

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814



July 8, 1996

ALL-COUNTY INFORMATION NOTICE I-36-96

TO: ALL COUNTY WELFARE DIRECTORS

REASON FOR THIS TRANSMITTAL

- State Law Change
 Federal Law or Regulation Change
 Court Order or Settlement Agreement
 Clarification Requested by One or More Counties
 Initiated by CDSS

SUBJECT: CHILD ENDANGERMENT CAUSED BY METHAMPHETAMINE LABORATORIES

The purpose of this letter is to provide counties with information regarding efforts to ensure the protection of children who may have been exposed to toxic chemicals and uninhabitable living conditions as a result of their parents' or caretakers' involvement in the manufacture of dangerous drugs.

The Office of Criminal Justice Planning (OCJP) has convened an ad hoc study group to collect information related to the potential endangerment of children residing in homes where drug laboratories are in operation, or where chemicals used in the manufacture of methamphetamines are being stored. Research has found that exposure to the chemicals and drugs found in clandestine laboratories may cause short term or permanent health problems. Additionally, chemicals may create hazardous or dangerous living conditions for children as many of these substances are flammable, explosive and corrosive.

The Committee on Child Endangerment and Clandestine Drug Labs convened by OCJP will be examining existing policies and procedures which are used to assess risk to children found in these situations. A primary objective of the group is to develop collaborative intervention strategies and training among investigative agencies which focus on children's immediate and long-term health needs, child endangerment evidence collection and social worker safety.

The Committee currently includes representatives from the County Welfare Directors' Association (CWDA), law enforcement, health services, district attorneys and narcotic enforcement teams. A complete list of group members is enclosed. Information is also enclosed which describes collaborative efforts currently in progress to address some of the complex issues involved in investigating these high risk situations. Additional information will be provided to counties as it becomes available. If you have any questions or would like additional information, please contact Jean McGrath, Child Welfare Services Policy Consultant at (916) 322-5387.


 MARJORIE KELLY
 Deputy Director
 Children and Family Services Division

Enclosures

c: CWDA

**AD HOC COMMITTEE ON
CHILD ENDANGERMENT AND CLANDESTINE DRUG LABS**

Wesley Beers
Chief
Children Services Branch
Department of Social Services
744 P Street, MS 19-83
Sacramento, California 95814
(916) 445-2777
(916) 445-2907 FAX

Mitchel J. Brown
Special Agent In-Charge
Tactical Support Programs
California Department of Justice
4949 Broadway, Room B-238
Sacramento, California 95820
(916) 227-4044
(916) 464-2058 FAX

Sue Webber-Brown
Investigator
BINTF
Butte County District
Attorney's Office
P.O. Box 2008
Oroville, California 95965
(916) 538-2265
(916) 532-1772 FAX

Lisa Fey
Giarretto Institute
232 E. Gish Road
San Jose, California 95112
(408) 453-7611 x 149
(408) 453-9064 FAX

Dr. Thomas Ferguson
U.C. Davis
Employee Health Services
501 Oak Avenue
Davis, California 95616-8764
(916) 752-2330
(916) 752-5277 FAX

Esther Gillies
Executive Director
Childrens Center of the Antelope
Valley
1055 West Avenue M, Suite 110
Lancaster, California 93534
(805) 949-1206
(805) 940-5452 FAX

Lt. Robert Hoffman
Los Angeles County
Sheriff's Office
11515 South Colima Road
Building D, 115
Whittier, California 90604
(310) 946-7105
(310) 944-7486 FAX

John Hopkins
Santa Cruz County District
Attorney's Office
Room 200
Santa Cruz, California 95060
(408) 454-2567
(408) 454-2227 FAX

Jill Hyatt
District Attorney's Office
1225 Fallon Street, 9th Floor
Oakland, California 94612
(510) 272-6238
(510) 271-5157 FAX

E.J. Machado
Special Agent Supervisor
Clandestine Lab Enforcement
Program
Bureau of Narcotic Enforcement
4949 Broadway, B-238
Sacramento, California 95820
(916) 227-3955/3975
(916) 227-0546 FAX

Frank Mecca
Executive Director
County Welfare Directors Association
1010 11th Street, Suite 310
Sacramento, California 95814
(916) 443-1749
(916) 443-3202 FAX

Linda Waddel
Program Manager
Child Protective Services
#3 County Center Drive
Oroville, California 95965
(916) 538-7528
(916) 534-5921 FAX

Detective John Nuss
San Bernardino County
Sheriff's Office
Narcotics Division
655 East 3rd Street
San Bernardino, California
92415-0061
(909) 387-3657
(909) 387-0635 FAX

OFFICE OF CRIMINAL JUSTICE PLANNING

1130 K STREET, SUITE 300
SACRAMENTO, CA 95814



AD HOC STUDY GROUP ON CHILD ENDANGERMENT AND DRUG LABS

May 6, 1996

9:00 a.m. - 4:00 p.m.

