

2007 Annual Report

October 1, 2006 to September 30, 2007

Arizona Alliance for Drug Endangered Children Program (DEC)



Submitted by

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2007 Arizona Alliance for Drug Endangered Children Program Annual Report Executive Summary

In its seventh year, the Drug Endangered Children Program (DEC) has continued to address effectively the needs of children found within meth lab environments and to prosecute those responsible for their suffering. Funding provided by the Governor's Office of Children, Youth and Families along with assistance from collaborative partners have allowed the Attorney General's Office to complete the following key accomplishments:

- In calendar year 2006 (January 1, 2006 through December 30th 2006, there were 34 meth lab related seizures in Arizona.
- In the calendar period of January 1, 2007 through September 15th, 2007 there were 11 meth lab related seizures in Arizona. The combined totals resulted in 61 adults arrested.
- With the recent sentencing enhancements codified in A.R.S. 13-712, sentences have increased significantly from a punitive standpoint with respect to all meth lab and chemicals/equipment cases, and especially with respect to those cases involving children.
- The Attorney General's Office and local law enforcement led a successful campaign to strengthen the child abuse statute. Historically, prosecutors had to prove a difficult "care and custody" relationship between an offender and a child. This requirement was eliminated in the 2006 legislative session and became effective in September 2006 for children exposed to lab environments.
- During this current DEC grant year of October 1, 2006 through September 30, 2007 the Attorney General's Office sentenced 7 methamphetamine lab case defendants: 4 DEC lab cooks with a total of 5 child victims, and 3 labs in residential structures. Pinal County filed 7 methamphetamine lab cases, 3 of which were DEC cases for a total of 5 child victims. Pima County filed 2 more methamphetamine lab cases during this grant year.
- The Program continues to educate leaders and community members statewide. From October 1, 2006 through September 30, 2007, 2,246 individuals attended DEC training sessions. This year's sessions included a full overview of the DEC Protocol and methamphetamine awareness presentations. Training focuses on collaboration among partners, responsiveness to victim needs and communication at the ground level. Trainings were well received, and follow-up for entities requesting is ongoing. Attendees represented law enforcement organizations, tribal communities, schools, foster care facilities, behavioral health services, and included court appointed special advocates (CASAs) and juvenile court systems professionals.

ARIZONA METH PROJECT

- The ARIZONA METH PROJECT (www.arizonamethproject.org) is a statewide public awareness campaign launched in Arizona in April, 2007. Under the leadership of Attorney General Goddard and Maricopa County Supervisor Don Stapley, became the first state to enter into an affiliation agreement with The Meth Project Foundation to adopt the successful campaign. The Arizona Meth Project is managed by the Maricopa County Manager's Office and a 25 member Advisory Board chaired by Attorney General Terry Goddard, Maricopa County Supervisor Don Stapley and First Lady Vikki Shirley of the Navajo Nation provide guidance and oversight to the project.

Arizona launched the TV and print ads produced by the Montana Meth Project. The radio ads follow the same format as those originally produced in Montana but feature local youth who have used meth. The Montana Meth Project has demonstrated significant results in changing attitudes and behaviors toward meth since its inception in 2005 and was cited as a model for the nation by the White House Office of National Drug Control Policy. The Meth Project is working with states across the nation interested in replicating the program as part of their efforts to prevent methamphetamine use among teens.

Collaboration with Arizona's 22 local anti-Meth coalitions and other community partners are important to help spread the anti-Meth message. The website also provides referral links to treatment organizations. Community outreach efforts include the Summer Pledge Drive which collected over 10,000 signatures from youth vowing never to use Meth. The Project has partnered with the AZ Attorney General's Office in a poster contest for 8th grade students, the theme of which is "Not Even Once®."

Partner organizations have enjoyed community support at events statewide. The DEC Program has worked closely with the ARIZONA METH PROJECT to offer outreach, training and technical assistance to Arizona's Native American communities, where the meth problem is often very serious. It is hoped that the work with the Inter Tribal Council of Arizona, Salt River Pima Maricopa Tribe and Navajo Nation will prove to be a model for further program successes.

