



Reno County

DEC Protocol & MOU

A Project of Reno County Agencies

Drug Endangered Children Task Force

08/2005



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1. 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 perpetrated on the child as a result of illicit drug use, sales, or manufacturing. A criminal violation threshold is met when elements of the contamination or hazardous life style meet the criteria of Kansas Statutes. A child is defined as under the age of 18 years.

2. 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. Steps have been taken in Reno County to address the needs of these children who have been found in meth labs in Reno County. The following protocol sets down in writing the Reno County Agency-by-Agency approach to addressing this problem.

3. Mission

The mission of the Drug Endangered Children Task Force is to identify and protect drug endangered children and to identify, provide, and continue services to them utilizing the criminal justice system, law enforcement, child welfare, and other community agencies with the goal of continuing to improve 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.



4. Purpose

In the interest of protecting children found in or near methamphetamine laboratories, the Drug Endangered Children Task Force project has developed a multi-agency cooperative effort involving the Kansas Bureau of Investigation, the Drug Enforcement Task Force, the Kansas Attorney General's Office, the Reno County Attorney's Office, Social and Rehabilitation Services, Restorative Justice Authority, The Hutchinson Police Department, the Reno County Sheriffs Department, and all other county/city Police Departments, the Children's Advocacy Center, Reno County Mental Health, Reno County Emergency Medical Services, Juvenile Justice Authority, Horizon's Mental Health, and Hutchinson Medical Center to address drug-endangered children's issues. These agencies will continue to 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.

5. Project Goal

The primary goal of the DEC Task Force 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 prosecute all individuals responsible for endangering children. Appropriate diagnosis and early treatment are imperative so that the psychosocial 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 the Reno County Attorney's Office and SRS in order to establish a data base for tracking these children, the services provided, and case outcomes.

The Reno County DEC Task Force will utilize a multi-disciplinary approach to best meet the needs of drug endangered children and enhance cooperation through a collaborative, effort involving all agencies who participate as needed: law enforcement, SRS, emergency medical services, mental



health, and prosecution. If any of the children become dependants of the Juvenile Court through C.I.N.C. proceedings, SRS will recommend an appropriate treatment plan and suitable placement of the children as required.

6. Exchange of Information Between Agencies

All law enforcement agencies, within Reno 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 1010, 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 Reno County District Attorney's Office.

7. Reimbursement/Expense

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



The designated point of contact for these agencies will be **911** as they have a listing for after hour's numbers and contacts.

As is dictated by SRS policy, all law enforcement protective custody placements of children are funded by SRS.

8. Agency-by-Agency Protocol Approach

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.

b. Emergency Medical Services

If necessary, the appropriate EMS agency in Reno County will respond to methamphetamine or other drug laboratories where children are present. If suspected exposure, contact the appropriate fire service and law enforcement agency as soon as possible. If children are contaminated, the fire service, prior to assessment by EMS personnel will decontaminate them. The appropriate field treatment will be provided by EMS and if indicated, transport made to the nearest appropriate hospital for further assessment and treatment. At the request of law enforcement, the hospital medical



records department will make available EMS and ED records for trail purposes. When applicable, law enforcement will provide a statement of services from the responding emergency medical service to the prosecutor for consideration of financial restitution.

c. Fire Departments

“The Hutchinson Fire Department has a Hazardous Materials Response Team that is available to all Fire / EMS/ and Law Enforcement Agencies in Reno County. When requested, the Haz-Mat Team will respond to the scene of an incident, or to a treatment facility to decontaminate affected children and adults. Also when requested, the Haz-mat Team will evaluate the structure(s) where the children are living to determine if decontamination of the structure is needed. The Haz-mat Team will work with local and state health officials to determine if the structure is safe to reinhabit. The Haz-Mat Team or local fire department is not responsible for the cleanup of a contaminated site but may assist in the cleanup under certain conditions and can charge the responsible party for costs associated with mitigating the hazards under federal law.

Depending upon the location of the incident, the volunteer Fire Departments located outside of the City of Hutchinson and Reno County Fire District #2 may be requested to respond to the scene and provide gross decontamination (washing the victim down with a small fire hose). However, it is recommended to contact the Haz-Mat Team for most decontamination needs, (gross and secondary washes, decon solutions, on site personal showering, changes of clothing, collection of contaminated clothing, etc.)