AGENDA

I. WELCOME AND INTRODUCTIONS

II. OVERVIEW OF PROBLEM

- Report on Child Endangerment and Environmental Health Hazards Caused by Clandestine Methamphetamine Laboratories
 - Mitchell J. Brown
- Medical aspects of children in drug lab environments
 - Dr. Thomas Ferguson
- Butte County's Drug Endangered Children Program
 - Lisa Fey
 - Sue Weber Brown

III. GOALS AND PLAN OF ACTION

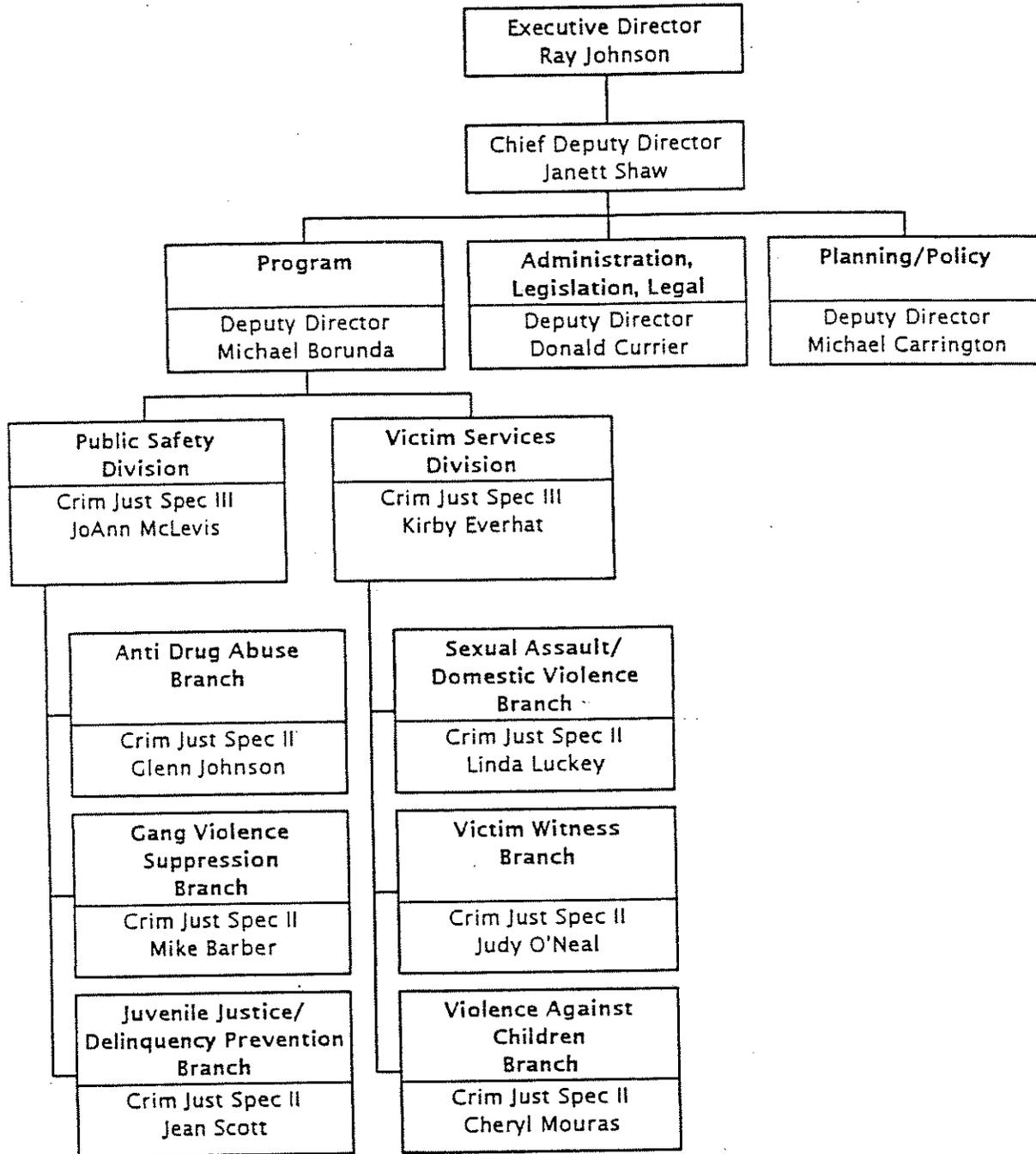
- Group Discussion

IV. MISCELLANEOUS/NEXT MEETING DATE

V. CONCLUSION

Office of Criminal Justice Planning

Program Organization Overview

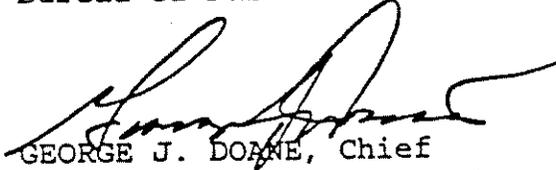


- Davis

Memorandum

To : Special Agents in Charge
Program Managers
Bureau of Narcotic Enforcement

Date : March 29, 1996



GEORGE J. DOANE, Chief

From : Bureau of Narcotic Enforcement

Subject : Bureau Policy and Procedures Manual Additional Section

Attached you will find a copy of Bureau Manual Section 8.12a, Arrangements for the Care of Minor Children. This Manual section was refined and enhanced from its former position in Manual Section 8.12. In order to enact this section, we have deleted paragraph 3 of Section 8.12 and replaced that paragraph with new Manual Section 8.12a (attached). Please instruct your personnel to insert this new section into their Manual and note the change in the revision log of the Manual.

jh

Attachment

cc: Deputy Chief Gorman
Assistant Chief Beecham

8.12 Arrest, Handcuffing and Control of Suspects - Regional Offices and Regional Task Forces

No agent shall arrest or attempt to arrest a suspect unless accompanied by another agent or law enforcement officer, except in unusual cases. All arrested suspects shall immediately be handcuffed with their hands behind their backs and searched for weapons. When arresting and handcuffing suspects, agents should utilize proper arrest and control techniques. All suspects shall be thoroughly searched as soon as possible and, when practical, by the appropriate gender. If a suspect is injured during an arrest, agents will proceed with the handcuffing of the suspect. As soon as possible, medical assistance will