2007 Drug Endangered Children Program Annual Report

"We are experiencing a public health and safety crisis with meth and children in Arizona are the most vulnerable victims. This is not an urban problem nor is it a rural problem. This is a statewide epidemic." Attorney General Terry Goddard

Purpose

The purpose of the Drug Endangered Children Program (DEC) is to promote interdisciplinary intervention on behalf of children who have been exposed to methamphetamine or its precursor chemicals as a result of residing in, or being taken into, a home-based clandestine drug laboratory or other drug endangered environment.

Background

The Arizona DEC Program was established in 2000 to address the problems associated with meth production in homes where children are present. Methamphetamine, or "meth" contributes more to violent crime in Arizona than any other illegal drug. In particular, the increasing production of meth in home-based drug labs confronts Arizona with a unique set of problems that other illegal drugs have never before presented. The chemicals used to manufacture meth, its production process, and waste generated by that process pose real and serious dangers to the public and the environment. These dangers include toxic poisoning, chemical and thermal burns, fires, and explosions. Children who live in and around meth labs are at the greatest risk of harm due to their developmental nature, the abuse and neglect perpetrated on them by their caretakers and the many others who frequent their drug-laden homes, and their inability to protect themselves.

The DEC Program and its corresponding Task Force developed a multidisciplinary DEC Protocol to ensure that agencies involved in seizing clandestine methamphetamine laboratories have immediate access to qualified personnel who can respond immediately to the potential health needs of any children who are present or living at the site. This Protocol includes procedures for taking children into protective custody and arranging for protective services, immediately testing for methamphetamine exposure, conducting medical and mental health assessments, and ensuring short-and-long-term care and follow up. This coordinated, multidisciplinary team approach is critical for ensuring that the needs of child victims are met and that adequate information is available to prosecute drug and child abuse cases successfully.

The DEC Program has coordinated and enhanced the processes by which local law enforcement, Child Protective Services (CPS), medical professionals, fire departments, environmental professionals, family advocacy centers, and the Attorney General's Office respond to meth labs where children are present and prosecute those responsible. Building on its success in Maricopa County, the DEC Program is being expanded throughout Arizona via training programs and technical assistance for relevant professionals, agencies, and organizations.

DEC Objective

The DEC Program has a two-fold objective: statewide adoption and implementation of the DEC Protocol and increased training in and awareness of the program in all areas of the State, including tribal lands. The Attorney General's Office DEC Program continues to offer initial and follow-up technical assistance to every County Attorney and tribal community. Suggested formats for this additional assistance include conducting a "leadership" meeting hosted by the County Attorney to encourage county leaders to implement a DEC Program and develop a local DEC Protocol, training first responders to identify hazards to themselves and others, educating communities about the toxic environmental hazards posed by manufacture, and awareness of signs of abuse and neglect.



Attorney General Goddard speaking at the Meth Strategic Planning Summit, January 10-11, 2007

