

LAUDERDALE COUNTY

DRUG

ENDANGERED

CHILDREN'S

TEAM

INTERAGENCY OPERATING AGREEMENT

PROTOCOL FOR DRUG ENDANGERED CHILDREN

These protocols are meant to provide a multi-discipline guide that provides for children involved with methamphetamine labs and other illegal drugs in Lauderdale County, Tennessee. The primary goal of these protocols is to provide safety for children that are put in these situations. Second they are meant to aid in the investigation and prosecution of offenders that have abused or neglected these children. Hopefully by following these guidelines all involved in the process can maintain a unified effort for the safety of the children.

These protocols should be viewed as a guide to assist each agency. They are not always applicable in every situation. Common sense should dictate procedure.

TCA 39-15-401 & 402 - It is against the law to abuse, harm or endanger a child.

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DRUG ENDANGERED CHILDREN’S TEAM
INTERAGENCY OPERATING AGREEMENT

APRIL 30, 2009

WHEREAS: The manufacture of illegal methamphetamine and/or other illegal drugs is a major public safety issue and a danger to the children in Lauderdale County, Tennessee; and

WHEREAS: Children are the innocent victims of exposure to methamphetamine and other illegal drugs; and

WHEREAS: The needs of these children who are negatively affected by the epidemic of methamphetamine and other illegal drugs must be addressed; and

WHEREAS: The mission of the Drug Endangered Children’s Team is to bring together appropriate agencies to establish a process and method of information sharing, cooperation, and coordination leading to improved public policy and increased safety for these endangered children;

We, the members of the Drug Endangered Children’s Team, vested with the responsibility of ensuring the safety and well being of drug endangered children, agree to adopt this Interagency Operating Agreement in order to provide information sharing with a view toward thoughtful and aggressive protective action:

This memorandum of understanding is agreed upon on this _____
_day of April, 2009.

25th Judicial District Attorney General
Mike Dunavant

Exchange Club Carl Perkins Center
Director, Annette Maxwell

Lauderdale County Board of Education
Superintendent, Joey Hassell

Tennessee Department of Children's Services
Team Coordinator, Tonya Watson

Lauderdale County Juvenile Court
Administrator, Kim Coffey

Lauderdale County Ambulance Authority Director
Carl E. Newman, NREMT-P

Lauderdale County Sheriff
Steve Sanders

Ripley Police Department Chief
Landis Garrison

Halls Police Department Chief
Ricky DeSpain

Henning Police Department Chief
Bobby Hart

Gates Police Department Chief
Marvin Brown

Ripley Fire Department
Chief, Felix Moore

Baptist Hospital-Lauderdale
Nurse Manager
Cassie Williams

LAW ENFORCEMENT

The Law Enforcement protocols will be broken down into Situations I through IV. Each of these situations will be defined and include the recommended steps to be taken when encountered.

SITUATION I

The criteria for Situation I: a working methamphetamine lab and/or working components inside a residence where children are present. Working components would be any process or stages of methamphetamine production. This would include pills being broke down, red phosphorus being extracted, gassing off meth oil, and/or other procedures:

Steps that should be taken:

1. Secure the Scene and assess the danger involved for children, officers, and defendants.
2. Provide a temporary safe environment (away from Meth Lab contamination) for children (with family member not affiliated with meth lab) while preparing other procedures.
3. Immediately call DCS Supervisor and Juvenile Court Investigator - cell phones #s will be provided.
4. Contact Clan Lab certified Officer.
5. Notify Fire Department for assistance as needed (fresh air packs, safety equipment in case of fire or explosion, ventilation fans). This in most cases should be determined by Clan Lab trained officer or Site Safety Officer.

