



Sawyer County Wisconsin



Sawyer County/LCO Drug Endangered Children (DEC) Protocol

Introduction:

Various agencies in Sawyer County and on the Lac Court Oreilles Reservation have been addressing the destructive impact of drugs in our community and have historically been able to keep the damage relatively in check. The latest explosion of methamphetamine and synthetic drug abuse has forced us to respond more effectively and improve our response in drug abusing environments. We have pooled our expertise to become a collaborative effort, have better educated ourselves, and are determined to utilize all possible options to protect the children from future harm of drug abusing environments.

The foundation of our focus to protect the children raised in drug abusing environments is that abusing drugs in the presence of children is child abuse and/or neglect. Exposing children to the toxic ingredients of methamphetamines, synthetics and other drugs is physically harmful; exposing children to surroundings where drugs are used or sold is also an abusive and hazardous environment; and lack of attention and supervision while caretakers are under the impairment of drugs is neglect. These are all examples of child abuse and neglect and we will proceed as such to our fullest extent, including prosecution.

This Protocol details the collaboration between the Sawyer County Sheriff's Office (SCSO), The City of Hayward Police Department (HPD), Lac Court Oreilles Tribal Police Department (LCOPD), Sawyer County Health & Human Services (SCHHS), Indian Health Services, the Lac Courte Oreilles Indian Child Welfare & Family Services (ICW), the Wisconsin Department of Corrections (Probation & Parole), the Sawyer County District Attorney's Office, Lac Courte Oreilles Legal Department (LCO Legal) and the medical community. Our primary goals are to minimize the re-victimization of drug exposed children and improve the health and safety of these children by providing treatment and appropriate services to the family. The secondary focus is to develop a multi-disciplinary team that will maximize our ability to respond to this devastating problem.

Mission:

The purpose of the Drug Endangered Children (DEC) Response Team is to collaboratively intervene on behalf of children who have been exposed to drug abusing environments. We will be unrelenting in the protection of these children and will provide the necessary treatment and after care to all family members so that they all have an opportunity to live a drug free life. Lastly, DEC team members will ensure that parents/caretakers are vigorously and effectively prosecuted for child endangerment in addition to the narcotic charges resulting from their illegal drug activities.

Policy Statement:

The Sawyer County/LCO DEC Response Team will address the issues involving Drug Endangered Children by:

- A. Using a multi-agency, multi-disciplinary approach.
- B. Maximizing the collaboration between agencies.
- C. Quickly and thoroughly evaluating the needs of the exposed children.
- D. Providing access to treatment for the physical and psychosocial needs of the child and their parent/caretaker.
- E. Filing charges including but not limited to recklessly endangering safety (941.30 (1)) in addition to the drug charges whenever possible.
- F. Educating the community in regards to the negative impact of drugs and the harmful effects to children.

DEC Team Organization

The comprehensive multi-agency response to an incident of Drug Endangered Children may consist of the following members (depending on the professional judgment of the team leader):

- A. DEC Team Leader- Drug Investigator- SCSO
- B. Child Protective Services- FSU DEC Designee- SCHHS Sara Ross Poquette, LCO ICW Tibissum Rice
- C. Public Health- Public Health Supervisor- Eileen Simak
- D. Sawyer County AODA Mental Health Coordinator – Joe Bodo, LCO Behavioral Health Director – Jody Petit
- E. District Attorney’s Office- D.A. Bruce Poquette
- F. Department of Corrections- Probation & Parole- Jeff Schley, Field Supervisor
- G. Hayward Area Memorial Hospital - Lisa Anderson, ER Manager
- H. Law Enforcement Agency of jurisdiction
- I. Indian Health Services – Marty Maynes
- J. Marshfield Clinic- Kathie Schaus, MD, Pediatrics
- K. Essentia Health System - Christina Hyser, MD

Standard Operating Procedures:

(Methamphetamine LAB procedures only in bold)

1. DEC Team Response

A DEC Response Team is formed whenever assistance is required by law enforcement as they anticipate, have knowledge of or discover that a child is present in a drug abusing environment.