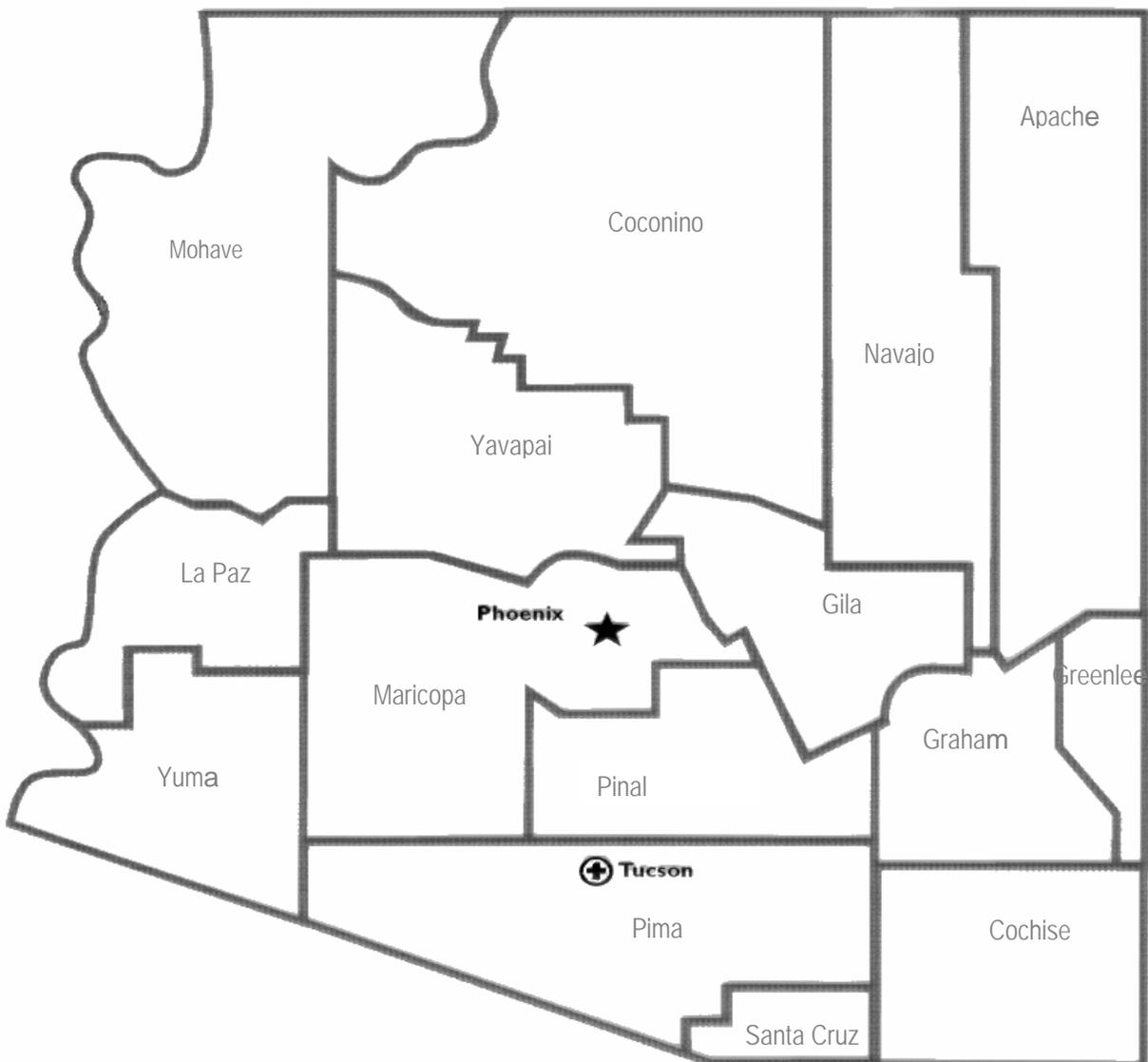
Meth lab fire damage



Toxic chemical-exposed toys

Clandestine Lab Activity in Arizona

- In calendar year 2006 (January 1, 2006 through December 30th 2006), there were 35 meth lab related seizures in Arizona.
- In the calendar period of January 1, 2007 through September 15th, 2007 there were 11 meth lab related seizures in Arizona.
- The highest number of seizures occurred in Maricopa county.
- In 2007, children in two counties were found to be living in or near these toxic environments.
- Disposal costs for gross contamination associated with the meth lab discoveries were approximately \$ 4,177,969.96 (exclusive of residual contamination). Since 2000, disposal costs associated with the illegal manufacture of methamphetamines have exceeded \$4.1 million dollars.