be provided to the injured suspect. The investigation report will reference the injury and any medical treatment administered. Additionally, a separate memo will be prepared by the involved agent(s) and submitted, through the chain of command, to the Special Agent in Charge detailing the circumstances of the suspect's injury and the medical treatment administered. The Special Agent in Charge will notify BNE Headquarters of all suspect injuries within 24 hours of occurrence.

When a residence, structure or room is being searched for evidence, the Special Agent Supervisor, Task Force Commander or the responsible case agent will direct the evidence collection activities and assign other agents and officers to maintain custody of prisoners while the search is in progress. Agents assigned to guard or maintain custody of prisoners shall be responsible for maintaining continuous control of prisoners until they are released, turned over to a transporting officer or turned over to a custody facility after booking. In an effort to maintain a high degree of officer safety while maintaining custody of prisoners, agents shall check all areas within reach of the suspect for weapons.

In the event an animal has to be destroyed during an enforcement action, arrangements made for the disposal of the animal will also be documented in the investigative report.

***8.12a Arrangements for the Care of Minor Children**

It is the policy of the Bureau of Narcotic Enforcement to, in all instances, arrange for the proper care and treatment of minor children when their parent or legal guardian has been taken into custody at a crime scene under the control of agents of the Bureau of Narcotic Enforcement. In all instances where minor children are involved, Special Agents of the Bureau are strongly encouraged to contact Child Protective Services (CPS) to conduct an evaluation of the most appropriate treatment and custody regimen for children whose parent or legal guardian is being taken into custody. Whenever possible, an on-site evaluation of a minor child's needs by CPS personnel is strongly recommended.