6. Contact Meth Truck Driver.
7. If it is apparent there is immediate medical attention for children - go ahead and have them transported to Emergency Room for treatment. This can be accomplished by private vehicle if available or by someone that is kin to child(ren). Family members not living there are sometimes helpful to assist and should bring an extra change of clothes for the child(ren) if time allows. **However, do not let the children leave your supervision.** Or in some situations it may be necessary to transport them in Patrol Vehicle, or Unmarked Vehicle. If this is necessary put child in tyvex suit or if an infant wrap in a tyvex blanket.
8. If serious attention is required such as burns, respiratory problems, or similar situation transport by way of ambulance. Try and provide means necessary to keep from contaminating the ambulance.
9. Call DCS and Juvenile Investigator so they will know to respond to the hospital instead of the crime scene.
10. DCS policy prohibits them from transporting children prior to decontamination.
11. In certain cases if possible it is advisable to go through a decontamination procedure before the child is transported. The Meth Truck is equipped for this procedure. It is important to not traumatize the child anymore than is needed. A relative or someone not affiliated with the lab that the child knows should stand by as a comfort source.

12. Do not let any belongings such as extra clothing, toys, food or even bottles accompany the child to the ER (due to possible contamination). The child's clothing, etc. should be placed in a plastic bag for possible evidence.
13. It is advisable to notify the ER of the situation as soon as possible to ensure their preparation.
14. When arriving at ER, notify medical staff prior to entering. This will allow Medical or ER staff to take child to bathroom/tent for decontamination prior to entering the emergency room for examination and treatment.
15. Ensure either ER or someone obtains a urine sample from the child(ren) within 2 hours. Meth that is breathed in or absorbed will quickly leave the child's system.
16. Obtain swabs for the ion scanner—children's toys, living area, etc. should be taken. The Meth truck driver is certified on the machine and can take custody of swabs or assist at the scene. Place swabs in clean, plain envelope.
17. Most of the time, evidence at meth lab speaks for itself. In the event children interviews are necessary, law enforcement and DCS should coordinate with each other.
18. DCS policy is that no worker should go into a contaminated area.
19. Law enforcement will provide appropriate notes, reports, diagrams and pictures for prosecution and custody matters (this is necessary for L.E. case anyway).

20. Juvenile Court shall call DCS law enforcement referral line (1-877-237-0026) within 24 hours of responding to crime scene.

**Please note: DCS Supervisor has provided phone numbers as a way to speed up the process of DCS response. This eliminates time for the normal referral process. Therefore, it is important to report or make referral within 24 hours as in the normal procedure.

21. Petition alleging Dependency and Neglect should be filed by DCS or Juvenile Investigator in the Juvenile Court regarding any child(ren) found in a methamphetamine lab irregardless of the stage of production.

LAW ENFORCEMENT SITUATION II

The criteria for Situation II: a working meth lab and/or working components found on the property but not in the residence where children are at. On the property would mean an outbuilding, barn shed, out in the woods (near a residence) or in some cases a garage. This would be for a lab or components where children are present but not directly exposed to the chemicals and process. There could be a fine line between a Situation I and II, so officer's discretion should be observed. It is believed that the majority of discovered labs fall in this category.

Steps that should be taken:

1. Secure the Scene and assess the danger involved for children, officers, and defendants.
2. Provide a temporary safe environment (away from Meth Lab contamination) for children (with family member not affiliated with meth lab) while preparing other procedures.
3. Immediately call DCS Supervisor and Juvenile Court Investigator - cell phones #s will be provided.
4. Contact Clan Lab certified Officer.
5. Notify Fire Department for assistance as needed (fresh air packs, safety equipment in case of fire or explosion, ventilation fans). This in most cases should be determined by Clan Lab trained officer or Site Safety Officer.
6. Contact Meth Truck Driver.

7. Work crime scene.
8. Provide DCS and Juvenile Investigator with notes, reports, diagrams and pictures.
9. If applicable, collect urine or other sample for contaminants of child and/or child's belongings (such as toys, clothes, etc.)
10. Notify DCS law enforcement referral number.
11. DCS should have child seen by a physician as soon as possible.
12. If either of the parents are charged criminally, DCS/Juvenile Court or relatives of the child should file a D/N petition in Juvenile Court due to the substantial risk of harm/neglect to the child(ren).

