

# **LAW ENFORCEMENT**

## **SEDGWICK COUNTY**

### **Clandestine Laboratory Enforcement Team (CLET)**

#### **Standard Operating Procedure**

#### **GENERAL**

Clandestine laboratories by their nature, pose many and varied hazards for Officers and chemists. In addition to the usual hazards faced by law enforcement officers, those involved in handling clandestine laboratories also face the possibility of exposure to hazardous materials. To minimize these risks, seizing and processing clandestine laboratories will be accomplished in stages, and in accordance with the safety procedures set out in this standard operating procedure.

- The Special Investigations Bureau will have a Clandestine Laboratory Enforcement Team (CLET), assigned to its bureau.
- The CLET will consist of personnel who have successfully completed 40 hours of Clandestine Lab Certification and a yearly hazmat physical that is conducted by one of the local hospitals under contract by the City of Wichita.
- The CLET members will be required to attend yearly clandestine lab recertification and will receive a Hazmat physical on an annual basis.
- Only those officers who are assigned to the CLET will be certified to enter a clandestine lab site. Officers will only assist in securing the outside perimeter of the lab site until the CLET determines that the site is non-hazardous.

#### **Responsibilities**

The Clandestine Laboratory Enforcement Team will be responsible for the raiding, processing, and disposal of all potential clandestine lab sites located within the municipality of the City of Wichita. They will thoroughly investigate the lab site and ensure that the lab site is properly disposed of safely, per Occupational Safety and Health Administration (OSHA 29 CFR 1910,120) and the Environmental Protection Agency (EPA) regulations.

#### **Clandestine Laboratory Coordinator**

The Special Investigations Bureau Commander will designate a supervisor or senior detective as the Clandestine Laboratory Coordinator. This individual will be responsible for assuring that the program objectives are met, and be delegated authority sufficient to carry out this responsibility. The functions of this coordinator are as follows:

- Establish and carry out measures to assure those bureau personnel receive adequate training in the specialized knowledge and techniques used in investigating clandestine laboratories.
- Serve as the bureau's focal point for clandestine laboratory intelligence and investigative information developed through training and area law enforcement activities.
- Ensure successful completion by all team members of an approved 40-hour Clandestine Laboratory Safety Certification School, contemporaneous with an initial medical clearance to include a spirometry test and baseline blood work. Annual medical monitoring and certification of medical clearance shall be conducted for the balance of the individual's career regardless of assignment. The Bureau Commander assigned to the Special Investigations Bureau will maintain this data.
- Ensure that an El Paso Intelligence Center (EPIC) form #143 will be completed for each clandestine laboratory. The appropriate information will be included and forwarded to EPIC. A copy of the EPIC form will also be forwarded to the Kansas Bureau of Investigation for statistical information. A copy of this form will be maintained by the case agent and will become part of the case file.

### **Team Safety Officer**

The Clandestine Laboratory Coordinator will designate one member of the CLET as the Team Safety Officer. His/her responsibilities are:

- Ensure the maintenance of all personal protective equipment. Written maintenance records will be prepared.
- Ensure adequate supplies of disposable personal protective equipment are available for lab responses.
- Perform monthly checks of all non-disposable personal protective equipment for defects, i.e., rubber boots, respirators, air tanks, air monitors, etc.
- Maintain a complete inventory of all the equipment that is assigned to the CLET.

### **Site Safety Officer**

For each clandestine laboratory site, a properly trained CLET member will be designated as the Site Safety Officer and as such, is responsible for:

- Briefing all personnel regarding known hazards associated with the clandestine laboratory.
- Performing field inspections of all personal protective equipment prior to use and insuring that the personal protective equipment is properly used.

- Designating appropriate decontamination zones in accordance with the Environmental Protection Agency (EPA), Standard Operating Safety Guide.
- Ensure safety procedures are adhered to when securing and processing the laboratory and document these procedures as they are utilized.
- Ensuring proper decontamination of prisoners and, if necessary, disposal of clothing.
- Ensuring proper decontamination or disposal of equipment and protective clothing.
- Ensuring that a Clandestine Laboratory Exposure Report is completed and submitted by each member of the team. It will be the responsibility of each team member to maintain a copy of this report.
- During the assessment stage, provide technical support and help in identifying potential hazards at the lab site.

### **Investigation of a Clandestine Laboratory Site**

The investigation of a clandestine laboratory is geared towards:

- Locating the site of the laboratory as well as any ancillary sites (i.e., storage facilities, dump sites, etc.)
- Identifying the suspects and witnesses and establishing their roles in the operation.
- Identifying the method of operation, including the manufacturing process, raw materials and equipment used, and the identification of the finished product.
- Seizing, processing and disposing of a clandestine laboratory in a manner that will assure maximum safety for the officers, defendants, and innocent parties, while assuring the maximum amount of evidence will be obtained for prosecution.

