



## DRUG ENDANGERED CHILDREN DISTRICT ATTORNEY'S RECOMMENDATION FOR COLLECTION OF EVIDENCE

Conducting a thorough assessment, obtaining photographs, correctly seizing evidence and documenting the scene of a criminal or social service DEC investigation is essential to the success of the case. Additionally, collecting forensic evidence of a child's exposure to contaminated drug environments or hazardous chemicals, aids in the successful prosecution of the case.

Frequently, findings from the scene provide the best evidence of what drugs and environmental conditions the child was exposed to - and what the child may test positive for.

It is the recommendation of the Butte County District Attorney that the following evidence be collected whenever possible in a drug endangered child case:

- Collection of urine samples by social services or law enforcement requires a chain of custody and should be done within two hours of contact with the child victim. The optimal collection would be to capture the child's first urine sample. This will increase the likelihood for the highest detection indicating the presence of drugs and other contaminants. Drugs begin to metabolize out of the body within hours of contamination. If urine is not collected at the scene, shortly after, or within a four hour window, chances for a positive test significantly diminish. It is possible the specimen will not show positive for exposure if taken the next day.

***Always request the urine analysis be performed at the lowest detectible level. This varies with the type of drug and requires a confirmation test. Requesting a test for amphetamine or methamphetamine at below 50 ng/ml is optimal; however some laboratories test at 100 ng/ml.***

- Collection of Hair samples can detect exposure within an approximate three month period of time, with hair growing approximately 1/8 inch per week. The test does not reveal the specific date of exposure, merely that the child has been exposed.
- Swab samples from household surfaces, walls, ceilings and vents can identify presence of drug or chemical residue. If the child tests positive for a particular substance, this test can corroborate the fact that the child was exposed at the scene.
- Carpet samples or samples obtained from the furniture can identify methamphetamine absorption, other drug residues or hazardous chemical spills and are items children most likely sit or sleep on. Other items such as blankets, or stuffed toys could also be contaminated.
- Head-to-toe assessment and photographs of child for:
  - Signs of physical abuse: contusions, abrasions, chemical/thermal burns, skin discoloration, and any other suspicious or unexplained marks;
  - Signs of malnutrition or other neglect;



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- Behavioral signs of emotional abuse. Note any developmental delays or problems with language and speech. Note any delays in socialization.
- Photographs of: outside property, out buildings, yard; each room inside the residence to include photographing and documenting the following:
  - What toys do you see outside or inside the premises?
  - Is the property secluded?
  - Is there running water and electricity?
  - If there is electricity, are there wiring hazards to which children are exposed?
  - If there is running water, at what temperature is the water heater set?
  - Is there lack of ventilation in the home?
  - Is there adequate, edible food? If not, or if food is rotten or spoiled and accessible to children, photograph and document. If there is, what type of food is available for the children? Is the food in proximity to hazards or toxic substances?
  - What are the heights and reach of the children? During the photographing process, take photographs from the height of the smaller children to get a view from what they see and they can reach. Photograph all the hazards such as clean or used needles and syringes, drug paraphernalia, loaded firearms, drugs and chemicals taken from a child's vantage point. Photograph the location of pornography or sex toys in relationship to a child's access.
  - Any safety hazards that exist at the scene. If fire hazards are noted, have a fireman respond to the scene and provide a report that indicates the hazard level to the safety level of the children if a fire broke out.