In the event that the Fire Departments in Reno County are the first agency to identify the drug endangered child, the Incident Commander will immediately notify local law enforcement and EMS. If necessary and if requested by law enforcement Fire Department will notify local SRS authorities and initiate the decontamination process.”

d. Health Agencies

Scene Triage by EMS:



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- No need for immediate care → Protective Custody → Baseline exam in physicians office within 24-48 hours

- Need for immediate care → Transport to Hutchinson Hospital

Children that require immediate medical evaluation and treatment will be taken to the Emergency Department at Hutchinson Hospital. Upon arrival at Hutchinson Hospital the Emergency Department staff will evaluate the child. The Emergency Department staff as indicated by the individual patient’s needs will determine the appropriate treatment and testing. Medical records will be maintained by Hutchinson Hospital.

The estimated costs associated for laboratory testing if indicated are as follows:

Complete Blood Count (CBC)	\$36.00
Complete Metabolic Profile (CMP)	\$78.00
Urine Analysis (UA)	\$22.00
Urine Drug Screen	\$66.00
Emergency Department Charge	\$128.00
Emergency Department Physician Charge	\$142.00-200.00

When evaluation and treatment is completed the child will be admitted to the hospital or discharged to protective custody, depending on their condition. If discharged to protective custody, that agency will arrange for Baseline evaluation in a physician’s office in 24-48 hours and any further follow-up that is needed.

Preservation of evidence – All relevant evidence will be maintained by the KBI, Hutchinson Police Department, or the Reno County Sheriffs Department.

e. The Medical Center Central

The Medical Center P.A. follow the Kansas Statute KSA 38-1522 et seq. in dealing with suspected cases of abuse or neglect of any kind with our patients under 18. When making



appointments for children, the caller needs to identify the need for the visit and state if it is an emergency or suspects abuse of some sort and if the appointment schedule is full, the receptionist will get a phone note to the nurse and the nurse will identify a time for the young patient to be “worked in” to the days schedule. We are committed to providing our patients with excellent health care and will take immediate steps to notify proper officials if abuse or neglect is suspected.

f. Hutchinson Clinic, P.A.

The Hutchinson Clinic Philosophy is to be available to see a child within a short amount of time, in which a patient or social worker had called us. If the problem were acute the patient would be directed to our Same Day or to the office of the physician, on the day of the initial call. If the incident were after business hours the patient would be directed to the Hutchinson Hospital Emergency Department.

In the event the problem was not acute but the patient still needed to be evaluated the philosophy of the Hutchinson Clinic is to get the patient in within 2 – 3 business days.

g. Horizons Mental Health Center

In connection with the initial investigation phase by the Department of Human Services (SRS), and/or the local law enforcement child(ren) will be interviewed. Horizons Mental Health Center will schedule a forensic interview for all alleged victims of sexual abuse. The interview questions will be comprised of questions consistent with the principles of (RATAC) a standardized evaluation protocol from the national program *Finding Words*. Horizons Mental Health Center will schedule an appointment with the alleged victim in a timely manner, usually within 7-10 working days. A forensic interviewer will conduct the interview.

h. Juvenile Intake

The child(ren) will be taken to Reno County Juvenile Intake and Assessment by SRS and the Juvenile detectives for processing. An intake interview will be completed for each



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child transported into the intake and assessment office and placement will be determined at this time. The intake and assessment worker will provide transportation to the designated placement. The intake interview will be sent to SRS, the District Attorney, and the Judge.

i. Social and Rehabilitation Services (SRS)

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.

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

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

In the event that children are in need of supplies and clothing such as when their clothes are potentially contaminated, and clothing needs to be replaced before they are transported to homes of relatives or protective custody, charity organizations will be sought for donations.

The designated point of contact for these agencies will be 911 dispatches as they have a listing for after hour's numbers.

As is dictated by SRS policy, all law enforcement protective custody placements of children are funded by SRS.