### **Seizing and Processing a Clandestine Laboratory Site**

The CLET supervisor, in conjunction with the Site Safety Officer, will develop a safety plan. Included in the plan are:

- Notification and request for standby units from assisting agencies, including:
  1. Notifying Clandestine Laboratory Team Members
  2. Fire Department

3. Emergency Medical Service (EMS), (if needed)
4. Social Rehabilitation Service (SRS) and Wichita Children's Home (WCH), (if children are located at the lab site)
5. Children located in a vehicle or structure where a clandestine lab has been seized will immediately be taken into protective custody. They will be transported to Wesley Hospital, and the officers will have the dispatcher contact the emergency room personnel and advise them that children who have been exposed to a meth lab are being transported to their facility for testing per protocol.
6. Officers transporting the children to Wesley Hospital will provide them with the name of the field officer in charge of the meth lab investigation, so they may contact this officer to obtain information about the chemicals the children were exposed to so they can determine what necessary medical tests need to be performed.
7. Kansas Bureau of Investigation (KBI), (if additional equipment or personnel are needed)
8. Hazardous Waste Disposal Company through the Kansas Department of Health and Environment (KDHE 785-368-7300)

### **Case Agent**

The CLET supervisor will designate one of the CLET detectives as the case agent responsible for the overall investigation of the clandestine lab site. The case agent will be responsible for:

- Developing the criminal investigation.
- Obtaining the search warrant, including destruction order.
- Preparing the investigative reports.
- Assigning duties to CLET members to assist in the processing of the lab and the interviewing of witnesses and suspects.
- Collecting and processing all evidentiary material found at the laboratory site. The only evidence that should be collected and removed from a laboratory site is the following:
  1. Samples of all substances determined to be associated with the lab and the production of narcotics. Samples will be submitted to the proper lab such as

the Kansas Bureau of Investigations lab or the Drug Enforcement lab. This evidence will be shipped via Federal Express using a City of Wichita billing code assigned to the Special Investigations Bureau.

2. Video and/or still photographs of complete laboratory and site.
3. Documentary evidence, i.e., formulas, receipts, literature, notes, etc.
4. All items instrumental to the laboratory operation, but not needed as evidence, will be seized for destruction.
5. Coordinating the filing of charges with the District Attorney's office.

### **Processing the Lab**

The CLET members will be responsible for conducting an initial assessment of the lab site for potential hazards.

### **Assessment Stage**

The assessment team will consist of a minimum of two CLET members. A team member with full protective clothing and a self-contained breathing apparatus (SCBA) will be standing by for every member conducting the assessment, in the event of an emergency.

### **Responsibilities of Assessment Team**

- Assess the hazards of the clandestine laboratory environment using visual inspection and available monitoring equipment.
- Ventilate the clandestine laboratory site. (If ventilating is not possible, move the evidence to an open area for processing.)
- Advise the Site Safety Officer of all known chemicals and hazards associated with the clandestine laboratory scene at this time.
- Recommend the level of protection needed and safety procedures to be used by the processing team. The Site Safety Officer, or CLET supervisor, based on information provided by the entry team concerning the site, may lower the level of protection of the processing team as needed.
- Deactivate the clandestine laboratory.

### **Exit Stage**

Upon completing the processing stage, prepare to exit or depart the laboratory site. These preparations include decontamination of CLET members and site decontamination.

### **Decontamination**

Upon exiting the immediate area of the laboratory ("Hot Zone"), each individual will undergo decontamination as outlined below:

- **Personal Decontamination**  
Each CLET member will be decontaminated in accordance with procedures contained in the EPA Standard Operating Safety Guides.
- **Safety Equipment and Protective Clothing Decontamination**  
All safety equipment and protective clothing used at a laboratory site will be decontaminated or disposed of in accordance with procedures contained in the EPA Standard Operating Safety Guides.

### **Prisoner Decontamination**

All prisoners will be decontaminated before transporting them from the laboratory site. In addition, the following procedures should be adhered to:

- Provide the following equipment to a suspect in the event his/her clothing has been contaminated:
- Paper coverall suits.
- Paper booties.
- Notify all transporting officers and the receiving correctional facility of any prisoners who are contaminated.
- Properly dispose of the prisoner's clothing with the proper disposal company responsible for taking the other hazardous materials from the lab site.

### **Disposal of hazardous materials**

- The CLET supervisor will be notified when all the evidence at the laboratory site has been collected prior to contacting the disposal company. The supervisor is responsible for assuring that a destruction order has been obtained for the lab site and will then notify the appropriate disposal company. (KDHE 785-368-7300)
- The supervisor will advise the disposal company of the exact location of the site, and provide any other pertinent information that would help to expedite the clean-up and disposal process.
- While processing the laboratory, the designated Site Safety Officer will coordinate with the disposal service in determining the hazard status of the chemicals encountered.