In all cases where minor children are discovered to be at or in the immediate vicinity of a clandestine drug laboratory crime scene, a case referral to Child Protective Services must be made by the Special Agent in charge of the investigation/crime scene. The purpose of this case referral is to ensure that CPS personnel be made aware of the fact that the children may have been exposed to toxic chemicals because of the close proximity of a clandestine drug laboratory. Special Agent personnel will strongly encourage CPS personnel to arrange for a medical evaluation of all children present at the clandestine drug laboratory site prior to arranging for their temporary custody with county authorities or placement with relatives or temporary foster parents.

In all cases where minor children are discovered at an investigation site of any clandestine drug activities, Special Agents will ensure that both CPS and local district attorney personnel be provided with the appropriate documentation to support child endangerment charges as appropriate.

8.13 Use of Less than Lethal Weapons

It is the policy of the Department of Justice, and therefore the Bureau, to resort to the use of less lethal devices only when it appears to be reasonably necessary and only after other alternatives have been considered. This policy does not establish minimum requirements. There may be deviations from the policy where operational circumstances dictate.

BUTTE INTERAGENCY NARCOTICS TASK FORCE

Post Office Box 2008
Oroville, California 95965-2008
(916) 538-2261/ATSS 474-2261
FAX (916) 532-1772

TO: Attending Physicians, Hospitals, Health Care Workers,
and Facilities

FROM: Butte Interagency Narcotics Task Force

DATE: April 5, 1995

GUIDELINES FOR TREATING/ EXAMINING CHILDREN FROM DRUG ENVIRONMENTS

It has recently become a combined effort of the Butte County District Attorney's Office, Butte County Child Protective Services, and the Butte Interagency Narcotics Task Force in the form of a new program entitled Drug Endangered Children, to identify and treat all children that are taken from environments where either chemicals used in the manufacture of dangerous drugs have been maintained, or drug laboratories have been located. Numerous clandestine laboratories have been seized this year alone in Butte County. Most all the homes have had children present, either dependent children, or children over the age of 18 years. In most cases, the appropriate charges have been filed against the caretakers or parents resulting in charges of child endangerment and child abuse. The purpose of the filing of these additional criminal charges, as well as the appropriate health and safety charges, is a result of State and Federal research that has determined that children exposed to the chemicals and drugs used in the manufacture of clandestine laboratories affect the physical well being of the children. In some cases, the chemical contamination is permanent, and in other cases it is short term. Additionally, these chemicals are found to be flammable, explosive, and corrosive.

This program is designed to identify those children, and at the time that they are detained by Child Protective Services, transport them to the nearest medical facility for examination and/or testing for contamination poisoning or ill effects as a result of being exposed to a number of chemicals and substances.

The following list is comprised of chemicals that have been normally found in clandestine laboratories. Accompanying the following named chemical are the specific tests for determining the presence in the system.

- | | | |
|----|-------------------|-------------------------------|
| 1. | Ethyl Ether | Blood test |
| 2. | Acetone | Urine, blood, or breath tests |
| 3. | Acetaldehyde | Blood test |
| 4. | Thallium | Urine test |
| 5. | Methanol | Urine test |
| 6. | Mercuric Chloride | Mercury in Urine test |

The following listed chemicals are chemicals commonly found in this area, seized from clandestine laboratories, and are chemicals that we do not have the appropriate medical research books to correctly identify the type of test necessary to determine a presence of substance in the human system. These chemicals are as follows:

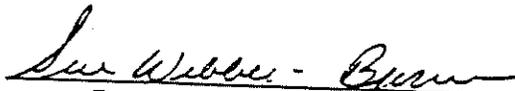
1. Phenyl-2-propanone
2. Phenylacetic Acid
3. Acetic Anhydride
4. Anhydrous Sodium Acetate
5. Benzene
6. Ephedrine
7. Red Phosphorous
8. Sodium Thiosulfate
9. Hydrogen Chloride Gas
10. Freon R-11 or R-12 (Trichlorofluoromethane)
11. Methylamine
12. Palladium on Carbon
13. Thiny Chloride
14. Phosphorous Trichloride
15. Phosphorous Pentachloride
16. Chloroform
17. Ethanol
18. Hydriodic Acid
19. Acetone
20. Sodium Hydroxide (Lye)
21. Potassium Dichromate
22. Toluene
23. Sulfuric Acid
24. Iodine Crystals
25. Muriatic Acid

April 5, 1995

These are commonly found chemicals used in the manufacture of methamphetamine, as we find them in clandestine laboratories in Butte County. However, these are not the only chemicals with which we come in contact. There are a number of other similar solvents, reagents, and acids that are not listed, but are commonly substituted for the ones listed above.