LAW ENFORCEMENT

SITUATION III

The criteria for Situation III: a lab and/or working components or non working components in a residence or on the property but there are no children present. However, it is apparent or suspected that the persons there or residing there will have children visiting or in the residence in the future. This situation would apply such as when parents share custody, have weekend visitation, or just have children that come and visit. A good indication for this could be information obtained during interview of defendant and/or neighbors, children's toys or clothing at the residence or past experience with the defendants.

Steps that should be taken:

1. Work the Crime Scene - document the usual with notes, reports, diagrams and pictures.
2. Call DCS and Juvenile Court Investigator and make referral through DCS law enforcement referral number.
3. Notification to other parent/custodian should immediately be made to give this parent the opportunity to protect the child. DCS should make a follow-up contact with this person and child if age appropriate to assure compliance.
4. Have documentation available if needed.
5. Other parent/custodian should have the child seen by a physician as soon as possible. Other parent/custodian should contact the Juvenile Court if other assistance is needed.

6. Petition alleging D/N should be filed in the Juvenile Court for children whose parents have never been married or a Petition to modify custody or visitation in the Chancery Court for children whose parents are married at the time of the incident or divorced at the time of incident.

LAW ENFORCEMENT

SITUATION IV

The criteria for Situation IV: There is no lab present in the residence or on the property. However, there are quantities of Methamphetamine, other drugs, and/or dangerous drug equipment or paraphernalia present that are accessible by children. Examples of these would be methamphetamine and/or drugs around the living area of the house where a child might encounter and ingest or absorb. Dangerous equipment and paraphernalia might be syringes, needles, pipes, glassware, etc.

Steps that should be taken: (Follow same procedure as in Situation II)

1. Secure the Scene and assess the danger involved for children, officers, and defendants.
2. Provide a temporary safe environment (away from Meth Lab contamination) for children (with family member not affiliated with meth lab) while preparing other procedures.
3. Immediately call DCS Supervisor and Juvenile Court Investigator for decision regarding relocation of the child(ren) - cell phones #s will be provided.
4. Work crime scene.
5. Provide DCS and Juvenile Investigator with notes, reports, diagrams and pictures.
6. If applicable, collect urine or other sample for contaminants of child and/or child's belongings (such as toys, clothes, etc.)

7. Notify DCS law enforcement referral number.
8. Petition should be filed by DCS/Juvenile Investigator or relative alleging D/N due to substantial risk of harm/neglect.
9. Child should be seen by a physician as soon as possible as arranged by DCS or temporary custodian with DCS follow-up.

LAW ENFORCEMENT

SITUATION V - ALL DRUGS OTHER THAN METHAMPHETAMINE

The criteria for Situation V: An adult parent is charged with any type of drug offense including but not limited to marijuana, cocaine, heroine, prescription medication abuse, and any other illegal substance. Alcohol abuse should also be reported.

Steps that should be taken:

1. Determine if the adult is a parent/custodian of a minor child(ren).
2. Make referral to the DCS law enforcement number and notify the Juvenile Court Investigators of the circumstances.
3. Provide DCS and Juvenile Court Investigators with notes, reports, diagrams, and pictures.
4. Appropriate placement of children should be decided on DCS/Juvenile Court Investigators, especially in cases whereby the parent/custodian is being incarcerated.
5. All allegations shall be investigated by the Juvenile Investigators/DCS, and a petition should be filed in the Juvenile Court of Lauderdale County if deemed appropriate.

DCS

Receive and review law enforcement reports of possible child abuse/neglect.

1. Respond expeditiously and appropriately.
 - a. If contacted by law enforcement, respond immediately to the location where the child is present.
 - b. If the first report of a suspected meth lab is received by DCS, contact law enforcement and Juvenile Investigators for assistance and respond as instructed.
2. Evaluate family composition and identify all available relative resources.
 - a. Interview individuals with information about the child and the child's circumstances.
 - b. Obtain information collected by law enforcement regarding family members and other caretakers including names, addresses and telephone numbers and availability of alternative placement options.
 - c. Attempt to locate and coordinate removal of children that were not on the premises (e.g. children at school).

Assume custody or make appropriate placement

3. Assume physical custody of child(ren) once law enforcement or hospital personnel have completed decontamination.
 - a. Ensure that the child has no toys or other person belongings from the site.