- Chemicals of a hazardous nature will be sampled for analysis and evidentiary purposes. The remaining quantities will be given to the disposal company for proper packing and preparation for transport. This process will include the destruction and lab packing of all contaminated laboratory apparatus and glassware.
- Custody of all hazardous materials and chemical waste will be given to the disposal company for transport and destruction or storage. The disposal or destruction of hazardous waste will be done immediately.
- In no instance will WPD personnel take possession of chemical waste or material(s) determined to be hazardous for the purpose of transport or storage, other than the sample amounts taken for analysis and evidentiary purposes. These samples will be stored in the proper containers that are authorized by OSHA for storage of hazardous chemicals. (A glass vial, placed inside a chemical resistant plastic bottle)
- No hazardous waste will be stored unless authorized by the Chief of Police and necessitated by extraordinary circumstances.
- At the conclusion of the investigation and or trial, in accordance with the District Attorney's Office, the case agent will be responsible for obtaining a destruction order so the evidence from the investigation can be destroyed and turned over to the proper disposal company.

### **Equipment Issued to all CLET Members**

- Full face, air purifying respirator, with cartridges.
- Self-contained breathing apparatus (SCBA).
- Chemical resistant suits, gloves and boots.
- Keys to the KBI Lab Van.

### **Field Training of New CLET Members**

Each new CLET member will be teamed up with an experienced CLET member so that they can illustrate and explain the following:

- Collecting, processing, documenting, submitting and mailing samples to outside agencies for analysis.
- Overview of equipment and where it is stored.
- Overview of all the documents that are used in the investigation of a clandestine laboratory.
- Current statues pertaining to methamphetamine laboratories and the District Attorney's requirements for prosecution of these cases.

## CRAWFORD

### The Crawford County Law Enforcement Agencies agree to take all reasonable steps to:

1. Assign a child abuse investigator (or other personnel assigned to the drug-endangered children cases) to work in conjunction with drug investigators and/or patrol officers when a drug-endangered environment is suspected or discovered. The child abuse investigator will be dispatched (whether on or off-duty) to the scene of a drug endangered child discovery when the endangerment involves a clandestine lab or significant drug trafficking crime in which a child endangerment violation is suspected.
2. In illegal drug related cases, ensure that the child abuse investigator interviews the victimized child(ren) and the drug investigator locates and collects all drug-related evidence. The Children's Advocacy Center should be utilized when appropriate and when possible for interviewing DEC victims who may have been physically or sexually abused.
3. When necessary, request a S.R.S. caseworker to respond to the scene of a drug-endangered child investigation. The S.R.S. contact person to be used is Susan Lawrence and she can be reached at 620-231-5300 between 8 a.m. – 5 p.m. and after 5 p.m. she can be reached at 620-231-0997.
4. Brief the S.R.S. caseworker assigned to the drug-endangered child investigation about all relevant matters pertaining to the endangerment allegation. When possible and as appropriate, the S.R.S. caseworker should be involved in pre-service search warrant briefings in which drug-endangered children have been alleged. The S.R.S. caseworker, however, will not be asked to enter the dwelling or other structure in which there is a clandestine drug laboratory.
5. Place any children found in a drug-endangered environment into protective custody and turn the child over to Restorative Justice Authority for a safe placement. An emergency protective order may be issued to ensure immediate, court-ordered protection of the child(ren), when a child is in immediate danger of abuse or abduction by a parent, relative, or someone known to them.
6. Have children who are taken into protective custody for drug exposure transported by Emergency Medical Services or Law Enforcement to a local hospital for a medical examination and drug exposure analysis as appropriate and practicable. Ideally, a medical assessment (wellness check) should be done on exposed children within two hours of discovery at a methamphetamine lab site.
7. Utilize medical personnel to collect blood and urine when immediate and single exposure analysis is paramount.
8. If necessary, obtain copies of medical history documents of children in S.R.S. custody, from the assigned S.R.S. caseworker.

9. Require the case child abuse investigator, or someone assigned by law enforcement, to contact the designated child “service facilitator” at the child’s school of attendance and notify the service facilitator that the drug-endangered child unwittingly experienced a traumatic event, which may affect the child’s behavior or performance at school. An agency may choose to negotiate this requirement with S.R.S. by requesting the assigned caseworker to make the service facilitator notification.
10. Be responsive to all investigative follow-up requests by the Crawford County Attorney’s Office within 72 hours of the request.
11. Promote educational endeavors within the agency and the community to enhance the successful identification and prosecution of all drug-endangered children cases.
12. Assist other Crawford County Law Enforcement Agencies in critical and/or severe DEC investigations in accordance with the Crawford County mutual aid agreement.
13. Dispatch a child abuse investigator (or other assigned personnel) to support and assist the Crawford County Drug Task Force (CCDTF) and/or the Southeast Kansas Drug Enforcement Task Force (SEKDETF) on a DEC investigation being conducted or encountered by the CCDETF and/or SEKDETF in the agency’s jurisdiction.
14. Require officers to attend all Child In Need Of Care (CINC) and S.R.S. Fair Hearings when their testimony is deemed necessary by the Crawford County Attorney’s Office and/or S.R.S. to support permanent or long-term child placement other than with the child’s legal guardian.
15. Require the investigative officer for each drug-endangered child case to complete the DEC Evaluation Form (attached) and submit the original with the crime report to the Crawford County Attorney’s Office and a copy to the case file. This form will be used for statistical data collection and made readily available to the agencies listed on this agreement upon their request.

