



KANSAS ALLIANCE
FOR DRUG ENDANGERED CHILDREN

Rescue. Defend. Shelter. Support.

Rice County

DEC PROTOCOL & MOU

A Project of Rice County Agencies
DRUG ENDANGERED CHILDREN TASK FORCE

07/2005



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DEFINITION:

A drug-endangered child (DEC) is a child who has been exposed to an environment with condition 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 lifestyle meet the criteria of Kansas Statutes.

INTRODUCTION:

Clandestine methamphetamine manufacturing and distribution has created a public health and safety crisis for the residents of Rice County. Despite increased law enforcement efforts manufacturing and its devastation continues to rise 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, furnishings, clothing and any items in the area to ensure the remediation of the hazardous environment. The risk to children at these locations is extremely high. Steps have been taken in Rice County to address the needs of these children who have been found in meth labs. The following protocol set out in writing, outlines the Rice County Agency-by-Agency approach to addressing this problem.

MISSION:

The Mission of the Drug Endangered Children Task Force, a subcommittee of the Rice County Meth Watch group, 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.

PURPOSE:

In the interest of protecting children found in or near methamphetamine laboratories, the Drug Endangered Task Force project has developed a multi-agency cooperative effort involving the Offices of the Kansas Attorney General, Rice County Attorney, Social and Rehabilitation Services, Juvenile Justice Authority, Juvenile Intake and Assessment, Municipal Police Agencies, Rice County Sheriff's Office, Rice County Emergency Medical Services, Rice County Fire Departments, Medical Centers in Sterling and Lyons, and Hospital District #1 of Rice County to address drug-endangered children's issues. These agencies will continue to work in a collaborative effort to facilitate a coordinated



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response to promote the health and safety of children found in methamphetamine laboratories or places where drugs are kept or sold.

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 illicit 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 psychological 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 law enforcement agencies to conduct successful DEC case response and investigations. Statistical information will be kept by the Rice County Attorney's Office and SRS in order to track these children, the services provided, and case outcomes.

The Rice 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, fire department, and prosecution. If any of the children become dependents of the Juvenile Court through CINC proceedings, SRS will recommend appropriate treatment plans and suitable placement of the children as required.

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.



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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.

Emergency Management Responsibilities:

Emergency Medical Services-

If necessary, Rice County EMS personnel will respond to methamphetamine or other drug laboratories where children are present. If children are contaminated they will be decontaminated by the Haz Mat Team on scene prior to assessment. The appropriate field treatment will be provided by EMS and if indicated, transport made to local health care facilities 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 Hospital District #1 of Rice County or other medical providers to the prosecutor for consideration of financial restitution.



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Fire Departments-

Rice County has a Hazardous Materials Response Team that is available to all Fire/ EMS/ and Law Enforcement agencies in Rice 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 cleanup under certain conditions and can charge responsible parties for costs associated with mitigating hazards under federal law.

The Haz Mat Team will make the Emergency Management decisions regarding such issues as requesting the Fire Department to respond to the scene and provide gross decontamination (washing down victims with a small fire hose) where the location of the incident merits this procedure. However, it is recommended to contact the Haz-Mat Team for most decontamination needs (gross and secondary washes, decon solutions, on site personnel showering, changes of clothing, collection of contaminated clothing, etc).

In the event that the Fire Department is the first agency to identify the drug-endangered child, the Incident Commander will immediately notify law enforcement and if requested will notify EMS and initiate decontamination processes.

Health Agencies-

Scene Triage by Rice County EMS:

- NO need for immediate care ? Protective Custody? Baseline exam in physician's office within 24 to 48 hours.
- Need for IMMEDIATE care ? Transport to Hospital District #1 of Rice County

Children who require immediate medical evaluation and treatment will be taken to the Emergency Department of Hospital District #1 of Rice County unless directed to one of the local clinics. Upon arrival, the staff will evaluate the child. Staff will determine the appropriate medical treatment of the patient after their evaluation. Medical records will be maintained by the treating facility.

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

Complete Blood Count (CBC)	\$40.00
Complete Metabolic Profile (CMP)	\$80.00
Urine Analysis (UA)	\$25.00
Urine Drug Screen	\$70.00
Emergency Department Charge	\$140.00
Physician Charge in Emergency Department	\$200.00



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

The Center for Counseling and Consultation -

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. The Center for Counseling and Consultation will schedule an interview to evaluate the mental status of a child "caught up" in a meth raid. Based on that evaluation, a recommendation will be made to the proper authorities regarding the child, as we would in any request for screening. The Center for Counseling and Consultation will schedule an appointment with the alleged victim in a timely manner, usually within 7-10 working days.

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

Juvenile Intake-

The child(ren) will be taken to an office for processing by Juvenile Intake and Assessment. An intake interview will be completed for each child seen by the worker and placement will be determined at this time. The intake and assessment worker will provide transportation to placement to foster care, shelter or group home as required. The intake interview will be sent to SRS, the Rice County Attorney and the Judge.

SRS-

SRS will provide law enforcement with any information received during the course of their Family Based Assessment that would 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 all respective agencies, will be documented and provided to one another in a timely manner.

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

In the event that children are in need of supplies and clothing, such as when their clothes have been deemed contaminated, and clothing/ items were secured prior to placement in emergency placement, charity organizations will be sought to help with the expense.



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The designated point of contact for these agencies will be the 911 Dispatch Center which will maintain a list of after hours contact numbers.