Meth Lab Activity Summary

The following graphs demonstrate the enormous success the DEC program has achieved in terms of individual children directly affected by methamphetamine manufacture. The graphs visually represent the declining numbers of children who have been exposed, as we come ever closer to the target goal of zero. Credit for the continuing success belongs not only to the program members, but to all the partner agencies who bring information to the public, the legislature for enhancing punishment for endangering children, and the willingness of different disciplines to work together for the benefit of innocent victims. The work continues to bring meaningful results, and the program remains open to every possibility of reducing the numbers even further in the coming years.

Summary of Meth Lab and DEC Statistics by Calendar Year

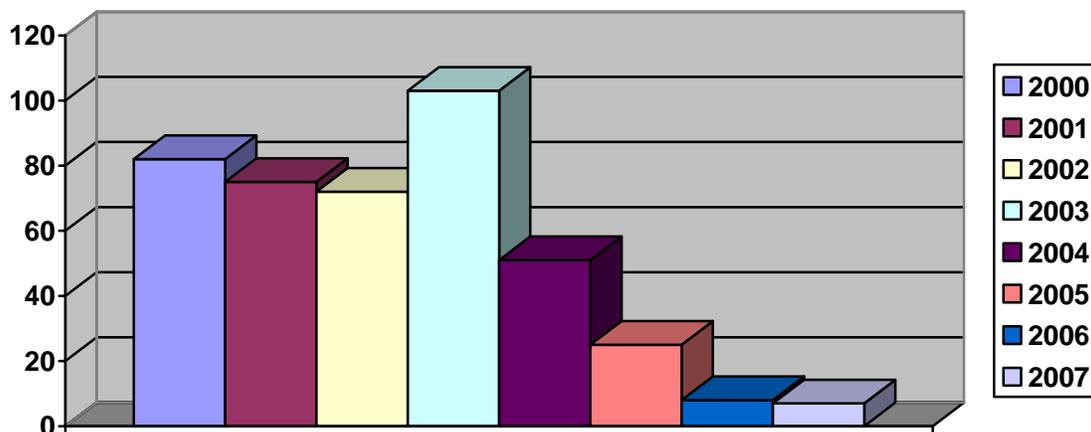
	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>YTD 9-30- 2007</u>	<u>Totals</u>
Meth lab related Seizures	376	326	297	178	134	85	34	11	1441
Meth labs seized	80	293	239	112	100	54	45	18	941
Adults arrested	476	396	348	163	149	98	22	11	1663
Children affected	82	75	72	103	51	25	9	9	426
Disposal costs (\$)	1,572,335	1,221,126	760,068	239,744	163,772	127,552	46,020	47,352.96	4,177,969.96
DEC cases Prosecuted by the Arizona Attorney General's Office	28	22	25	23	22	12	3	3	138
Child victims	58	48	55	51	40	22	8	9	291

*Includes data through 9/30/07

Sources: DEA, HIDTA Task Force, Maricopa, Pima, and Pinal County CPS and County Attorney's Offices



Children Affected by Lab Seizures



Effects of Meth and Other Illegal Drug Manufacturing on Children

Children face a host of hazards when there is meth or a meth lab in their home. Exposure to this environment and associated toxic chemicals pose serious dangers to children including:

- Death or injury from fire or explosions caused by flammable materials in home-based labs;
- Acute health problems such as upper respiratory symptoms, headaches, nausea, dermatologic problems, or chemical burns;
- Long-term adverse health outcomes such as asthma, neurological problems, or cancers;
- Physical and/or sexual abuse or neglect;
- Developmental, emotional and behavioral problems;
- Lack of proper care, nutrition or adequate medical treatment;
- Exposure to dangerous individuals;
- Ingestion or inhalation of methamphetamine, other drugs, or chemicals involved in drug production.

