

Drug Endangered Children Task Force

Graham County DEC Protocol

KANSAS ALLIANCE
FOR DRUG ENDANGERED CHILDREN

Rescue. Defend. Shelter. Support.

A Project of the Graham County Drug
Endangered Children Task Force

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I. Definition

A drug-endangered child (DEC) is a child who has been exposed to an environment with conditions of contamination or hazardous life style that result in abuse, life or health endangerment, or neglect perpetuated on the children as a result of illicit drug use, sales, or manufacturing. A criminal violation threshold is met when elements of the contamination of hazardous life style meet the criteria of Kansas Statutes.

II. Introduction

Clandestine methamphetamine manufacturing and distribution has created a public health and safety crisis for the residents of Kansas. Despite increased law enforcement efforts, methamphetamine manufacturing continues to grow at an alarming rate. Chemicals used in the manufacture of methamphetamine and other illegal drugs can be poisonous, corrosive, carcinogenic, flammable, and/or explosive. The drugs and chemicals present in methamphetamine and other drug labs are often easily absorbed by the body and/or breathed in as vapors. These chemicals often contaminate items in their vicinity, which can result in the need for disposal of contaminated items such as carpeting and furniture to ensure the remediation of a hazardous environment. The risk to children at these locations is extremely high. Prior to the creation of this program there had been no collaborative efforts to address the needs and problems relating to drug endangered children in Northwest Kansas.

III. Mission

The mission of the Drug Endangered Children Task Force is to identify and protect drug endangered children and to identify, provide, and improve services to them utilizing the criminal justice system, law enforcement, child welfare, and other community agencies with the goal of improving outcomes for these children. The program also seeks to deter methamphetamine production in the presence of children by arresting and prosecuting all manufacturers and their accomplices who manufacture methamphetamine in a manner that endangers children.

IV. Purpose

In the interest of protecting children found in or near methamphetamine laboratories, the Drug Endangered Children Response Team project has developed a multi-agency cooperative effort involving the:

- Graham County Attorney
- Graham County Sheriff's Office (GHSO)
- Hill City Police Department (HCPD)
- Social and Rehabilitation Services (SRS)
- Northwest Kansas Juvenile Services (NWKJS)
- USD #281
- Northwest Kansas Regional Prevention Center (RPC)
- Graham County Emergency Medical Services (EMS)
- Graham County Hospital (GCH)

These agencies will work in a collaborative effort to facilitate a coordinated response to promote the health and safety of children found in methamphetamine laboratories or places where drugs are kept or sold.

V. Project Goal

The primary goal of the DEC Team is to establish a multi-agency methodology for the appropriate diagnosis and treatment of children who have been exposed to the chemicals used to manufacture methamphetamine or other illegal drugs in a clandestine laboratory setting, and to provide any relevant information in the prosecution of all individuals responsible for endangering children. Appropriate diagnosis and early treatment are imperative so that the mental and physical needs of these children are effectively addressed.

DEC member agencies will work closely together to improve the relationship and cooperation between organizations and to train local law enforcement agencies in the successful DEC case investigations and response. Statistical information is kept by both, law enforcement, NWKJS, and SRS in order to establish a data base for tracking these children, the services provided, and case outcomes.

VI. Project Policy Statements

The Graham County DEC Team will utilize a multi-disciplinary approach to best meet the needs of drug endangered children and enhance cooperation through a collaborative, team building effort involving all agencies – law enforcement, SRS, emergency medical services, mental health, substance abuse, and prosecution. If any of the children become dependants of the Juvenile Court through Child in Need of Care proceedings, SRS will recommend an appropriate treatment plan and suitable placement of the children as required.

VII. Composition of the DEC Team

DEC Team Implementation Managers:

1. Tony Potter, Graham County Attorney – Prosecution
2. Law Enforcement
3. Child Services – SRS

The Graham County Attorney's Office will review, prosecute, and file each of the DEC cases in the Graham County area which are determined to demonstrate sufficient evidence for prosecution. The County Attorney's Office will convene at periodic meetings of the DEC team and will assist in the preparation of a countywide prosecution protocol for DEC cases.

Graham County Law Enforcement assisted by the North Central Kansas Drug Task Force or the KBI will respond when a methamphetamine lab is located. They will assist in the investigation, collection of evidence, and preparation of the case for prosecution, including relevant reporting of all issues regarding child endangerment. Law Enforcement personnel will advise and assist local agencies in taking photographs, collecting evidence, preparing and serving search warrants, confiscating the clothing of children and replacing clothing as part of the evidentiary collection process, as well as testifying in court. Upon first being notified of a methamphetamine seizure where a child is located, Law Enforcement will immediately notify SRS that contaminated children or suspected contaminated children at a seized lab have been detained on site by the investigating officer or the Law Enforcement agent and placed into clean clothing until the arrival of SRS. Juvenile Intake and Assessment will be notified at this time and will be advised of the location and condition of the child.

If necessary, Graham County EMS will respond to methamphetamine or other drug laboratories where children are present. Emergency Medical Technicians (EMT's) or Law Enforcement Officers trained and certified as EMT's will assess the medical and contamination condition of the children, provided medical care if necessary, and transport the children to the hospital for a medical assessment. Decontamination of the child will occur at the scene prior to the transportation of the child to the hospital. EMT's will make all reports available for the preparation of trial. When applicable, law enforcement will provide a statement of services from Graham County EMS to the prosecutor for consideration of financial restitution.