- b. Ensure that no food or drink (including baby bottles) from the site accompanies the child.

Ensure legal determination

- 4. Follow established DCS policy for obtaining legal custody of the child.
 - a. Contact immediate supervisor and other as appropriate.
 - b. Contact DCS legal for Petition alleging D/N and permission to remove the child(ren) and to evaluate the appropriate placement options.

Respond to Medical Facility

- 5. Law enforcement will be responsible for transportation of the child to the appropriate medical facility and notifying DCS and Juvenile Investigator.
 - a. Respond expeditiously to the designated medical facility.
 - b. Ensure the appropriate decontamination has been completed.
- 6. Ensure that appropriate medical care is provided. Any child(ren) that may have been exposed to meth or meth production should be seen by a physician as soon as possible in all situations.
 - a. Medical evaluations and testing completed as necessary.
 - b. Obtain all medical records available including emergency room records-follow up with additional medical requests as further medical records identified.
 - c. Notify the Health Department of meth exposure when requesting EPSTD&T evaluation or when scheduling other medical evaluations.

- d. Review emergency room records to determine if further medical evaluation is recommended.

Foster Care/Relative Care

7. Contact resource management and evaluate placement options.
 - a. Identify appropriate relative resources if possible.
 - b. Facilitate foster care or relative kinship care as appropriate.

Conduct interviews, gather information and collect evidence.

8. Ensure that urine sample is collected from child at medical facility within two (2) hours of custody unless exigent circumstances exist.
9. Obtain evidence from law enforcement and independently.
 - a. Photograph physical condition of child(ren) if possible.
 - b. Interview child and any other available witnesses to determine
 - 1) Primary care giver
 - 2) Child's knowledge of drug manufacturing process
 - 3) Child's living area in relation to the actual meth lab
 - 4) Medical problems
 - 5) School attendance
 - c. Coordinate further interviews with law enforcement.

Participate in all legal proceedings

10. Follow up with DCS legal to complete necessary legal proceedings.

- a. Contact DCS legal next working day to complete legal documents.
- b. Participate in all hearings schedule.
- c. Assist with identifying and contacting witnesses and gathering evidence.

***NOTE** - DCS has established guidelines titled DCS Responds to the Outbreak of Methamphetamine. The policy and procedures addressed in this book will supersede any local protocol.

MEDICAL

Medical facility shall complete decontamination procedures as determined to be appropriate.

1. Complete decontamination as consistent with unknown chemical exposure.
 - a. For a symptomatic child (as determined by FIRE/EMS at the scene). Fire/EMS will decontaminate at the scene and transport immediately to the appropriate medical facility for decontamination.
 - b. For an asymptomatic child (as determined by FIRE/EMS at the scene). If the child can be wrapped in a Tyvex or other appropriate blanket, the child will be wrapped and transported by the Fire/EMS to the appropriate medical facility for decontamination.

If the child cannot be wrapped, Fire/EMS will decontaminate on site and transport to the appropriate medical facility.

Medical personnel will perform necessary medical emergency medical care.

1. Once the child has been decontaminated, conduct emergency evaluation including:
 - a. CBC, CMP, UA, UDS
 - b. CXR
 - c. O₂Sat
 - d. Temperature
 - e. Liver function tests: SGPT, SGOT, Total Bilirubin and Alkaline Phosphate

- f. Kidney function tests: BUN and Creatinine
 - g. Baseline electrolytes: Sodium, Potassium, Chloride, and Bicarbonate
 - h. Urine specimen within 12 hours of identification of the child.
Urine screen and confirmatory test results should be reported at any detectable level.
 - i. Complete metabolic panel (Chem 20 or equivalent)
 - j. Pulmonary function test
 - k. Heavy metal screen
 - l. Notify Juvenile Investigator and Department of Children's Services
Follow decontamination policy for those exposed to the meth labs
Report possible abuse per policies and complete Abuse Report Form
2. Collect and analyze urine sample
- a. Ideally, should be collected within two (2) hours of child's removal from a meth site.
 - b. Urine sample shall be maintained by hospital personnel and sent to lab for processing.