Training

The formalized DEC Program and Protocol training consists of PowerPoint presentations, handouts, a mock meth lab display, and informational videos. The training is designed for law enforcement officers and other first responders including firefighters and paramedics, Child Protective Service case managers and investigators, probation officers, judicial officers, and prosecuting attorneys. The DEC training team includes representatives from Child Protective Services, law enforcement, medical professionals, and a prosecuting attorney. Training sessions may be tailored to meet the needs of each audience and community.

Facilitating the training goals, the Program purchased 5,000 supplemental Neighborhood Resource Guides. Resource Guides are used not only in training and community outreach efforts, but also have been models for other jurisdictions nationwide in their program development. These glossy brochures are sturdy, and those who access them frequently request additional numbers to further distribute within their populations. Additionally, the program purchased 1,000 copies of the popular DVD created to introduce the partners and philosophy to new target groups. New stakeholders have responded positively to the message, finding the Spanish versions helpful in reaching a wider audience. This year, the Program also revamped the table-top display area for events. The new display is well constructed, lighter (to make it more portable to a greater number of events) and provides an increased visibility for community members.

Detailed information on training events may be found at www.azag.gov/DEC/Training.html. Training Events for Grant Year October 1 through September 30, 2007 (no training occurred October through December 2006)

DATE	Workshop Title	Location	Attendees	Target Audience
1/12/07	DEC Team Protocol Training	CASA Grande Child Advocacy Center (location of training is Coolidge PD Child Abuse Conference in Mesa -	20	CPS Staff
1/17/07	DEC/Meth Awareness	Jan 18-20	200	CPS Staff, Law Enforcement
1/23/07	Meth 101	City of Phoenix	25	Human Resources Staff
2/26/07	DEC Training	Pima County - DES	88	CPS Staff, Law Enforcement
2/27-28/07	Meth 101	Native American Family and Child Conference	200	Head Start Parents, Teachers
3/1/07	DEC Training	Avondale DES	25	CPS Supervisor and staff
3/17/07	Meth Awareness	Scottsdale DES	75	Foster and adoptive parents
3/19/07	DEC Training	Phoenix	71	CPS Staff, Law Enforcement
4/4/07	DEC Presentation	Thatcher-Greenlee-Graham Anti Meth Coalition	200	Meth Coalition
4/12/07	DEC Overview	Tucson Meth Free Alliance - Faith Based	25	Coalition members
4/18/07	Meth Awareness	Healthy Families of Arizona	350	Healthy Families members and law enforcement
4/23-25/07	Meth 101	Daisy Mnt Fire Station #141	82	Firefighters, EMS/Paramedics, Battalion Chiefs and Captains from Daisy Mtn and Black Canyon City Fire Depts
5/4/07	DEC Program Overview	OJP Meth In Indian Country Forum	75	Indian Nation representatives, Boys and Girls Clubs in Indian Country

DATE	Workshop Title	Location	Attendees	Target Audience
5/22/07	Meth 101	Tribal Child Protective Services Training Academy,	30	Inter-Tribal Council Members
6/2/07	Meth Awareness	AZPTA Convention Mesa Board of Realtors	45	teachers, parents, PTA leaders
6/19/07	Meth @ Labs signs	Maricopa County Court staff and JAs	55	Realtors
6/21/07	DEC. meth, labs	AZ School Nurses Summer Conference	49	Maricopa County Court staff and JAs
7/11/07	DEC - Meth Awareness	Phoenix - US Marshals	64	AZ School Nurses
7/18/07	Meth 101 and lab Recognition	AZ Law Enforcement Meeting-Kingman	30	Deputy US Marshals
7/19/07	DEC Program Overview	Phoenix Indian Health Summit - Scottsdale	26	AZ Law Enforcement
7/24/07	Meth Impact	Housing acquisition specialists - Phoenix	60	Indian Health Summit attendees
7/26/07	Meth @meth labs DEC Team Protocol Training	Tucson	40	City of Phoenix - Aviation Relocation Division
7/30/07	Methamphetamine 101/Precursor Chemical Presentation	National Feed Store Assoc. Nashville TN	55	CPS- County Attorneys - Law Enforcement
8/20/2007	Meth 101 and Remediation	Keller Williams Realty	250	Feed Farm Store and Co-op owners
9/5/2007	DEC Team Protocol Training	Phoenix	26	Realtors
9/18/07			80	CPS- County Attorneys - Law Enforcement
			2,246	



Tucson Police Chief Richard Miranda accepts an award for the Tucson Meth Free Alliance efforts in combating methamphetamine.