Exams related to assessments of abuse and neglect is typically funded by SRS/Medicaid or family service funds.



j. Reno County District Attorney

The Reno County Attorney's Office agrees to take all reasonable steps to:

1. Aggressively prosecute drug-endangered children cases.
2. Provide training for the Reno 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. Assign an Assistant Reno County District Attorney to handle drug-endangered children cases. The assigned Assistant Reno County District Attorney will be given the opportunity to develop an expertise in drug-endangered children prosecutions through training and experience. The assigned Assistant Reno County District Attorney will, when possible, respond to the scene of the most serious cases of drug-endangered children.
5. Maintain statistical data on the number of drug-endangered child cases referred by law enforcement, filed, and prosecuted, including disposition. The data will be readily accessible to the agencies listed on this agreement upon their request.
6. Attempt to recover lab costs incurred by the arresting agency, emergency medical services, 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.

Additionally, I suggest the following language regarding responsibilities in the composition of the DEC team under the Reno County DEC Protocol:

The Reno County District Attorney's office will review, prosecute, and file each of the DEC cases in the Reno 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 when possible depending on the demands of the judicial system on the District Attorney's Office. The



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District Attorney's office will convene periodic meetings of the first responders and will assist in the preparation of a countywide prosecution protocol for DEC cases. When appropriate, the District Attorney's Office will hold training for law enforcement, SRS, and other agencies.

9. Supporting Forms and Documents

Each supporting agency will share documents according to current agency protocols and procedures. Forms and documents will be filled out and submitted at appropriate times to appropriate agencies as current policy dictates.

10. Conclusion

The Reno County DEC Task Force has established the protocols in this document to cover the respective needs of Drug Endangered Children in Reno County.



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MEMORANDUM OF UNDERSTANDING
Between the
KANSAS ATTORNEY GENERAL'S OFFICE
the
KANSAS BUREAU OF INVESTIGATION
the
RENO COUNTY SHERIFF'S DEPARTMENT
the
HUTCHINSON POLICE DEPARTMENT
the
SOUTH HUTCHINSON POLICE DEPARTMENT
the
HAVEN POLICE DEPARTMENT
the
BUHLER POLICE DEPARTMENT
the
NICKERSON POLICE DEPARTMENT
the
RENO COUNTY DISTRICT ATTORNEY'S OFFICE
the
SOCIAL AND REHABILITATION SERVICES
the
HUTCHINSON HOSPITAL CORPORATION
the
HORIZONS MENTAL HEALTH CENTER
the
RENO COUNTY YOUTH SERVICES – JUVINLE INTAKE
the
HUTCHINSON HOSPITAL/EMS
the
PRETTY PRAIRIE EMERGENCY MEDICAL SERVICES
the
BUHLER EMERGENCY MEDICAL SERVICES
the
HAVEN COMMUNITY EMS
the
CITY OF HUTCHINSON FIRE DEPARTMENT
the
RENO COUNTY FIRE CHIEFS ASSOCIATION
the
MEDICAL CENTER P.A.
and the
HUTCHINSON CLINIC P.A.



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Whereas, Reno County law Enforcement Agencies are the primary responders to, or discoverers of, drug-endangered children environments;

Whereas, drug-endangered children environments are defined as conditions of contamination or hazardous life style that results in abuse, life or health endangerment, or neglect perpetrated on a child as a result of illicit drug use, sales or manufacturing;

Whereas, Reno County Law Enforcement Agencies must grapple with an investigatory role dichotomy when encountering both illegal drugs and drug-endangered children (DEC);

Whereas, the Reno County Attorney's Office has assigned an Assistant County Attorney to prosecute cases involving clandestine drug labs and/or large-scale drug trafficking;

Whereas, drug-endangered children require the specific and immediate attention of a Department of Human Services Child Welfare Social Worker to ensure the child's safety and to mitigate the environmental trauma;

Whereas, sustainment of a safe and healthy environment for a drug-endangered child is achieved in part by the periodic and unannounced legal inspections of that environment;

Whereas, it is recognized that each law enforcement agency subscribing to this Agreement has varying levels of staffing and other resources available;

Now, Therefore, each subscribing agency retains the sole discretion to determine the ability of that agency to comply with the terms of this Agreement to the circumstances and resources existing at any given time.

Now therefore, in consideration of the mutual promises and agreements herein contained, the parties do mutually promise and agree as follows:

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.