- A. The DEC Team Leader will contact the appropriate representatives or their designated back-ups at the earliest point possible (some incidences may not require participation from all team members). SCHHS contact will be: CPS DEC Designee (County and LCO) or the Mental Health & AODA Coordinator, all can be reached at 715-634-4806, after hours 715 634 5213. Probation & Parole can be reached at 715-634-2929.
- B. A meeting time will be scheduled and information will be shared, tasks assigned (records search, locate potential placement, assign social worker) and a tentative time-line for future events will be set. If immediate intervention is necessary, information will be shared in the most expedient manner, most typically by telephone.

If a methamphetamine lab seizure is imminent, team members will be prepared to respond to the lab scene and follow the directives of the Team Leader if possible and as time allows. The DEC team should not enter a methamphetamine lab scene or residence until the scene has been cleared for entry by proper authorities.

- I. **The lab team will determine if a child(ren) needs to be decontaminated prior to transportation.**
 - a. **D1. If decontamination is not required, the social worker will be responsible for transporting or arranging the transportation of the child(ren) to the nearest medical facility knowledgeable with the DEC protocol.**
 - b. **D2. If the child(ren) require decontamination prior to transport, the process used will be determined by the lab team with input from members of the DEC team. Decontamination of children will take into account the age, development and sensitivity of the child(ren) so as to ensure the least traumatic experience while providing safety for all.**
- II. **It will be the responsibility of the social worker to bring car seats to the scene; law enforcement may assist in this regard as well.**
- III. **The DEC social worker (with the assistance of other DEC team members) will complete the Chemical Exposure Information Form (see appendix A) so it can be brought with the child(ren) to the physical exam.**

IV. Public Health and Indian Health Services will be notified by Law Enforcement when a meth lab is seized in Sawyer County or LCO Reservation. Either agency may choose to respond at a later date but all efforts will be made to be on site with the other DEC team members. Each health agency is notified for the following purposes:

V.

- i. To conduct a follow-up inspection to assure appropriate clean-up of the meth lab environment to protect the public from negative health effects of chemical exposure.**
- ii. Make a recommendation report to law enforcement agency authorized to condemn properties in conjunction with legal departments.**

VI. Public Health or Indian Health Services will do an inspection of the property to determine if a human or environmental health hazard exists. If Public Health or Indian Health Services believes the extent of contamination of the property presents an immediate hazard, other appropriate agencies can be notified so that the property is cleaned up. Other agencies may include, but are not limited to:

- Department of Natural Resources**
- Bureau of Environmental Health**
- Sawyer County Housing Authority (for relocation of residents)**
- Wisconsin Dept. of Justice- Division of Criminal Investigation**
- Drug Enforcement Administration**
- Department of Agriculture**
- LCO Housing Authority**

VII. Public Health will determine when the property can be occupied.

VIII. In the event the property owner refuses to do the necessary clean up, Public Health will notify the Sawyer County Corporation Counsel and LCO Legal Department that a Violation of Law Relating to Health (WI 252.25) has taken place.

IX. The Sawyer County Public Health Officer or Indian Health Services representative will provide the property owner with information regarding necessary clean up procedures and will monitor the property until the cleanup is complete. No individual will be allowed to occupy the dwelling until all human health hazards are abated.

For more information, see the document, “Cleaning up Hazardous Chemicals at Methamphetamine Laboratories” found here:

<http://www.dhs.wisconsin.gov/eh/chemfs/pdf/MethFS.pdf>

2. Medical Procedures: (Exam should occur within 2-4 hours of TPC or initial involvement)
- The DEC social worker will be competent with and have access to the Medical Protocol for Children Found at Methamphetamines Laboratories (see appendix B).
 - While the title of the medical protocol is for labs, all children exposed to methamphetamine abusing environments will receive a medical examination due to possible exposure of methamphetamines and potential likelihood of abuse and neglect, however the following precautions must be taken:
 - i. Contaminated children or adults will be decontaminated under the direction of the HAZMAT lead person(s) in consultation with EMS if needed.
 - ii. Children or adults from said homes not in legal custody by Law Enforcement will be transported by EMS to a medical facility for medical evaluations following decontamination if necessary.
 - iii. CPS will meet children and/or adults at the medical facility location.
 - iv. Upon completion of medical evaluations, SSA will then assist with the care of any children removed from the site or home.
 - v. CPS upon completion of medical evaluations will coordinate assistance for temporary clothing/food/housing for removed children or adults if needed.
 - vi. CPS will coordinate services to said displaced children the next day or within 24 hours of removal to assess and to follow up on specific needs.
- A. If time allows, a DEC Team member will call ahead and alert Hayward Area Memorial Hospital Emergency Room Director, Lisa Anderson at 715 934 4321 that a Drug Endangered Child is in need of an exam.
- B. Transport shall provide the medical professional with the Urgent Care/Baseline Medical Exam Protocol (see appendix C and D) and the completed Chemical Exposure Information Form (see appendix A) if applicable.
- C. The DEC social worker is responsible to ensure copies of the completed medical forms and lab results are forwarded to SCHHS or ICW.