### **COMPOSITION OF THE DEC TEAM**

DEC Team Implementation Managers:

1. Steve Stockard, Assistant Crawford County Attorney – Prosecution
2. Steve Rosebrough, K.B.I. Special Agent, SEKDETF – Law Enforcement
3. Susan Lawrence, Child Welfare Worker - S.R.S.

The Crawford County Attorney’s Office will review, prosecute, and file each of the DEC cases in the Crawford County area which are determined to demonstrate sufficient evidence for prosecution. The SEKDETF Prosecutor will be available to assist upon request. The assigned prosecutor will handle all pre-trial motions. The County Attorney’s office will convene periodic meetings of the DEC team and will assist in the preparation of a countywide prosecution protocol for DEC cases. When appropriate, the County Attorney’s Office will hold training for law enforcement, S.R.S., and other agencies.

The Southeast Kansas Drug Enforcement Task Force 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. SEKDETF personnel will advise and assist local agencies in taking photographs, collecting evidence, preparing and serving search warrants, confiscating the clothing of a child and replacing clothing as part of the evidentiary collection process, as well as testifying in court. In SEKDETF initiated methamphetamine investigations, the SEKDETF case agent will be responsible for the above duties. Upon first being notified of a methamphetamine seizure where a child is located, the SEKDETF will immediately notify S.R.S. that contaminated children or suspected contaminated children at a seized lab have been detained on site by the investigating officer or the SEKDETF agent and placed into clean clothing until the arrival of S.R.S. Juvenile Intake will be notified at this time and will be advised of the location and condition of the child.

If necessary, Crawford County E.M.S. will respond to methamphetamine or other drug laboratories where children are present. The paramedics will assess the medical and contamination condition of the children, provide medical care if necessary, and transport the children to the hospital for medical a medical assessment. Decontamination of the child will occur at the scene prior to the transportation of the child to the hospital. The paramedics will make all reports available for the preparation of trial. When applicable, law enforcement will provide a statement of services from Crawford County E.M.S. to the prosecutor for consideration of financial restitution.

S.R.S. 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, SEKDETF agents and E.M.S. will decontaminate the child and E.M.S. will transport the child to the Mt. Carmel Regional Medical Center for medical evaluation. The paramedic team will evaluate the child for any acute symptoms of chemical exposure and determine whether the child needs emergency medical care. If necessary, SEKDETF and S.R.S. personnel will place the child into clean clothing at the scene, and the clothing of the child will be retained as evidence.

### **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 S.R.S., 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 the appropriate testing.

Crime scene processing and child intervention – The SEKDETF 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 S.R.S. After receiving the necessary medical evaluation and care, a forensic interview will be scheduled for the child at the Children's Advocacy Center, Inc. A forensic interviewer will conduct the interview. The interview questions will be comprised of questions developed by the DEC multi-disciplinary team. At the time the interview is scheduled, a child advocate should be notified from the Children's Advocacy Center, Inc. All photographs of the scene will be maintained by the local law enforcement agency, or in SEKDETF initiated cases, by the KBI. All physical evidence (excluding contaminated evidence) will be similarly sampled and retained. All photographs that pertain to child endangerment filings will be shared with S.R.S. to support sustained allegations of child endangerment in the C.I.N.C. hearings.

### **Interviewing of Victims, Witnesses, and Parents**

SEKDETF and the investigating officers will be conducting preliminary interviews of witnesses and parents at the scene whenever possible. While at the scene, every effort should be made to have medical releases signed by the parents or caregivers to assist in obtaining medical histories and to assist in the medical exam. A forensic interviewer will schedule a forensic interview at the Children's Advocacy Center with the child victim in a timely manner, usually within 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.

Preservation of evidence – All relevant evidence will be maintained by the KBI, Pittsburg Police Department, or the Crawford County Sheriff's Department.

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.

### **Preparation of Reports**

DEC Team members will complete their respective reports detailing both the appropriate drug charges as well as the appropriate child endangerment charges 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.

### **Assignment of Cases**

S.R.S. agrees that, as required by law, the assigned DEC worker will not notify the victim's family in the event that law enforcement intends to serve a search warrant at the location. In the event of an unplanned or emergency intervention, the DEC worker will be contacted after law enforcement finds suspected allegations of child abuse and/or endangerment.

### **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.

### **Reimbursement / Expense Detail**

The Crawford County Sheriff's Office has set up a Drug Endangered Children bank account containing funds donated to the DEC program. In the event that an investigator has used personal funds to purchase clothing and/or personal hygiene items for drug-endangered children, the investigator is eligible for reimbursement. A reimbursement / expense detail shall be completed and submitted, with the appropriate receipts, to Rick Shaffer at the Crawford County Sheriff's Office for reimbursement. In the event donated funds are not available, the investigator will follow their agency's established protocol for requesting reimbursement. Store receipts must accompany the reimbursement / expense detail to be considered for reimbursement.