Technical Assistance

In addition to training, the DEC Program offers technical assistance to individual state, county and municipal jurisdictions. The goal is to develop and implement an individualized multidisciplinary DEC Protocol which best meets the specific needs of the county under consideration. Available throughout the implementation process, technical assistance may include training as described above, facilitation of local DEC team formation, and guidance on the incorporation of a DEC Protocol into existing agency procedures.

Existing Legislation Supporting the Drug Endangered Children Program

Child Abuse

In July of 2000, the Arizona child abuse statute was expanded to include a provision that provides a presumption of endangerment when children and vulnerable adults are found in drug endangered situations. A.R.S. § 13-3623(C) provides: for the purposes of subsections A and B of this section, the terms endangered and abuse include but are not limited to circumstances in which a child or vulnerable adult is permitted to enter or remain in any structure or vehicle in which volatile, toxic or flammable chemicals are found or equipment is possessed by any person for the purpose of manufacturing a dangerous drug in violation of A.R.S. § 13-3407, subsection A. paragraph 4 Child Abuse and Vulnerable Adult.

This addition to Arizona law means that even if a child or vulnerable adult tests negative for the presence of methamphetamines in his/her system, the non-presence of methamphetamines does not negate the fact that the environment itself is inherently dangerous. Moreover, it removes the requirement that a person charged is the vulnerable person's caregiver. Now, any person who allows a child to remain in a methamphetamine cook environment may be prosecuted under the statutes, irregardless of whether that person is responsible for the child's general care, custody and control. This important change to the law allowed for prosecution of not just the child's parent or custodian, but any person who knew that a child was present in the dangerous environment. The expanded responsibility reflects the legislature's understanding of the great danger cooking methamphetamine presents to the community at large, not just individuals engaged in the practice.

With the recent sentencing enhancements codified in A.R.S. 13-712, sentences have increased significantly from a punitive standpoint with respect to all meth lab and chemicals/equipment cases, and especially with respect to those cases involving children. The minimum punishment for a person sentenced under this statute is 5 years in the Department of Corrections, maximum sentence possible is 15 years; the presumptive punishment is 10 years. Additionally, a person sentenced for a second time under for a crime of offering to sell, possession for sale, possession of equipment or chemicals for manufacturing, transport for sale, manufacture, import or import for sale or offer to sell or transfer any amount of methamphetamine faces even greater

punishments: a presumptive sentence of 15 years, with minimum and maximum sentences also enhanced by 5 years, resulting in 10 to 20 years.

Environmental Remediation

On July 1, 2003, the Clandestine Drug Lab Cleanup laws took effect. A.R.S. § 12-900, 12-1000, and 12-1001 occurred in response to the high costs of methamphetamine lab cleanup and safety concerns over residual contamination at lab sites. These new laws require the cleanup of methamphetamine lab sites and establish a process by which law enforcement remove all persons from the lab site.



Law enforcement must now post notice on the property and require the owner to arrange for the cleanup of residual contamination through a certified “Drug Laboratory Site Remediation Firm.” The property owner is obligated for the costs of the remediation even if the owner was not involved with the methamphetamine lab. Effective August 12, 2005, remediation and cleanup must occur within twelve (12) months after the notice is posted. Additionally a county or city may remediate and pass on the cleanup costs to the property owner as a lien on the property title.

