

Drug Endangered Children Task Force

Thomas County DEC Protocol

A Project of the Thomas County Drug
Endangered Children Task Force

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I. Definition

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

II. Introduction

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

III. Mission

The mission of the Drug Endangered Children Task Force is to identify and protect the drug endangered child(ren) and to identify, provide, and improve services to them utilizing the criminal justice system, law enforcement, child welfare, and other community agencies with the goal of improving outcomes for the child(ren). The program also seeks to deter methamphetamine production in the presence of the child(ren) by supporting the arrest and prosecution

all manufacturers and their accomplices who manufacture, use, store, and sale methamphetamines.

IV. Purpose

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

- Kansas Bureau of Investigation (KBI)
- Thomas County Attorney
- Guardian Ad Litem
- Thomas County Sheriff's Office (TCSO)
- Colby Police Department (CPD)
- Social and Rehabilitation Services (SRS)
- Northwest Kansas Juvenile Services (NWKJS)
- Colby Public Schools
- Northwest Kansas Regional Prevention Center (RPC)
- High Plains Mental Health (HPMH)
- Thomas County Alcohol and Drug Abuse Council (ADAC)
- Thomas County Emergency Medical Services (EMS)
- Citizen's Medical Center (CMC)
- Colby Medical and Surgical Center (CMSC)
- Smart Start Northwest Kansas (Kid's Port)
- Colby Fire Department

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

V. Project Goal

The primary goal of the DEC Team is to establish a multi-agency methodology for the appropriate diagnosis and treatment of the child(ren) who have been exposed to the chemicals used to manufacture methamphetamine or other illegal drugs in a clandestine laboratory setting, and to provide any relevant information in the prosecution of all individuals responsible for endangering the

child(ren). Appropriate diagnosis and early treatment are imperative so that the mental and physical needs of the child(ren) are effectively addressed.

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

VI. Project Policy Statements

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

VII. Composition of the DEC Team

DEC Team Implementation Managers:

1. Thomas County Attorney – Prosecution
2. Law Enforcement
3. Child Protective Services – SRS

The Thomas County Attorney's Office has a duty to review, prosecute, and file each DEC case in Thomas County that is determined to demonstrate sufficient evidence for prosecution. The County Attorney's Office may convene at periodic meetings of the DEC team that will assist in the preparation of a countywide prosecution protocol for DEC cases. When appropriate, the County Attorney's Office may hold trainings for law enforcement, SRS, and other agencies.

Law enforcement will respond when a methamphetamine lab is located. They will conduct the investigation, collect the evidence, and prepare the case for prosecution, including relevant reporting of all issues regarding child endangerment. Law enforcement personnel will take photographs, collect evidence, prepare and serve search warrants, confiscate the clothing of children and replace clothing as part of the evidentiary collection process, as well as testifying in court. In law enforcement initiated methamphetamine investigations, the law enforcement case officer is responsible for the above duties. Upon first being notified of a methamphetamine seizure where the child(ren) is located, law enforcement will immediately notify SRS that a contaminated child(ren) or suspected contaminated child(ren) at a seized lab has been detained on site by the investigating officer or the law enforcement agent. Juvenile Intake and Assessment will be notified at this time and will be advised of the location and condition of the child(ren).

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

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

VIII. Operational Procedure

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

Crime scene processing and child intervention – The law enforcement officer 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(ren) will be removed from the scene and placed in a safe location while awaiting the arrival of SRS/DEC. After receiving the necessary medical evaluation and care, an interview will be scheduled for the child. All photographs that pertain to child endangerment filings will be shared with SRS to support sustained allegations of child endangerment in the CINC hearings.

IX. Interviewing of Victims, Witnesses, and Parents

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

X. Procedure for Examination and Testing of Victims

Upon arrival to an appropriate medical facility, a PA or ARNP will medically assess the child(ren). All appropriate laboratory tests will be performed on the child(ren) to assess, on an individual basis, the medical needs of the child(ren) at that time. Tests to be performed

will be determined by the medical staff at the medical facility. These tests will include (when indicated) urine and/or blood sampling within 12 hours of discovery of the child(ren) at the lab site. All medical records will be maintained by the medical facility for tracking purposes.

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

Invasive Testing (blood/urine analysis) – Blood and urine samples will be taken at the medical facility and upon the completion of testing, will be transferred to the KBI Regional Laboratory establishing and maintaining appropriate chain of custody. The transportation of these samples will be the responsibility of the investigating officer or agency. The blood and urine analysis shall be done within 12 hours after the child(ren) is taken into protective custody.

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

XI. Exchange of Information Between Agencies

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

XII. Preparation of Reports

DEC Team members will complete any observation reports regarding the alleged child endangerment situation necessary for successful prosecution and CINC hearings. All reports containing spontaneous

or interview statements made by victims, witnesses to the crimes, and medical personnel, will be maintained by the respective team members.

XIII. Assignment of Cases

In the event of an emergency intervention, the DEC worker will be contacted after law enforcement finds suspected allegations of child abuse and/or endangerment.

XIV. DEC Team Debriefing

Upon completion of the investigation of the drug laboratory where children are found, DEC team members will meet when necessary and debrief each other as to the case events and evidence found at the location(s). This policy is established in order to successfully assess and improve upon the response by the DEC team. Furthermore, it is believed that this debriefing will assist team members in identifying any problems that may have existed at the time of the search warrant or intervention, which may be improved upon in future cases. We believe that this debriefing process is imperative in order to establish and improve collaborative efforts between the DEC team members and member agencies.

XV. Reimbursement / Expense Detail

The Northwest Kansas Regional Prevention Center has 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 DEC member is eligible for reimbursement. A reimbursement/ expense detail shall be completed and submitted, with appropriate receipts, to the Northwest Kansas Regional Prevention Center 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.