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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.



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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.

The Reno County District Attorney's Office agrees to take all reasonable steps to:

1. Aggressively prosecute drug-endangered children cases.
2. Provide training for the Harvey 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. Assign an Assistant County Attorney to handle drug-endangered children cases. The assigned Assistant County Attorney will be given the opportunity to develop an expertise in drug - endangered children prosecutions through training and experience. The assigned Assistant County Attorney will, when possible, respond to the scene of the most serious cases of drug - endangered children.
5. Maintain statistical data on the number of drug-endangered child cases referred by law enforcement, filed, and prosecuted, including disposition. The data will be readily accessible to the agencies listed on this agreement upon their request.
6. Attempt to recover lab costs incurred by the arresting agency, emergency medical services,



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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.

The Hutchinson 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 service or DEC arrest has been made and law enforcement has established probable cause to suspect that a child has been abused or neglected
2. Work with law enforcement to ensure that a drug-endangered child is given a medical exam (wellness check) as soon as possible.
3. Attend training, when available, in the provision of services to substance-addicted parents and their children.
4. Attend joint drug-endangered children training sessions with law enforcement personnel when available.
5. There is a difference between children living in dangerous conditions that include clandestine labs and those living with parents who are addicted to a substance, including alcohol. For clandestine drug labs and illegal drug sales. SRS will, to the best of their ability:
6. Make every effort to have a SRS caseworkers attend law enforcement's pre-search warrant service briefing in suspected drug-endangered children cases, when requested.
7. Obtain the drug-endangered child's medical history, 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.
8. Help the child understand why they are being separated from his/her parents. The social worker assist the child in understanding the actions being taken on his/her behalf and what actions will be taken to help their parents.
9. Upon release of the parents or caretakers, will work with other agency professional, including substance abuse and Probation/Parole, to ensure that the parents are mandated to attend and work meaningfully on their substance abuse issues.
10. SRS will provide services to drug-endangered children, and their families, who remain in the custody of SRS.



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- 11. Any follow-up medical procedures, as ordered by a physician or other health care provider, of drug-endangered children in SRS custody will be included on SRS case plans.
- 12. Recommend that drug-endangered children in SRS custody remain in SRS custody when parents are unwilling to work toward a meaningful recovery and when they place their children at a high risk of abuse, molestation, or deprivation, whether intentional or unintentional.
- 13. As a last resort and in the DEC cases where private or Medicaid insurance is not available, SRS will be responsible for medical costs incurred by drug-endangered children eligible for SRS services during a DEC investigation as outlined in the DEC Protocol. Hutchinson Hospital will accept in full Medicaid allows.

I agree with the above listed provisions and fully support the Reno County Drug-Engangered Children Program.

Phil Kline, Kansas Attorney General
Kansas Attorney General's Office

Date

Larry Welch, KBI Director
Kansas Bureau of Investigation

Date

Keith Schroeder, District Attorney
Reno County, Kansas

Date

Randy Henderson, Sheriff
Reno County, Kansas

Date

Dick Heitschmidt, Chief of Police
Hutchinson Police Department

Date

Scott Jones, Chief of Police
South Hutchinson Police Department

Date



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Allen Blake, Chief of Police
Haven Police Department

Date

Bill Tracy, Chief of Police
Buhler Police Department

Date

Larry Eckhoff, Chief of Police
Nickerson Police Department

Date

Cyrilla Petracek, Director
Social and Rehabilitation Services

Date

Gene Schmidt, President
Hutchinson Hospital Corporation

Date

Michael Truman, CEO
Horizons Mental Health Center

Date

Bill Hermes, Director
Reno County Youth Services - Juvenile Intake

Date

Randy Miller, Director
Hutchinson Hospital/EMS

Date

Larry Maxwell, Director
Pretty Prairie Emergency Medical Services

Date

Kari Banning, Director
Buhler Emergency Medical Services

Date

Tony Troyer, Director
Haven Community EMS

Date



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Kim Forbes, Chief
City of Hutchinson Fire Department

Date

Jeff Fountain, President
Reno County Fire Chiefs Association

Date

Name, Title
Medical Center P.A.

Date

Les Zimmerman, President
Hutchinson Clinic P.A.

Date