Child shall remain at medical facility pending DCS custody.

- 1. Hospital security shall ensure that the child remain at the hospital and is released to no one other than identified DCS personnel or law enforcement.
 - a. DCS or law enforcement shall respond promptly to the medical facility to transport to Lauderdale County Child Advocacy Center if necessary for further evaluation of custody options.

Medical records shall be released to DCS along with the child.

1. Emergency medical records shall be recorded, copied, and made available to DCS before the child is released.
 - a. A HIPAA exception exists for endangered children.
 - b. Any ongoing medical problems should be documented and brought to the attention of DCS personnel.
 - c. Follow up with appropriate DCS personnel to ensure that medical problems are identified and appropriate referrals are made for necessary services/evaluations.

EMS

It is the requirement of the Lauderdale County Ambulance Authority to provide emergency medical care for persons of all ages within its jurisdiction. All personnel of the Lauderdale County Ambulance Authority and/or associated first responder agencies will comply with provisions/protocols set forth by the Lauderdale County Drug Endangered Child Response Team.

When an EMS responder has suspicion of a location/situation in which they encounter that child(ren) may be exposed to substances illegal in nature, responders will:

- a. Maintain scene safety at all times.
- b. Summon law enforcement assistance at the scene.
- c. Document the level of harm/danger/exposure to child(ren) of location.
- d. Document a thorough patient assessment of the child(ren).
- e. Provide appropriate emergency medical care to person(s) involved as needed.
- f. Decontamination (if needed) should occur at the scene.
- g. Transport any endangered child(ren) to appropriate medical facility and relay findings.
- h. Follow-up and provide appropriate documentation to the referral of any drug endangered child to investigating law enforcement/judicial authorities.

LAUDERDALE COUNTY SCHOOLS

Suspected Drug Exposed Child

1. Any person who suspects Methamphetamine exposure or a drug endangered child will contact the Department of Children's Services Centralized Intake number (1-877-237-0004) and/or the Lauderdale County Juvenile Court (731-635-3505) and/or the Lauderdale County Sheriff's Department (731-635-1311). This is in accordance with TCA 37-1-403.
2. If there is any suspected methamphetamine contamination of any person or property on school grounds, the Lauderdale County Juvenile Court (731-635-3505) and/or the Lauderdale County Sheriff's Department (731-635-1311) will be notified immediately.

FIRE

Respond to call - if child is involved contact law enforcement

1. Secure the scene and ensure the safety of initial responders and others found at the site.
2. Ensure that any child at the scene is appropriately decontaminated, allow law enforcement to photograph prior to decontamination if possible to:
 - Document injuries
 - State cleanliness and clothing
 - Signs of abuse/neglect
 - a. For a symptomatic child (as determined by FIRE/EMS at the scene) Fire/EMS will decontaminate at the scene and transport immediately to the appropriate medical facility for decontamination.
 - b. For an asymptomatic child (as determined by FIRE/EMS at the scene) If the child can be wrapped in a Tyvex or other appropriate blanket, the child will be wrapped and transported by Fire/EMS to the appropriate medical facility for decontamination.

If the child cannot be wrapped, Fire/EMS will decontaminate on site and transport to the appropriate medical facility.
3. Leave all personal belongings (toys, books, etc.) and food items (baby bottles, snacks, etc.) at lab site.

Assess condition of child - provide medical care as indicated.

1. Perform a field assessment to see if emergency medical is necessary.
 - a. For a child with obvious injuries or illness, call for assistance or

transport immediately and notify DCS to meet the child at the hospital.

- b. For a child not obviously critical, perform field medical assessment consisting of vital signs (temperature, blood pressure, pulse, respirations) pediatric triangle of assessment (airway, breathing, circulation).

Coordinate transportation of child to hospital

1. Transport the child to the hospital for further medical evaluation after decontamination, as set out above.

CARL PERKINS CENTER- LAUDERDALE COUNTY CHILD ADVOCACY CENTER

Respond to call through dispatch, DCS or law enforcement

1. Provide contact information to dispatch for 24/7 coverage during removal of children by DCS or law enforcement.
 - a. The CAC will be accessible during the process of removal investigations and interviews by DCS and/or law enforcement.
 - b. The CAC staff/volunteers will seek out resources to provide for the immediate needs of the child.
 - c. Office space will be provided for the immediate needs of the child.