For consultation with a doctor that has extensive expertise in the area of chemical exposure, we have made contact with Dr. ^{TATUMAS} Robert Ferguson (Internal & Occupational Medicine and Toxicology) at the U.C. Davis Medical Center in Sacramento. Dr. Ferguson is the primary doctor for the California Department of Justice Clandestine Laboratory Program, and he reviews and examines all cases of chemical exposure by State personnel. Dr. Ferguson can be reached at (916) 752-2330 Monday through Friday 8:00 a.m. to 5:00 p.m. (Pager 916-762-6372). Dr. Ferguson recommended contacting the U.C. Davis Poison Center at 1-800-342-9293 if questions arise in cases of acute exposure.

If you have any questions regarding these chemicals, or any substances, please feel free to contact either Detective Sue Webber-Brown or Commander Martin Horan of the Butte Interagency Narcotics Task Force. We maintain a number of reference books, materials, and handouts, and are constantly receiving updates from Drug Enforcement Administration and other organizations who deal with trends in chemicals and dangerous drugs/narcotics.



Detective Sue Webber-Brown

SWB:dd

BUTTE COUNTY DEPARTMENT OF SOCIAL WELFARE CHILDREN'S SERVICE DIVISION			NO.
SERVICE DIVISION POLICY AND PROCEDURE			
Cross References	Contact References Name RICHARD BRAZIL SUE WEBER-BROWN	Approved By: LINDA WADDELL	Effective Date 5-1-95
Supersedes			
Title: BINTF PROCEDURE AND SAFE WORK PRACICE ATTACHMENTS			

POLICY:

It is the policy of CSD to utilize an interagency approach to insure the protection of children and provide services to the families of Butte County. This procedure is enacted to formalize cooperation between CSD and the BINTF in joint responses involving children.

PROCEDURE:

- I. One liaison and one alternate liaison will be identified as contact persons for BINTF. (At least one supervisor will be a liaison or alternate.)
- II. Children's Services Division will identify potential Social Worker III's and IV's who have expressed an interest in working with BINTF cases by distributing a survey.
- III. Children's Services Division workers who have been identified or express an interest in BINTF cases will be considered by both CSD management and BINTF. The CSD program Manager will make the final decision regarding assignment.
- IV. Children's Services Division and BINTF will provide training on BINTF procedures to interested CSD workers.
- V. BINTF will notify the CSD liaison or alternate of any planned response during normal working hours (M-TH 8-4).
- VI. Upon receiving information from BINTF during normal working hours, the liaison, or alternate will notify their immediate supervisor (unless supervisor is person contacted by BINTF). The supervisor will assure Form I is completed, CSD history is obtained, and will assign a CSD worker for response using available identified, trained BINTF worker when available.
- VII. If the request is for Immediate Response, the identified worker will notify their supervisor they are responding and provide BINTF with an estimated time of arrival (ETA).
- VIII. If the request is received during normal work hours, but the planned response is for after normal work hours, the assigning supervisor will complete a "Butte County Authorization for Overtime" with a maximum time authorized and sign and date "Authorized by:" line. Upon completion of the assignment, the worker will complete "Hours Worked", sign, date, and return to the supervisor for verification. Minimum call-back pursuant to S.S.W.U/ MOU Section 15.05 will apply.
- IX. If BINTF requires a response during non-working hours and is unable to request a worker during normal working hours, they will be provided a list of available CSD workers as identified in II. The identified workers are not to be required to respond but if they choose to do so will immediately notify the on call supervisor and will provide BINTF with an ETA. BINTF will provide paging devices if identified workers request them. Social workers volunteering for this duty in BINTF will not be considered to be on Stand-by status.
- X. If no identified social worker is available after normal work hours, BINTF will contact the regular on-call social worker.

CSD/BINTF Liaison Safe Work Practices

January 1995

Job Classifications at Risk of Exposure:

- Social Workers III, IV

Description of Job Tasks That May Pose Risk of Chemical Exposure:

- Entering homes of families involved in the manufacturing, sales, and/or possession of drugs;
- Removing the items of children from homes of families involved in the manufacturing, sales, and/or possession of drugs;
- Close contact with children from homes of families involved in the manufacturing, sales, and/or possession of drugs.