As a result of these laws, it is also unlawful for any unauthorized person to enter the residually contaminated portion of the real property, space rental, mobile home, or recreational vehicle park, until the owner, landlord, or manager establishes that the real property has been cleaned by a certified “Drug Laboratory Site Remediation Firm.” If the owner fails to provide notice required by this section, the owner is subject to a civil penalty. Any buyer, tenant, or customer may have legal relief from a purchase contract, rental agreement, or other agreement in which the seller or landlord failed to meet these obligations.

Once the MCSO/HIDTA Task Force has posted the property, it becomes a Class 6 Felony to violate this section. It is also a Class 2 Misdemeanor to remove the posted warning from the contaminated portion of the real property until such time as a “Drug Laboratory Site Remediation Firm” has completed remediation.

Current State of Remediation

The Board of Technical registration has three firms licensed to do remediation. Two of the firms are actually functioning as one since one firm has started referring all of its customers to the other firm. All of these firms are based in the Phoenix metropolitan area. To encourage more firms to be licensed, the Board continues to work to streamline the licensing process and keep costs as low as possible. Both of these methodologies continue to be utilized. For example, the Board has received preliminary approval to lower the annual firm registration fee from \$500 to a more modest \$20. Annual supervisor and worker certification renewal fees are set at \$120. Staff has

received preliminary approval to lower this fee to \$20. The Board also reports it has initiated steps to replace a board required annual two hour class on statutes, rules and new issues associated with methamphetamine lab remediation with an on-demand board administered examination on those subjects. The examination should be available by the end of November, 2007.

The Board continues to work jointly with the community group Arizona Rangers to assist in the monitoring of unremediated seized sites on a monthly basis. After consulting with partner agencies, the Board added space on the follow-up investigation sheets used by the Arizona Rangers to specifically address evidence of possible habitation by persons with children. Information on the possible presence of children at the site will be forwarded to CPS.

Outreach to tribal communities continues. At the request of the tribal authorities, the Board of Technical Registration may investigate allegations of professional practice statutes and rules while performing a remediation on tribal property.

A cooperative educational presentation on methamphetamine use, manufacture and clean-up requirements has been developed by a DPS member of the Maricopa County HIDTA group and the Board. It has been presented twice to real estate groups at their request in this grant year. The Board also cooperated with the Mohave County MAGNET group and presented information on the remediation requirements during an annual site safety officer refresher training session.

Accomplishments

Key accomplishments for the Arizona DEC Program in grant year 2006-2007 include,

- Between October 1, 2006 and September 30, 2007, 2,246 individuals attended DEC and related training sessions.
- Representation from the DEC Program attended the January 10-11, 2007 Meth Strategic Planning Summit. Action steps regarding the DEC Program were provided to the Meth Task Force.
- The DEC Program purchased children's Decontamination Kits to issue to first-responding agencies. The kits include a clean
- On February 14, 2007, the Arizona Peace Officers Standards and Training Board (AZPOST) formally assigned 5.25 credit hours to the DEC Program team training titled: *Responding to Drug Endangered Children (DEC): Creating a Multi-Disciplinary Response to Children Exposed to Methamphetamine Labs*
- Participation by the Attorney General's Office on the Governor's Methamphetamine Task Force
- Attorney General's Office provided leadership for launching of the ARIZONA METH PROJECT, to raise awareness of the dangers of meth.

Funding

Funding for the DEC Program has been provided by a grant from the Governor's Office for Children, Youth and Families. The source of this funding is the Federal Drug-Free and Safe Schools Act. An Interagency Service Agreement (ISA) covering the grant period October 1, 2006 through September 30, 2007 in the amount of \$189,587 funded a prosecutor, part time program manager, legal assistant and related program expenses. Additional administrative support for the DEC Program is provided by the Criminal and Drug Units and the Executive Office of the Attorney General. Program funding from the Federal Drug-Free and Safe Schools Act ended September 30, 2007. Alternate sources of program funding were successfully pursued for the next calendar year. The Program technical assistance and training functions are funded through Attorney General's Office, Criminal Division.