SRS/DEC will respond to the location of the child and, if necessary, will ride with the child and law enforcement when the child has been assessed and found not to be obviously contaminated. In the event the child is or may be chemically contaminated, Law Enforcement agents and EMS will decontaminate the child and EMS will transport the child to the appropriate medical facility for medical evaluation. The EMS team will evaluate the child for any acute symptoms of chemical exposure and determine whether the child needs emergency medical care. If necessary, Law Enforcement and SRS/NWKJS personnel will place the child into clean clothing at the scene, and the clothing of the child will be retained as evidence.

VIII. Operational Procedure

Notification – Whenever a child is found in a methamphetamine or other drug laboratory, the child will be removed to a safe location away from the lab site. The law enforcement officer will ensure that contact is made with SRS, which in turn will contact the designated social worker. In the event that a child is contaminated, decontamination will occur immediately. The child then shall receive immediate medical attention and be transported to the hospital for appropriate testing.

Crime scene processing and child intervention – The Law Enforcement agent will process the methamphetamine or other drug lab pursuant to the guidelines established by the KBI and the Kansas Department of Health and Environment. The child will be removed from the scene and placed in a safe location while awaiting SRS/DEC. After receiving the necessary medical evaluation and care, a forensic interview will be scheduled for the child. An interviewer will conduct the interview. All photographs that pertain to child

endangerment filings will be shared with SRS to support sustained allegations of child endangerment in the CINC hearings.

IX. Interviewing of Victims, Witnesses, and Parents

Law Enforcement and the investigating officers will conduct preliminary interview of witnesses and parents at the scene whenever possible. A law enforcement officer will schedule an interview with the child victim in a timely manner, usually within seventy-two (72) hours. The DEC team members will be cognizant of the children's needs and will make every effort to minimize any trauma to these children.

X. Procedure for Examination and Testing of Victims

While at the scene, every effort should be made to medical releases signed by the parents or caregivers to assist in obtaining medical histories and to assist in the medical exam.

Upon arrival to an appropriate medical facility, a physician and/or technician will medically assess the child(ren). All appropriate laboratory tests will be performed on the child to assess, on an individual basis, the medical needs of the child at that time. Tests to be performed will be determined by the medical staff at the medical facility. These tests will include urine and/or blood sampling when indicated. All medical records will be maintained by the medical facility for tracking purposes.

Non-Invasive Testing – At the time the child(ren) is taken out of a drug lab environment, the child(ren) will be assessed by health care professionals to determine what type of medical services the child(ren) needs. If it is determined that the child did not have a chemical exposure and is not in need of emergency medical services, the child will be placed in emergency protective custody, the child(ren) will be medically assessed immediately at the time of the child(ren)'s placement, with a more detailed medical examination and overall physical evaluation at a later time or as needed.

Invasive Testing (blood/urine analysis) – Blood and urine samples will be taken at the medical facility and upon the completion of testing, will be transferred to the KBI Regional Laboratory establishing and maintaining appropriate chain of custody. The transportation of these samples will be the responsibility of the investigating officer or agency. The blood and urine

analysis shall be done immediately after the child(ren) is taken into protective custody.

Preservation of Evidence – All relevant evidence will be maintained by the KBI, Hill City Police Department, or the Graham County Sheriff's Office.

XI. Exchange of Information Between Agencies

The KBI, local law enforcement, and S.R.S. will exchange information regularly during DEC case investigations. All interviews will be documented and provided to team members. Photographs and videotape of the crime scene will be provided to the prosecutor.

XII. Preparation of Reports

DEC Team members will complete any observation reports regarding the alleged child endangerment situation necessary for successful prosecution and CINC hearings. All reports containing spontaneous or interview statements made by victims, witnesses to the crimes, and doctors, will be maintained by the respective teams.

XIII. Assignment of Cases

In the event of an emergency intervention, the DEC worker will be contacted after law enforcement finds suspected allegations of child abuse and/or endangerment. Recognizing that a Clandestine Laboratory Investigation is time consuming and requires a large amount of man power, two teams will be established when a child is found within the confines of a lab or Law Enforcement learns of a child that may have been contaminated by the lab. The first team to investigate and process that lab scene, the second team to conduct the Child in Need of Care Investigation. Both teams will report to the investigating agency head (Sheriff or Chief of Police).

XIV. DEC Team Debriefing

Upon completion of the investigation of the drug laboratory where children are found, DEC team members will meet when necessary and debrief each other as to the case events and evidence found at the location(s). This policy is established in order to successfully assess and improve upon the response by the DEC team. Furthermore, it is believed that this debriefing will assist

team members in identifying any problems that may have existed at the time of the search warrant or intervention, which may be improved upon in future cases. We believe that this debriefing process is imperative in order to establish and improve collaborative efforts between the DEC team members and member agencies.

XV. Reimbursement / Expense Detail

In the event that a Law Enforcement Officer has used personal funds to purchase needed items for a child such as clothing the officer shall follow their department guidelines for requesting reimbursement.