## **FINNEY**

### **I. Initial Investigation**

Upon determining that DEC are involved with a scene of illegal drug activity, law enforcement and/or SRS shall take the following steps:

- ❑ Law enforcement agents at a location where there is evidence of drugs, hazardous conditions, an unfit home and/or parents who are arrested immediately, will contact SRS as soon as possible. As much lead time as possible shall be given to SRS to allow for completion of history check and case review by the assigned social worker. The assigned social worker may attend a briefing with law enforcement prior to a response when it is known that children will be present.
- ❑ The DEC should immediately be taken into police protective custody (PPC) as provided in K.S.A. 38-1524 and K.S.A. 38-1527. It shall be the decision of law enforcement whether the DEC is returned to parents, placed with relatives or other out-of-home placement. In the event that a relative placement or other out-of-home placement occurs, a packet of information from the DEC Team shall accompany the DEC to his/her placement. Law enforcement shall consider referring aggravated endangerment of a child and/or endangerment of a child charges in addition to all drug-related charges, when appropriate.

- ❑ The welfare of the DEC inside the affected area shall be documented, specifically noting the DEC's appearance and demeanor. Photographs will be taken to document the DEC's appearance, including any injuries.
- ❑ Photograph and/or videotape the home including the relationship of the chemicals, drugs and/or lab to the DEC's area(s) and/or within reach of the DEC.
- ❑ Interview DEC, if appropriate, to include the following: information regarding the behaviors of the inhabitants in the home; the environment of the residence; and, any specifics regarding their knowledge of the usage, sale, delivery, distribution, prescription, administration, dispensation, and/or, manufacture of drugs. These statements shall be obtained outside the presence of suspects. If possible, this interview shall be conducted by a forensic interviewer and video-taped.
- ❑ Interview neighbors to ascertain if they have seen DEC unattended or in some kind of danger; and, what kind of contact they have had with the children.
- ❑ Interview parent(s) and/or care-giver(s) individually/separately and ascertain as much information regarding the situation as possible utilizing topics from previous sections and the following:
  - Who is the current and/or prior primary care physician for the DEC or if regular health care has occurred;
  - What kind of insurance/medical card/Healthwave does the DEC have;
  - Possible relative placements;
  - Obtain a medical release from the parents for the DEC's medical records;
  - Does DEC have any known medical conditions/allergies;
  - Are there any religious/cultural beliefs that need to be taken into consideration for the medical treatment of the DEC
- ❑ If appropriate, obtain reports from fire personnel:
  - If the lab or chemicals caught fire:
    - How quickly would the lab structure burn;
    - spread to residence area;
    - what would the survivor rate be
    - any escape routes
    - smoke detectors
    - fire walls
    - fire extinguishers
    - what "fire loading" debris contributes to the spread and danger;
  - How do the lab chemicals present contribute to the danger
  - What is the flammability of the chemicals.
- ❑ Within twelve hours of coming into PPC, obtain a urine sample of the DEC to be sent to the KBI. Within forty-eight hours of the child coming into PPC, contact the Finney County Attorney's Office to determine if taking a hair sample is appropriate.

- ❑ If necessary, request EMS to respond and conduct a field medical assessment on the DEC; or, have DEC transported to Emergency Room of St. Catherine's Hospital.
- ❑ Obtain opinion of qualified health professional as to the likelihood of great bodily injury based on specific case.
- ❑ Exchange of information relevant to the case will proceed, as appropriate, to provide timely support to any child in need of care or criminal court action that arises.
- ❑ The County Attorney agrees to review and prosecute all appropriate cases where children are exposed to drugs and/or hazardous toxic materials involved in the clandestine manufacture of controlled substances.

## II. Follow-Up Investigation

SRS and/or Law Enforcement shall take the following steps:

- ❑ If DEC is under 36 months old contact Russell Child Development Center (RCDC) and/or contact Parents as Teachers (PAT) with USD-457 when DEC comes into PPC to determine if DEC is involved in early intervention programs.
- ❑ Obtain written consent/release from parent(s) to obtain an initial screen for the DEC or continue with services from RCDC and/or PAT.
- ❑ Obtain a report from RCDC and/or PAT to determine if DEC is delayed in any fashion.
- ❑ If they are currently or have previously provided services, RCDC and/or PAT shall also be notified if any members of their staff have been exposed to toxic materials.
- ❑ Prepare any follow-up reports and/or photographs and submit to County Attorney's Office as soon as possible.
- ❑ Follow-up with KBI and/or any other appropriate entity to determine test results for DEC.
- ❑ Interview other persons who have had contact with the DEC to include, but not limited to: teachers, friends, family members, or other professionals working with the DEC or have previously worked with DEC, to determine:
  - Any observations regarding the environment of the residence;
  - Any knowledge they have regarding the usage; sale; delivery; distribution; prescription; administration; dispensation; and/or, manufacture of drugs in the residence;
  - Any observations they have noted about DEC being in danger or left unattended;
  - Any developmental delays in DEC

