

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 3.10.040	
Policy and Procedure Title Drug Endangered Children	Effective Date September 26, 2022	Page 1 of 6
Replaces Prior Policy: August 10, 2009	Approved by: Chief Michael Kerle	

This policy is the internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

3.10.040 Drug Endangered Children

PURPOSE

The purpose of this policy is to instruct all members of the Anchorage Police Department on the procedures regarding the investigation of drug-endangered children.

POLICY

The policy of the Anchorage Police Department is to thoroughly identify and investigate cases involving Drug Endangered Children (DEC) and to ensure successful prosecution of those who place these children in harm's way.

The protocol outlines two different levels of response by the Anchorage Police Department and is coordinated with efforts from the Office of Children's Services (OCS), as well as medical staff, the District Attorney's Office, and the Office of the Attorney General.

A Level I response is mandated for cases involving a drug lab. A lower, Level II response is designed for cases in which the risk of exposure to the child is considered to be less acute.

The focus of the Anchorage Police Department law enforcement officer is to collect evidence for purposes of criminal prosecution and ensure the safety and well-being of those present. The investigating officer/detective will be responsible for the evidence collection relative to the controlled substances, child endangerment, living conditions, health hazards, firearm violations, and other relevant crimes.

A Crimes Against Children detective will conduct the forensic interview of the child victim to establish the elements of child abuse and to conduct the child crimes investigation.

The Records division is responsible for ensuring all DEC reports are delivered to OCS for review. An electronic copy will be delivered to OCS via Packetwriter Report Distribution Manager (RDM).

DISCUSSION

Innocent children are sometimes found in environments where methamphetamine and other illegal substances are produced, sold, or used. This exposure can harm anyone but is particularly dangerous to children. The dangers include chemical contamination, fire and explosions, child abuse and neglect, hazardous living conditions, and other social problems.

One of the greatest dangers of a methamphetamine lab is contamination. Contamination can occur in a number of ways- through the skin, soiled clothing; household items used in the lab, secondhand smoke and ingestion. Children living in methamphetamine labs are more likely than adults to absorb more of the chemicals into their bodies because of their size, and higher rates of metabolism and respiration.

Many methamphetamine labs are discovered as a result of fires or explosions. Young children are less likely than adults to escape from or survive a methamphetamine lab related fire or explosion due to their age, lack of mobility, and the fact that their caretakers are often under the influence of controlled substances.

The presence of methamphetamine manufacturing is often accompanied by increased risk of other problems such as domestic violence; severe physical neglect, (i.e. lack of food, medical and dental care and appropriate supervision); emotional neglect, and physical and sexual abuse. Many children who live in drug labs are also exposed to pornographic material and overt sexual activity.

Hazardous living conditions and filth are common in home-based drug labs. Rotten food, used needles, dirty clothes and dishes, animal feces, and drug paraphernalia such as razor blades, needles, and pipes are often within a child's reach.

Holding adults criminally accountable for Drug Endangered Children is extremely important as an initial deterrent to these actions. Criminal accountability is best achieved through successful investigation and prosecution of child abuse charges. To that end, the development of standardized investigations and evidence gathering protocols should be established for use.

The investigating police officer shall document, photograph, and report the evidence of DEC for purposes of criminal prosecution. The investigating officer should also ensure that OCS is contacted, in situations where it is warranted (a Level I response,) responds to take custody of the child for purposes of a medical exam and to determine placement of the child. In situations where an immediate danger to the health and well-being of the child is not evident (a Level II response,) the investigating officer shall write and turn in a police report to OCS, CACU, and the Drug Enforcement Unit. This report will be forward electronically via Packetwriter Report Distribution Manager (RDM) system.

DEFINITIONS

Level I Response: Children who live in or frequent clandestine drug laboratories or other drug manufacturing operations. The highest priority of this response is

to determine and address the acute health and safety concerns of children as a result of exposure to drugs, toxic chemicals, and physical or sexual abuse.

Level II Response: Children exposed to the sale, use or possession of controlled substances. Although the same priorities and concerns as Level I DEC exist, the urgency may be diminished.

Child Abuse: The physical injury or neglect, mental injury, sexual abuse, sexual exploitation, or maltreatment of a child under the age of 18 by a person under circumstances that indicate that the child's health or welfare is harmed or threatened.

Child Neglect: Means the failure of a person responsible for the child's welfare to provide necessary food, care, clothing, shelter, or medical attention for a child.

Drug Endangered Child: A child who is exposed to an environment where adults are manufacturing, selling, or using drugs.

