

2013

**National Alliance for
Drug Endangered
Children**

**Oklahoma City
Oklahoma**

**THE ROLE OF THE
CRIMINAL JUSTICE
SYSTEM IN THE
PROTECTION OF
DRUG ENDANGERED
CHILDREN**

**MONEY MUST NEVER
DRIVE THIS TRAIN.....**

**IT SHOULD BE HOW WE
DO OUR JOBS**

**Successful prosecution
of DEC cases requires
multi-disciplinary
work...**

**At every stage of the
proceeding**

**MULTI-
DISCIPLINARY
WORK**

MEANS.....

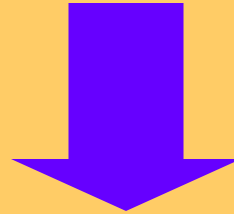
**MULTI-
DISCIPLINARY
MINDSET**

So...

Theory



practice



CULTURE

CONUNDRUM OF CONFIDENTIALITY

**REALITY V.
MYTHOLOGY**

**KNOW THE
DIFFERENCE**

CREATION OF WRITTEN PROTOCOLS

- ◆ Medical
- ◆ CPS
- ◆ Law Enforcement

IN HOUSE TRAINING

**CIVIL CHILD
ABUSE/NEGLECT
PROCEEDINGS**

**WE DON'T WORK IN
A VACUUM**

DISTINGUISH

**1. BURDEN OF
PROOF**

2. TIMING

3. PURPOSE

4. PARTIES

PRACTICAL CONSIDERATIONS

1.LOGISTICS

2.ATTY APPT

3.BOND

**Timing issues
can be a
problem**

Use it to your advantage

CRIMINAL STATUTES

**Allows us
to provide
some muscle
to civil child
protection cases**

CRIMINAL STATUTES

NEED TO

ACCURATELY

REFLECT CURRENT

MEDICAL RESEARCH

DATA COLLECTION

**BECOMES A KEY
FACTOR IN RESEARCH
AND STATUTORY
CONSTRUCTION**

INVESTIGATION

**It's not just a drug case
anymore...**

ACCESSIBILITY OF EVIDENCE TO CHILDREN

**Not just limited to wing
span**

**A picture is worth a
thousand words**

**Especially if it is from a
child's eye view**

JOINT LAW ENFORCEMENT AND CPS INTERVIEWS

CHILD PROTECTION CENTERS

**REGISTER THE CHILDREN
AS VICTIMS**

**TRIGGER VICTIM
SERVICES**

**NOT JUST A MOMENT IN
TIME....**

**WE WANT THE WHOLE
PICTURE**

**MORE INFO ALLOWS
FOR BETTER
DECISIONS**

CHARGING DECISIONS

**GET THE BEST BANG
FOR YOUR BUCK**

**THINK
OUTCOME
BASED**

**WHAT
OUTCOME ARE
WE LOOKING
FOR?????**

**HEALTHY CHILDREN
IN SAFE AND
HEALTHY FAMILY
HOMES**

**WHICH
REQUIRES...**

COLLABORATIVE

DECISION

MAKING

**LOOK, WE'VE GONE
FULL CIRCLE !!!**

**REMEMBER MULTI-
DISCIPLINARY
MINDSET.....**

State v. Federal

Felony v.

Misdemeanor

Mandatory prison v.

Probation

BOND CONDITIONS

**SA EVALUATION
COOPERATE WITH CPS
PLACEMENT CONTINGENCIES**

**MAKE COOPERATION
WITH CPS A
CONDITION OF BOND
ON CRIMINAL
CHARGES**

**ON-GOING
COMMUNICATION**

CPS

IF USED WITH OTHER DRUG CHARGE DO NOT USE AS A THROW AWAY

- **These penalties can be used by probation to supplement services provided through the CINA process**
- **It may also provide some leverage to keep the kids safe and out of the home until certain conditions of health and safety are met**