## **RENO COUNTY**

### a. Law Enforcement

If law enforcement personnel at the scene determine that the child(ren) has been exposed to any level of contamination, they shall make arrangements for transport of the child(ren) to the nearest medical facility for further examination. The department who's jurisdiction the child is in is billed for the procedure if there is not insurance. The juvenile detectives from either department will be immediately called in and take charge of the child(ren). Law enforcement, along with Fire/EMS, will decontaminate the child(ren) at the scene prior to transporting the child(ren). If it is determined at the scene that the child(ren) has not been exposed to any level of contamination, the child(ren) will be referred to Bob Johnson's intake and assessment. The juvenile officer then works with SRS in interviewing the child(ren) and getting them the help needed. Reports are made by officers to support a CINC case. Evidence is documented, photos taken and reports are made in reference to the condition of the home, any exposures etc. This should be sufficient to show endangerment of a child.

### **The Reno County Law Enforcement Agencies agree to take all reasonable steps to:**

1. Assign a child abuse investigator (or other personnel assigned to the drug-endangered children cases) to work in conjunction with drug investigators and/or patrol officers when a drug-endangered environment is suspected or discovered. The child abuse investigator will be dispatched (whether on or off-duty) to the scene of a drug endangered child discovery when the endangerment involves a clandestine lab or significant drug trafficking crime in which a child endangerment violation is suspected.
2. In illegal drug related cases, ensure that the child abuse investigator interviews the victimized child(ren) and the drug investigator locates and collects all drug-related evidence. Horizons Mental Health Center should be utilized when appropriate and when possible for interviewing DEC victims who may have been physically or sexually abused.
3. When necessary, request a SRS caseworker to respond to the scene of a drug-endangered child investigation.
4. Brief the SRS caseworker assigned to the drug-endangered child investigation about all relevant matters pertaining to the endangerment allegation. When possible and as appropriate, the SRS caseworker should be involved in pre-service search warrant briefings in which drug-endangered children have been alleged. The SRS caseworker, however, will not be asked to enter the dwelling or other structure in which there is a clandestine drug laboratory.
5. Place any children found in a drug-endangered environment into protective custody and turn the child over to Juvenile Intake for a safe placement. An emergency protective order may be issued to ensure immediate, court-ordered protection of the child(ren), when a child is in immediate danger of abuse or abduction by a parent,

- relative, or someone known to them.
6. Have children who are taken into protective custody for drug exposure with no immediate need for medical care should have a baseline assessment completed in a physician's office.
  7. In accordance with the protocol those children with an immediate need for medical care following decontamination by Fire Service shall be transported by Emergency Medical Services to the nearest appropriate medical facility.
  8. If necessary, obtain copies of medical history documents of children in SRS custody, from the assigned SRS caseworker.
  9. Require the case child abuse investigator, or someone assigned by law enforcement, to contact the designated child "service facilitator" at the child's school of attendance and notify the service facilitator that the drug-endangered child unwittingly experienced a traumatic event, which may affect the child's behavior or performance at school. An agency may choose to negotiate this requirement with SRS by requesting the assigned caseworker to make the service facilitator notification.
  10. Be responsive to all investigative follow-up requests by the Reno County District Attorney's Office within 72 hours of the request.
  11. Promote educational endeavors within the agency and the community to enhance the successful identification and prosecution of all drug-endangered children cases.
  12. Assist other Reno County Law Enforcement Agencies in critical and/or severe DEC investigations in accordance with the Harvey County mutual aid agreement.
  13. Dispatch a child abuse investigator (or other assigned personnel) to support and assist the Reno County first responders on a DEC investigation being conducted or encountered by the first responders in the agency's jurisdiction.
  14. Require officers to attend all Child In Need Of Care (CINC) and SRS Fair Hearings when their testimony is deemed necessary by the Reno County Attorney's Office and/or SRS to support permanent or long-term child placement other than with the child's legal guardian.
  15. Require the investigative officer for each drug-endangered child case to complete the DEC Evaluation Form (attached) and submit the original with the crime report to the Reno County District Attorney's Office and a copy to the case file. This form will be used for statistical data collection and made readily available to the agencies listed on this agreement upon their request.

### **HARVEY**

The Harvey County Drug Task Force will respond when a methamphetamine lab is located. They will assist in the investigation, collection of evidence, and preparation of the case for prosecution. The local law enforcement agencies will assist in taking photographs, collecting evidence, preparing and serving search warrants, as well as testifying in court.

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 Juvenile Intake (Director of Juvenile Intake), who will in turn contact the designated Newton SRS officer (Director of

Child Protection Services). In the event the child is contaminated, decontamination will occur immediately. If necessary, the child then shall receive immediate medical attention and be transported to the hospital for the appropriate testing. Juvenile Intake shall be notified for determination of temporary placement if there are no immediate appropriate family members available to take the child.