Safe Work Practices: (Mandatory)

Establish who is certified in chemical exposure evaluations on the Butte Interagency Narcotics Task Force (BINTF). The person will act as the case agent and evaluate chemical exposure to children and personal items.

Follow all instructions by the BINTF case agent to minimize direct and indirect chemical exposure.

If it is determined that chemical exposure to the child or children is such that others can be exposed as a result of close contact, BINTF will advise the Social Worker on proper personal protective equipment to be used.

Do not enter a home until clearance has been issued by the BINTF team.

Latex gloves shall be worn in all situations.

Take only those items necessary and are not contaminated with drugs or chemicals.

Items that are contaminated with chemicals or bodily fluids shall not be removed from the home. Blood contaminated items are considered regulated waste and shall be disposed of in biohazard bags and must be disposed of accordingly. Items contaminated with chemicals used in the manufacturing of drugs are considered hazardous waste and must be disposed of accordingly. Hazardous waste is not to be disposed of in biohazard waste containers.

Wash hands and any exposed skin areas following the removal of latex gloves.

Transport the child or children to the nearest medical facility for examination and blood or urine tests to determine whether the presence of chemical substances exist.

Seek medical treatment immediately if symptoms of chemical exposure occur during or following a warrant being served. (i.e. dizzy, nausea, etc.)

Do not drive a vehicle if symptoms are recognized. Call 911.

of purchasing pagers and will provide two (2) pagers to the on-call CPS Workers by April 1, 1993.

Additional training will be provided by BINTF or the District Attorney's Officer upon request.

by the CPS Worker on the site, specifically relative to child endangerment issues (ie. drugs, needles, syringes, or chemicals and their locations where found).

A BINTF or BASS officer will have the responsibility of notifying the Butte County Health Department to report chemicals and/or an operating clandestine laboratory.

The BINTF or BASS officer will also have the responsibility of completing the criminal Child Endangerment Investigation and request prosecution.

A guideline for treating/examining children from drug environments has been completed, and will be provided to CPS and local health care physicians and facilities.

BINTF Commander Marty Horan is in the process

worker assigned will take field notes and provide copies of the Chronological Data Sheets to the BINTF or BASS case agent in a timely manner.

The case agent will provide the assigned CPS Worker with a copy of the initial D.A. Summary within 48 hours, followed by an in-depth report in a timely manner.

A BINTF or BASS officer will be made available to testify in a Juvenile Court Hearing if necessary.

Social Workers will not be utilized at an investigation site for any duties other than assessing the children and/or their living conditions.

BINTF or BASS officers will provide any necessary information and answer any questions

and parents if available.

During the briefing, CPS will be requested to provide any additional drug related information relative to the household.

On occasion, BINTF and/or BASS will find it necessary to request the designated CPS worker to make an emergency response to a location in the Butte County area. This will occur when children have been located residing in a residence where a methamphetamine laboratory has been discovered; due to the arrest of the parents and/or guardians; and/or uninhabitable living conditions.

Upon arrival at the location, the CPS workers will evaluate the situation, take appropriate photographs, interview the parents and/or guardians, and confer with officers relative to an exchange of information. The CPS

of BINTF) comprised of one (1) Deputy Sheriff and two (2) Probation Officers.

3. Department of Social Services - Child Protective Services (CPS) comprised of two (2) assigned Social Workers.

4. Butte County District Attorney's Office

BINTF and/or the BASS team will have the responsibility to request a designated CPS Worker who will attend a briefing prior to the execution of a Probation, Parole, or Search Warrant, wherein there are children residing in the home and the suspects are likely to be arrested on drug related charges. Specifically, if the children are residing in a possible methamphetamine laboratory location.

At the initial request, Officers will provide CPS with identifying information on children

DRUG ENDANGERED CHILDREN PROGRAM

(DEC)

Since September, 1992, members of the Butte Interagency Narcotics Task Force (BINTF) and Child Protective Services (CPS) have worked cooperatively towards a common goal of protecting children from exposure to toxic chemicals and uninhabitable living conditions.

This initial six (6) month trial program of commitment and coordination between BINTF and CPS has been, in our opinion, a large success. It is our hope that this cooperative effort will continue.

The following are participating agencies:

- 1. Butte Interagency Narcotics Task Force
(BINTF)*
- 2. Butte Anti-drug Special Supervision Team
(BASS - assigned under direction supervision)*