REFERENCES

AS 11.71.020a2- Manufacturing Methamphetamine

Anchorage Police Department Clandestine Laboratory Enforcement Regulations and Procedures Manual

Curry County Drug Endangered Child Protocol- as found at <http://www.oregondec.org>

Drug Endangered Children Multi-Disciplinary Response Protocol Washington County, Oregon as found at <http://www.oregondec.org/WashingtonCountyProtocol.pdf>

Drug Endangered Children (DEC) Jackson County Response Protocol as found at <http://www.oregondec.org/JacksonCountyProtocol.pdf>

Drug Endangered Children Program (DEC) as found at <http://www.capc-coco.org>

Arizona Drug endangered Children DEC Multidisciplinary/Integrated Protocol as found at http://www.azag.gov/DEC/DEC_protocol.pdf

Guidelines for Managing Children Found at Clandestine Methamphetamine Laboratory Sites as found at http://www.georgiadec.org/docs/Guidlines_for_managing_children_found_at_meth_labs.pdf

PROCEDURE

I. LAW ENFORCEMENT LEVEL I RESPONSE:

A. Patrol Officer's Responsibilities:

1. Secure the scene and ensure the safety of the initial responders and civilians present while attempting to preserve evidence.
2. Together with EMS and OCS, assess children for signs of obvious injury or illness and the necessity for immediate gross decontamination prior to transport to the hospital for emergency care.

a). If children are in acute medical distress, emergency decontamination shall be performed by the responding EMS personnel to the extent necessary for EMS transport, with due regard to the physical and emotional effects such decontamination will have on the children.

3. Officers should recognize that in some cases, older children may also have some culpability in the crime. Possible charges against a minor in the juvenile justice system may impact the application of this protocol.

B. Patrol Supervisor's Responsibilities:

1. Notify the Drug Unit Supervisor, if not already involved, who shall initiate a Drug detective call-out for a DEC investigation.
2. Notify a Crimes Against Children (CACU) supervisor of the need to initiate a CACU detective call-out.

C. Drug Unit Supervisor Responsibilities:

1. Initiate a Drug investigator call-out to begin a DEC investigation.
2. When possible, notify an OCS intake supervisor in advance of serving a warrant on a lab where children are known to have been present. If this is not done, contact OCS and request that a caseworker respond to the scene at the time the warrant is served, bearing in mind that non-law enforcement personnel will not be allowed into a crime scene.

D. Drug Investigator Responsibilities:

1. Examine the scene for evidence that indicates the presence of children.
2. Take measurements comparing the height and reach of the children in relation to the location of the lab items and chemicals/equipment.
3. Document and video or photograph the scene giving particular attention to the following risk factors:
 - a). Children's accessibility to drugs, chemicals, syringes, and drug paraphernalia
 - b). Proximity of hazards to children's play and sleep areas
 - c). Non-drug hazards and other indications of neglect
 - d). Access to pornography
 - e). Access to weapons
 - f). Food quantity and quality
 - g). Sleeping conditions
 - h). Sanitary conditions
 - i). Swab a sample of child-accessible areas for drug contamination
4. Photograph the children at the scene and document the following:

- a). Injuries
- b). Cleanliness and dress
- c). Signs of neglect

5. Interview neighbors and other witnesses

E. Crimes Against Children Supervisor Responsibilities:

- 1. Initiate a CACU Detective call-out if applicable

F. Crimes Against Children Investigator Responsibilities:

- 1. Interview the children
- 2. Collection of evidence during medical evaluation of the children
- 3. Assist OCS, if necessary, with placement of the children

II. LAW ENFORCEMENT LEVEL II RESPONSE

A. Patrol Officer's Responsibilities:

- 1. Request EMS if children have obvious injuries or illness.
- 2. Evaluate the children's access to controlled substances, physical condition, and the level of care being provided. If emergency placement is necessary, placement of the child is to be coordinated through OCS- the child will not be released to a relative or guardian without authorization from OCS.
- 3. Write a police report classified Drug Endangered Children to be forwarded for screening by OCS (This report will be forwarded to OCS via Packetwriter Report Distribution Manager- RDM). This should be done even if the children are not currently present in the home, but there are indications that children live there.

- a). The detail of the police report, should include but not be limited to:
 - i. The description of the reported address
 - ii. The number, identity, and/or descriptions of responsible adults in the residence
 - iii. The number, identity, and/or descriptions of the endangered children
 - iv. The presence and frequency of chemical odors
 - v. Chemicals observed at the location and their accessibility to children
 - vi. Specific observations of drug activity
 - vii. Information concerning the presence of weapons
 - viii. Any other dangers observed by the reporting party

B. Record's Supervisor Responsibilities:

1. Ensure all DEC classified police reports were provided to OCS, CACU, and DEU as soon as possible.

END OF DOCUMENT