Interview – The investigating officers assigned to the case, and the Harvey County Drug Task Force if involved, will conduct the preliminary interviews of witnesses and parents at the scene whenever possible, and at their earliest opportunity if not at the scene. The emergency medical services officers may obtain further information from the child during decontamination. Juvenile Intake shall obtain as much information on the child and the child's history as possible, and will contact law enforcement for further interview of the child at the Heart to Heart Child Advocacy Center if appropriate. The interview of the parents, witnesses, and child will have a three-prong purpose: possible criminal charges on the parents, possible child in need of care procedures on behalf of the child, and medical needs of the child.

Examination – If law enforcement personnel at the scene determine that the child has been exposed to any level of contamination, they shall make arrangements for transport of the child to the Newton Medical Center for further examination. Law enforcement, along with Fire/EMS, will decontaminate the child at the scene prior to transporting the child to Newton Medical Center. If it is determined at the scene that the child has not been exposed to any level of contamination, the child may then be referred to Juvenile Intake for determination of temporary placement and for subsequent medical examination of the child.

### **Exchange of Information Between Agencies**

All law enforcement agencies will exchange verbal and written reports with Newton SRS as deemed necessary for assuring the safety of drug-endangered children. For law enforcement, the reports will include the Standard Offense Report and the accompanying narrative report.

Newton SRS will provide law enforcement with any information received during the course of their Family Based Assessment that will assist in criminal prosecution.

These forms will include the CFS (Children and Family Services) 1000, 1001, 1002, and the CFS 1010, which contains all narrative information.

Information gathered by Juvenile Intake and Assessment will be faxed to the Newton SRS office as soon as the documents are completed.

All interviews by all investigative agencies will be documented and provided to each other in an expedited manner.

The same reports will be provided to the Harvey County Attorney's Office.

## **SECTION SIX**

### **Preparation of Reports**

The law enforcement officers who investigated the criminal case, the Harvey County Drug Task Force officers who investigated the criminal case, and/or the Newton SRS workers who investigated a CINC shall provide their reports to the Harvey County Attorney for examination and determination of appropriate action. The Harvey County Attorney shall determine whether it is appropriate for filing criminal drug charges, criminal child endangerment charges, or CINC proceedings for the protection of the child. The Harvey County Attorney can determine that any of the above, all of the above, or none of the above may be appropriate, based upon his assessment of the case. The Harvey County Attorney may designate one of his assistants to handle the appropriate case filed in District Court.

As is dictated by Newton SRS policy, all law enforcement protective custody placements of children are funded by Newton SRS. An example of this would be the Wichita Children's Home.

### **The Harvey County law enforcement agencies agree to take all reasonable steps to:**

1. Assign a child abuse investigator (or other personnel assigned to the drug-endangered children cases) to work in conjunction with drug investigators and/or patrol officers when a drug-endangered environment is suspected or discovered. The child abuse investigator may be dispatched to the scene of a drug endangered child when the endangerment involves a clandestine lab or significant drug trafficking crime in which a child may have been exposed to that illicit drug activity.
2. In illegal drug-related cases, ensure that the child abuse investigator interviews the victimized child(ren) and the drug investigator locates and collects all drug-related evidence. The Heart to Heart Child Advocacy Center should be utilized when appropriate and when possible for interviewing DEC victims who may have been physically or sexually abused.
3. Brief the Newton SRS caseworker assigned to the drug-endangered child investigation about all relevant matters pertaining to the endangerment allegation.
4. Place any children found in a drug-endangered environment into protective custody and turn the child over to Juvenile Intake for a safe placement. An emergency protective order may be issued to ensure immediate, court-ordered protection of the child(ren), when a child is in immediate danger of abuse or abduction by a parent, relative, or someone known to them.
5. Have children who are taken into protective custody for drug exposure transported by Emergency Medical Services or Law Enforcement to a local hospital for a medical examination and drug exposure analysis as appropriate and practicable. Ideally, a medical assessment should be done on exposed children within two hours of discovery at a methamphetamine lab site.
6. Utilize medical personnel to collect blood and urine when immediate and single exposure analysis is paramount.

7. If necessary, obtain copies of medical history documents of children in Newton SRS custody from the assigned Newton SRS caseworker.
8. Promote educational endeavors within the agency and the community to enhance the successful identification and prosecution of all drug-endangered children cases.
9. For each drug-endangered child case Juvenile Intake will complete a DEC Evaluation Form and submit the original with the crime report to Newton SRS and the Harvey County Attorney's Office and a copy to the case file. This form will be used for statistical data collection and made readily available to the agencies listed on this agreement upon their request.

## RICE

### **EXCHANGE of INFORMATION BETWEEN AGENCIES:**

All law enforcement agencies, within Rice County, will exchange verbal and written reports with SRS as deemed necessary for the completion of assuring the safety of drug affected children. For law enforcement, the reports will include the Standard Offense Report and the accompanying narrative report.

SRS will provide law enforcement with any information received during the course of their Family Based Assessment that will assist in criminal prosecution.