SENTENCING CONSIDERATIONS

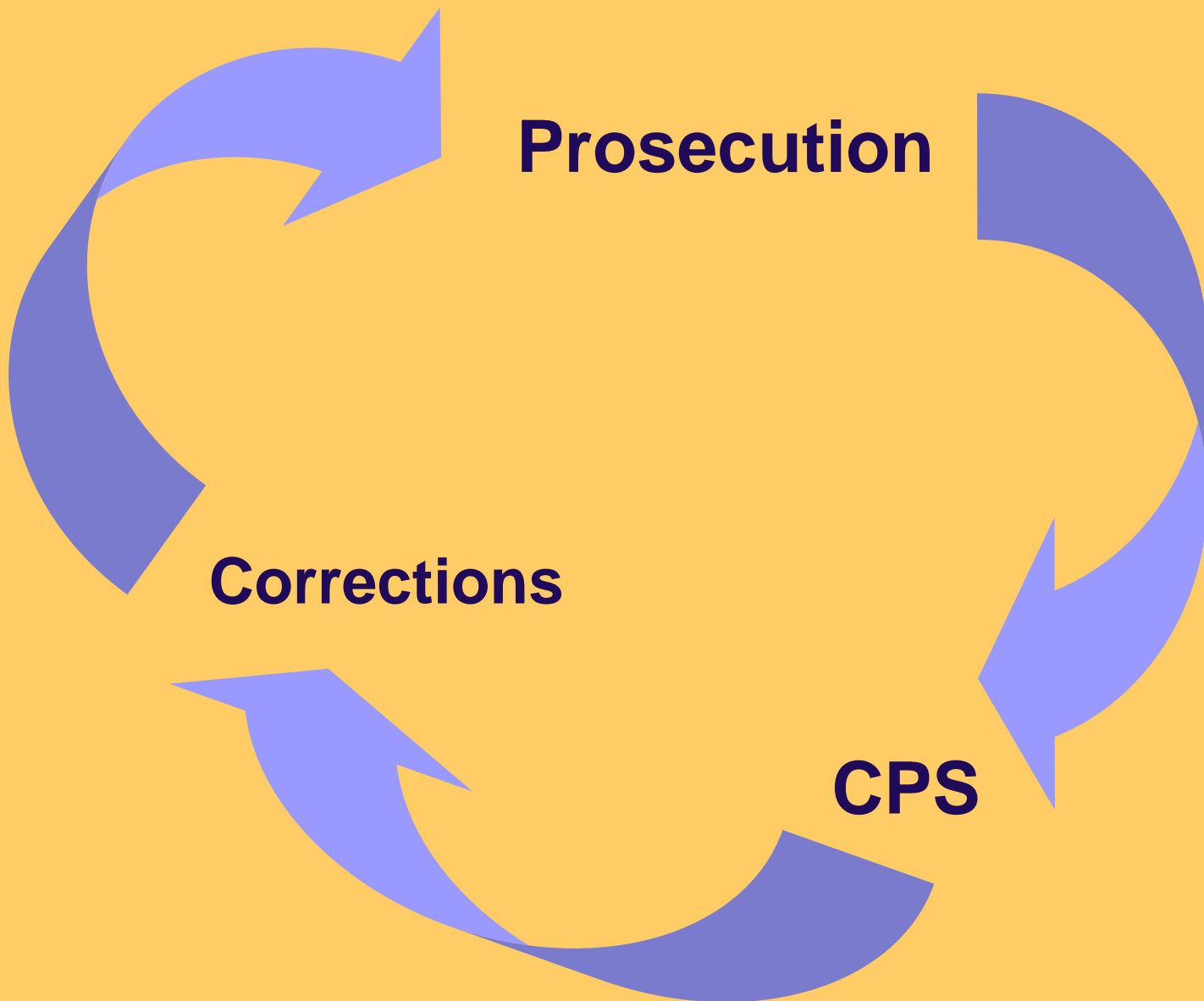
- 1. STANDARD V. INDIVIDUAL**
- 2. INCARCERATION V. PROBATION**
- 3. SPLIT SENTENCING?**
- 4. STREET V. HALF WAY HOUSE**
- 5. IN V. OUT-PATIENT TREATMENT**
- 6. WAIVERS FOR COOPERATION**

PROBATION CONDITIONS

- 1. COOPERATE WITH CPS**
- 2. TREATMENT WAIVERS**
- 3. EVIDENCE OF COMPLIANCE**
- 4. REUNIFICATION CONDITIONS**

**CORRECTIONS
ARE OUR LINK TO
TREATMENT**

**TREATMENT IS
THE KEY TO RE-
UNIFICATION**



Prosecution

Corrections

CPS

CAN BE DONE *WITH*
OR WITHOUT
DRUG COURTS !!!

BUT NOT WITHOUT...

FULL PARTICIPATION BUY IN BY ALL PARTIES

- 1. JUDGES**
- 2. CPS**
- 3. LAW ENFORCEMENT**
- 4. PROSECUTION**
- 5. CORRECTIONS**
- 6. TREATMENT**

CULTURE OF COOPERATION

- 1. MULTI-DISCIPLINARY**
- 2. ON-GOING COMMUNICATION**
- 3. STANDARDIZED PROCEDURES**
- 4. BUY-IN FROM ALL PARTICIPANTS**
- 5. PEER REVIEW**

WISH LIST....

FAMILY DRUG COURTS

- 1. MULTI-JURISDICTIONAL**
- 2. FULL SERVICE**
- 3. ONE STOP SHOPPING**

WHY DO WE BOTHER?

Because of them



**WE ARE THE VOICE
FOR THE CHILDREN**

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