3. Placement procedures:

The DEC social worker will follow the standards as set forth by Wisconsin Statute, Administrative Codes and County/Tribal policy. Foster care may be necessary due to extended family involvement.

4. Evidence Collection procedures

- If the parent /caretaker are on supervision with the Department of Corrections (DOC), jail staff or DOC Staff should collect a urinalysis and place the sample in a secure location for testing by the DOC lab.
- A. It is the responsibility of law enforcement to gain lawful access to the drug abusing environment, including obtaining a search warrant if necessary. Written consent should be obtained even if access is voluntary.
- B. It is also the responsibility of law enforcement to take evidentiary pictures and/or video at the drug abusing environment. The DEC social worker can assist law enforcement at the drug abusing environment. Pictures of the environment (if possible) should focus on the impact of the drug abusing environment relative to the child(ren):
 - Drug paraphernalia next to children's toys
 - Methamphetamine ingredients on a table next to baby food
 - Measurements of countertops demonstrating accessibility to the child
 - Home condition
- C. Pictures of the child(ren) must also be taken by Law Enforcement or their designee. Things to photograph include:
 - Bruising
 - Malnutrition
 - Baggy eyes
 - Poor hygiene
 - Other signs of abuse and/or neglect
 - Please refer to appendix F for more detailed evidence collection protocol.
- D. When conducting a Forensic Interview of the child, the law enforcement representative and social worker will be mindful of the need for cooperation and collaboration in an effort to minimize the number of interviews and to fully share as much information with other team members as possible. This interview should be video recorded when possible or at least audio recorded and coordinated with the Sawyer County/LCO Child Abuse MDT.
- E. Exchange of Information: As the case continues through the Criminal and Juvenile Court venues, members of the DEC team will continue to exchange information when possible to enhance successful prosecution.
- F. Report Writing: Law Enforcement supervisor will ensure that thorough criminal reports detailing both drug and child endangerment evidence are included. The reports will be used by the DA in filing child endangerment and neglect charges as well as drug charges.

5. Prosecution:

The District Attorney's Office will review all Drug Abusing Environment arrests to determine which defendants meet DEC case criteria. If appropriate, the DA's Office will file all charges (including child endangerment and neglect and all possible enhancements) in addition to representing SCHHS/ICW in a CHIPS petition, head the prosecution of DEC cases, and will seek the most appropriate sentences possible through forceful advocacy of all aggravating and mitigating factors.

6. After Care: Mental Health, AODA and Physical Health:

- A. The assigned ongoing CPS Worker will coordinate with the Mental Health & AODA Coordinator to ensure that the drug endangered child(ren) receives appropriate therapeutic treatment on a timely and consistent basis.
- B. The Mental Health & AODA Coordinator will also assess the identified parents/caretakers for the appropriateness of treatment.
- C. The social worker will coordinate with the substitute care providers to ensure follow-up physical exams occur. Minimally a 30-day follow-up exam will be scheduled and the Physical Exam Form- 30 Day Follow Up will be completed. See Appendix E.

7. Debriefing/Case Follow-up:

The Investigating Team will reassemble as soon as possible to discuss the following:

- A. Did the team respond in a timely manner?
- B. Were all the appropriate team members involved?
- C. What areas continue to need improvement?
- D. What is the status of the evidence/lab test?
- E. What is the status of investigation or criminal case?
- F. Are there any other families we need to staff?

The investigating team will write an after action report that will be discussed at case review.

8. Community Education:

Having an educated community as to the abusive and neglectful nature of drug abusing environments on the children will be one of our greatest allies as we pursue the protection of children. Therefore, community education will be a priority to any and all venues.