These forms will include the CFS (Children and Family Services) 1000, 1001, 1002, and the CFS, which contains all narrative information.

Information gathered by Juvenile Intake and Assessment will be faxed to the SRS office as soon as the documents are completed.

All interviews, by all agencies, will be documented and provided to each other in an expedited manner.

The same reports will be provided to the Rice County Attorney's Office.

### **REIMBURSEMENT / EXPENSE:**

In the event of potential contamination of clothing, charitable organizations will be sought out for donations to the identified children in need. It is the expectation that children be properly clothed before transport to a designated emergency placement.

The designated point of contact for these agencies will be the Rice County Sheriff's Office 911 Center as they have a listing for after hour contacts and numbers.

As dictated by SRS policy, all law enforcement protective custody placements of children are funded by SRS. An example of this would be emergency placement with a Foster Care family.

The precise funding source within SRS will likely fluctuate. However, it will be the responsibility of SRS to determine which funding source is appropriate for the payment of physical exams related to abuse and neglect assessments.

### **AGENCY-by-AGENCY PROTOCOL APPROACH:**

#### ***Law Enforcement-***

If the officers on scene feel the children need decontamination or any medical attention, they shall call for it immediately. Notification of SRS will be the responsibility of the Law Enforcement agency that has jurisdiction at the crime scene in the event children have been found so that SRS may become involved from the onset. If no medical attention is required the children are placed in the custody of Juvenile Intake and Assessment for processing and placement. Reports shall be made by the law enforcement officers to support the CINC case. Evidence is documented, photographs are taken and reports are made in reference to the condition of the home any exposures or dangers, etc. This should be sufficient to show endangerment of a child.

**PRESERVATION OF EVIDENCE-** All relevant evidence will be maintained by the KBI, Rice County Sheriff's Office or respective municipal agency.

#### **The Rice County Law Enforcement Agencies agree to take all reasonable steps to:**

1. Assign a trained investigator (or other personnel assigned to the drug -endangered children cases) to work in conjunction with drug investigators and/or patrol officers when a drug -endangered environment is suspected or discovered. The investigator will be dispatched (whether on or off-duty) to the scene of a drug endangered child discovery when the endangerment involves a clandestine lab or significant drug trafficking crime in which a child endangerment violation is suspected.
2. In illegal drug related cases, ensure that the investigator interviews the victimized child(ren) and the drug investigator locates and collects all drug-related evidence.
3. When necessary, request an S.R.S. caseworker to respond to the scene of a drug -endangered child investigation. The S.R.S. contact person to be used is located in McPherson and can be reached at \_\_\_\_\_ between 8 a.m. -5 p.m. and after 5 p.m. she can be reached at \_\_\_\_\_.
4. Brief the S.R.S. caseworker assigned to the drug-endangered child investigation about all relevant matters pertaining to the endangerment allegation. When possible and as appropriate, the S.R.S. caseworker should be involved in pre-service search warrant briefings in which drug-endangered children have been alleged. The S.R.S. caseworker, however, will not be asked to enter the dwelling or other structure in which there is a clandestine drug laboratory.
5. Place any children found in a drug-endangered environment into protective custody and turn the child over to Juvenile Intake for a safe placement. An emergency protective order may be issued to ensure immediate, court-ordered protection of the child(ren), when a child is in immediate danger of abuse or abduction by a parent, relative, or someone known to them.
6. Have children who are taken into protective custody for drug exposure transported by Emergency Medical Services or Law Enforcement to a local hospital for a medical examination and drug exposure analysis as appropriate and practicable. Ideally, a medical assessment

(wellness check) should be done on exposed children within two hours of discovery at a methamphetamine lab site.

7. Utilize medical personnel to collect blood and urine when immediate and single exposure analysis is paramount.
8. If necessary, obtain copies of medical history documents of children in S.R.S. custody, from the assigned S.R.S. caseworker.
9. Require the case investigator, or someone assigned by law enforcement, to contact the designated child "service facilitator" or counselor at the child's school of attendance and notify him/her that the drug-endangered child unwittingly experienced a traumatic event, which may affect the child's behavior or performance at school. An agency may choose to negotiate this requirement with S.R.S. by requesting the assigned caseworker to make the service facilitator notification.
10. Be responsive to all investigative follow-up requests by the Rice County Attorney's Office within 72 hours of the request.
11. Promote educational endeavors within the agency and the community to enhance the successful identification and prosecution of all drug-endangered children cases.
12. Assist other Rice County Law Enforcement Agencies in critical and/or severe DEC investigation.
13. Require officers to attend all Child In Need Of Care (CINC) and S.R.S. Fair Hearings when their testimony is deemed necessary by the Rice County Attorney's Office and/or S.R.S. to support permanent or long-term child placement other than with the child's legal guardian.
14. Require the investigative officer for each drug-endangered child case to complete the DEC Evaluation Form (attached) and submit the original with the crime report to the Rice County Attorney's Office and a copy to the case file. This form will be used for statistical data collection and made readily available to the agencies listed on this agreement upon their request.