Immediate Care

1. The CAC staff/volunteers will provide and promote a child friendly atmosphere in order to alleviate trauma during removals, interviews, and investigations.
 - a. The CAC staff/volunteers will be available for the care of a child at the request of DCS or law enforcement.
 - b. All children on premises shall be in the physical custody of DCS or law enforcement.

Additional Services

1. Upon referral by DCS/law enforcement, the CAC staff/volunteers will seek resources for children from relative caregivers, foster families, and other families with children.
2. Upon referral by DCS/law enforcement, the CAC will provide services to children and their families through the Drug Endangered Child Program.

PROSECUTION

Prosecution of the perpetrator

1. Be available for initial contact when law enforcement feels it is necessary to report alleged crime to the District Attorney's Office
2. Work hand in hand with law enforcement to advise them on how the case is proceeding.
3. Review all evidence and make the final decision on the appropriate criminal charge for the alleged crime.
4. Help navigate the case through the court system from initial charge to plea/trial.

Protecting the rights and interests of the victim and their families

1. Successfully shield the victim from any unnecessary trauma that may arise from exposure to the court system.
2. Work closely with the staff at the Carl Perkins Center Child Advocacy to bring in all agencies of interest together to a victim-friendly environment to proceed with interview/investigation.
3. Minimize number of interviews of victims by utilizing the CAC.
4. Take into consideration the feelings of the victim and victim's family when making decisions regarding the prosecution of the perpetrator.
5. Help guide victim and family through the court system maze.
6. Take into consideration wishes of the victim and victim's family when making final decision of disposition of case (ex/trial or plea).

JUVENILE COURT

Juvenile Investigators shall respond to call if child is involved and report to DCS

1. Secure the scene of suspected methamphetamine lab – ensure the safety of initial responders, children, and others at the scene.
 - a. Contact EMS/Fire for evaluation and decontamination of child and others at the scene or at the appropriate medical facility as indicated.
 - b. Notify clandestine lab certified officers who will start the investigation.

Assess condition of child

1. Take child into protective custody and notify DCS to respond.
 - a. Leave all toys and other personal belongings at the site.
 - b. Leave all food and drinks (including baby bottles) at the site.
 - c. Photograph child and belongings at the site.

Place child in protective custody pending transfer to DCS

1. Transfer custody of child to DCS once Fire/EMS or appropriate medical facility completes decontamination.
 - a. Do not release child to family members or neighbors.
 - b. The child remains in protective custody of law enforcement until DCS arrives and takes physical custody – all placements decisions are made by DCS/Juvenile Court.

Collect physical evidence for court proceedings

1. Examine scene for evidence that indicates the presence of a child.
 - a. Document the scene through videotape/photographs giving particular attention to the following:
 - Child's accessibility to drugs, chemicals, syringes, and drug paraphernalia (measurements of height, depth of shelves, tables, etc. For comparison with height and reach of child).
 - Proximity of hazards to child's play and sleep areas
 - Non-drug hazards and other indications of neglect
 - Access to pornography
 - Food quantity and quality
 - Sleeping conditions
 - Sanitary conditions
 - b. Photograph the child at the scene if possible and document the following:
 - Get addresses, phone numbers, and other identifying information of the parents.
 - Determine family composition and the existence of sibling (ensure to the extent possible that a sibling is not temporarily absent - example at school or staying with a friend or family member).
 - Identify other caregivers if appropriate.
2. Obtain samples from medical facility and submit to forensic laboratory.
3. Surveillance equipment, weapons and explosives will be noted, photographed, and measured. Document whether or not the weapons were loaded or the explosives were live.

4. Obtain chemical assessment report and findings.

Facilitate clean up and data collection

1. Contact local Drug Enforcement Administration (DEA) office to coordinate clean up of hazardous material on site.
2. Submit data to EPIC and other appropriate databases.