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

The funding source for comprehensive physical exams and any required testing has yet to be identified.

Exams related to assessments of abuse and neglect is typically funded by SRS/ Medicaid or family services funds. However, this process is somewhat outside of the normal uses of these funds and this issue remains unresolved.

Nothing to this point indicates SRS will not cover these exams; it is only specific funding that has not been identified to this point for such services.

Rice County Attorney-

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

- Aggressively prosecute drug-endangered children cases.
- Provide training for Rice County Law Enforcement Agencies on strategies and court preparation for drug-endangered children cases.
- Provide child victim advocacy throughout the legal process.
- Maintain statistical data on the number of drug-endangered child cases referred by law enforcement, those filed, those prosecuted and include disposition. The data will be accessible to agencies involved in this protocol.

SUPPORTING FORMS and DOCUMENTS:

Each supporting agency will share documents according to current agency protocols, policies and procedures. Forms and documents will be completed and submitted at appropriate times to appropriate agencies.

CONCLUSION:

The Rice County DEC Task Force has established the protocols in this document to cover the respective needs of drug-endangered children in Rice County, Kansas.



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MEMORANDUM OF UNDERSTANDING Between The

ALDEN FIRE DEPARTMENT
The
BUSHTON FIRE DEPARTMENT
The
CENTER FOR COUNSELING AND CONSULTATION
The
CHASE FIRE DEPARTMENT
The
GENESEO FIRE DEPARTMENT
The
HOSPITAL DISTRICT #1 OF RICE COUNTY
The
KANSAS ATTORNEY GENERAL'S OFFICE
The
KANSAS BUREAU OF INVESTIGATION
The
LITTLE RIVER POLICE DEPARTMENT
The
LITTLE RIVER FIRE DEPARTMENT
The
LYONS FIRE DEPARTMENT
The
LYONS MEDICAL CENTER
The
LYONS POLICE DEPARTMENT
The
RAYMOND FIRE DEPARTMENT
The
RICE COUNTY ATTORNEY'S OFFICE
The
RICE COUNTY EMERGENCY MEDICAL SERVICES/ EMERGENCY MANAGEMENT
The
RICE COUNTY FIRE DISTRICT #1
The
RICE COUNTY SHERIFF'S OFFICE
The
RICE COUNTY SOCIAL AND REHABILITATION SERVICES
The
RICE COUNTY VICTIM SERVICES
The
STERLING FIRE DEPARTMENT
The
STERLING MEDICAL CENTER
The
STERLING POLICE DEPARTMENT
And The
TWENTIETH JUDICIAL DISTRICT JUVENILE INTAKE/YOUTH SERVICES



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

Whereas, the Rice County Attorney's Office has agreed to aggressively prosecute cases involving clandestine drug labs and/or large-scale drug trafficking;

Whereas, drug-endangered children require the specific and immediate attention of a Social and Rehabilitation 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 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 620-241-3802 between 8 a.m. -5 p.m. and after 5 p.m. call _____.
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



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- (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.

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

1. Aggressively prosecute drug-endangered children cases.
2. Provide training for the Rice 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. 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.
5. Attempt to recover lab costs incurred by the arresting agency, emergency medical services, and/or S.R.S. for blood and urine analysis and medical evaluations of drug-endangered children when a suspect(s) is convicted of a DEC charge.

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

1. Coordinate services to drug-endangered children, including the sharing of information with law enforcement, after a search warrant 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.



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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, S.R.S. will, to the best of their ability:
6. Make every effort to have a S.R.S. 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 will 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.
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, S.R.S. 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. Hospital District #1 of Rice County, Sterling Medical Center and Lyons Medical Center will accept in full Medicaid allowance.

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

Curt Darling, Alden Fire Chief
Alden Fire Department

Date

Jeff Huff, Bushton Fire Chief
Bushton Fire Department

Date



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Dwight Young, Director
The Center for Counseling and Consultation

Date

Ed Feil, Chase Fire Chief
Chase Fire Department

Date

Bob Jackson, Geneseo Fire Chief
Geneseo Fire Department

Date

Robert Mullen, Administrator
Hospital District #1 of Rice County

Date

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

Date

Larry Welch, KBI Director
Kansas Bureau of Investigation

Date

Russell Stephenson, Little River Fire Chief
Little River Fire Department

Date

B.J. Smith, Chief of Police
Little River Police Department

Date

Greg Moss, Lyons Fire Chief
Lyons Fire Department

Date



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Judy Cox, Manager
Lyons Medical Center

Date

Chris Detmer, Chief of Police
Lyons Police Department

Date

Kirk Fish, Raymond Fire Chief
Raymond Fire Department

Date

Chris Oakley, County Attorney
Rice County Attorney's Office

Date

Terry David, Director
Rice County Emergency Medical Services/ Emergency Management

Date

Ed Feil, Chief
Rice County Fire District #1

Date

Steve Bundy, Sheriff
Rice County Sheriff's Office

Date

Sandra Russell, SRS Area Supervisor
Rice County Social and Rehabilitation Services

Date

Rita Smith, Coordinator
Rice County Victim Services

Date



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Rod Smith, Sterling Fire Chief
Sterling Fire Department

Date

Chris Klein, Manager
Sterling Medical Center

Date

Ron Groth, Chief of Police
Sterling Police Department

Date

Laurie White, Director
Twentieth Judicial District Juvenile Intake/ Youth Services

Date