent Care, or Pediatric Facility
- DECONTAMINATION SHOULD ALREADY HAVE BEEN DONE (IF APPROPRIATE) BEFORE CHILD WAS TRANSPORTED FROM THE SCENE
- Continue to monitor: airway, breathing, circulation
- Treat any conditions as warranted
- MAINTAIN A CHAIN OF CUSTODY AND REQUEST THE FOLLOWING TESTS
 - Urine for toxicology, with confirmation testing of any positive findings
 - Consider doing the lab that is requested in the Baseline Assessment
- Urine testing should be conducted within 4 hours (in the lab at HCH or emergency department, clinic cannot do urine drug screens)
- SRS or Juvenile Intake to arrange for safe placement of child

BASELINE ASSESSMENT

- To be done within **24 hours** of discovery
- LOCATION OF CARE – Child’s Primary Care Physician, Public Health Department, Urgent Care Facility. Emergency Department can be utilized only if other options are not available.
- ASSESS/REASSESS—Airway, breathing, circulation. Treat as needed.
- Obtain a medical history of the child
- Do a Pediatric Physical Assessment. Special attention to:

- Respiratory status
- Neurological screen
- Obtain
 - Vital Signs including temperature and oxygen saturation
 - Comprehensive Panel
 - CBC
 - Urine drug screen
 - Chest X-ray—optional if respiratory symptoms are suspected
- Optional clinical tests to be considered
 - Pulmonary function tests
 - CPK
 - Lead levels
 - Coagulation studies
 - Carboxyhemoglobin
 - Hepatitis C screen
- Refer for Abuse and Neglect Evaluation
- Arrange for a mental health screen to be provided by a qualified mental health professional

FOLLOW UP CARE

- Should be done within **30 days** of Baseline Assessment
- LOCATION OF CARE—Primary Care Physician or Brown County Health Agency
- Follow up on any abnormal baseline findings
- Perform at least one of the following Developmental Screens
 - Denver
 - Gessell
 - Bayley
- Developmental/psychosocial screen may be conducted through Infant Toddler Services or the school district
- Conduct or arrange for a Mental Health screen to be performed by a qualified mental health professional
- Schedule interventions to treat any abnormal findings
- Assure that child remains in secure and safe environment

LONG TERM FOLLOW UP

- Should be done in **12-18 months** post exposure, sooner if findings in follow-up care warrant
- LOCATION OF CARE—Primary Care Physician or Public Health Department
- Follow up on treatments being provided for any previously identified problems
- Repeat:
 - Physical exam
 - Liver function tests
 - Respiratory function tests
 - Neurological exam
 - Developmental screen – use same screen previously conducted
 - Arrange for a mental health screening to be done by a qualified mental health professional
- Assess continued residential care and safety

Educational Opportunities agrees to take all reasonable steps to:

1. Conduct a drug and alcohol evaluation utilizing the KCPC and SASSI within 48 hours for parent(s).

Kanza Mental Health agrees to take all reasonable steps to:

1. An interview will be scheduled to evaluate the mental status of the drug endangered child(ren). A recommendation will be made to the proper authorities regarding the child(ren). In sexual abuse cases and severe physical abuse cases, contact will first be made to the Child Sexual Abuse Team before any interviewing takes place.

I agree with the above listed provisions and fully support the Kansas Alliance for Drug Endangered Children-Brown County.