

Ohio Department of Job and Family Services
**RICHLAND COUNTY MEMORANDUM OF UNDERSTANDING
TO ADDRESS CHILD ABUSE AND NEGLECT**

I. STATEMENT OF PURPOSE

This memorandum of understanding (hereinafter MOU) to address child abuse and neglect is required by sections 2151.4220, 2151.4221, 2151.4222, 2151.4223, 2151.4225, 2151.4226, 2151.4228, 2151.4229, 2151.4230, 2151.4231, 2151.4232, 2151.4233, and 2151.4234 of the Ohio Revised Code and section 5101:2-33-26 of the Ohio Administrative Code. It is an agreement among **Richland County Children Services** and community partners that delineates roles and responsibilities for referring, reporting, investigating, and prosecuting child abuse and neglect cases. The MOU also identifies procedures for collaborative service provisions needed to ensure child safety, permanence, and well-being, and the minimum requirements of screening, assessment/investigation, and service planning, to meet mandates included in children services legislation passed by the 134th Ohio General Assembly. Two primary goals of this MOU are:

- The elimination of all unnecessary interviews of children who are the subject of reports of child abuse or neglect;
- When feasible, conducting only one interview of a child who is the subject of a report of child abuse or neglect.

Throughout the state each County Department of Job and Family Services (CDJFS)/Public Children Services Agency (PCSA) provides the following services to their communities:

Screening: The capacity to accept and screen referrals of suspected child abuse, neglect, and/or dependency includes but is not limited to the following: Receiving referrals 24 hours/day, 7 days/week; Recording and retaining referral information; Following Ohio's screening guidelines based on Ohio Administrative and Revised Code and categorizing the child maltreatment type; Adherence to a protocol for making screening and differential response pathway decisions regarding referrals of suspected child abuse, neglect, and/or dependency within 24 hours from the time of the referral; Documenting case decisions; And assigning a response priority of emergency or non-emergency to any screened in report.

Assessment and Investigation: The capacity to investigate and assess accepted reports of suspected child abuse, neglect, and/or dependency, includes responding to emergency reports within one (1) hour and non-emergency reports within twenty-four (24) hours; Conducting an initial Safety Assessment using a standardized CAPM (Comprehensive Assessment Planning Model) tool within the timeline prescribed in the Ohio Administrative Code; Completing a more in-depth CAPM Family Assessment including a clinical and actuarial risk assessment within forty-five (45) working days with the option of a fifteen (15) day extension for extenuating circumstances as prescribed in the Ohio Administrative Code; Working collaboratively with other investigative agencies when appropriate; Making traditional response case dispositions within required timeframes; Evaluating the

need for protective, prevention, or supportive services and/or court involvement; and documenting all activities and case determinations.

Service Provision: The capacity to provide services that ameliorate, eliminate, or reduce future child maltreatment and the conditions which led to abuse, neglect, or dependency, includes providing service planning and case management coordination; Identifying and stating the concern and behavior change(s) needed for reunification to occur through the use of the CAPM Family Case Plan; Monitoring the family's case progress, measuring service outcomes, re-assessing safety and risk, and evaluating permanency options by using the CAPM Case Review and Semi-Annual Review tools; And adhering to existing visitation, documentation, and case closure protocols.

II. ROLES AND RESPONSIBILITIES OF EACH PARTICIPATING AGENCY

A. CDJFS/PCSA (If a combined agency or stand-alone PCSA)

The **Richland County Children Services Agency** is the lead agency for the investigation of child abuse, neglect, or dependency in **Richland** County. The **Richland County Children Services Agency** will coordinate and facilitate meetings, establish standards and protocol for joint assessment/investigation with law enforcement, cross-referrals, collection of forensic evidence, confidentiality, and training of signatories as required by statute. Child Protective Services staff and management will also participate in meetings and trainings as deemed appropriate at the discretion of the Director.

B. LAW ENFORCEMENT

The County Sheriff and each Chief of the local political subdivisions will have responsibility for: taking referrals/reports alleging child abuse and neglect from any source within their respective jurisdiction; Referring reports to **Richland County Children Services** as soon as possible or within **24 hours** for investigation of the circumstances; Determining whether allegations of abuse or neglect rise to the level of criminal conduct; Cooperating with **Richland County Children Services** in a joint and thorough investigation when the information contained in the report lends itself to allege a present danger; Assisting **Richland County Children Services** in hazardous situations where the provision of protective services or the investigation of child abuse or neglect is impeded; Coordinating with **Richland County Children Services** on interviews with principals of the case when there are serious criminal implications; Notifying **Richland County Children Services** of any legal action involving an alleged perpetrator of child abuse or neglect; Responding to **Richland County Children Services's** requests for information regarding the status of the legal action; Providing police record checks for **Richland County Children Services** as necessary or requested as permitted by law; Consulting with **Richland County Children Services** prior to removal of a child from their home when possible; Handling and coordinating investigations involving a child fatality or near fatality which may have resulted from abuse or neglect.

C. JUVENILE COURT

The most senior Juvenile Judge in point of service of the county or their representative, selected by the Judge, if more than one, will be responsible for attending meetings concerning the MOU, entering into agreements with the other signatories of the MOU regarding the court's responsibility to timely hear and resolve child abuse, neglect, and dependency matters, signing the MOU, and updating the MOU or approving any amendment.

The juvenile court has a duty to exercise jurisdiction over adults and children to hear and decide matters as permitted by the Ohio Revised Code Chapters 2151 and 2152. The court is responsible for issuing orders regarding the care, protection, health, safety, mental and physical best interest of children. The Juvenile Judge shall ensure that due process of law is achieved; Hear evidence and issue findings of fact and conclusions of law as to any abused, neglected, or dependent child; Order timely and safe permanency dispositions for children; Preserve the family environment whenever possible while keeping the child(ren)'s health and safety paramount.

D. COUNTY PROSECUTOR

The County Prosecutor shall report suspected cases of child abuse and neglect to **Richland County Children Services** or appropriate law enforcement agency. The County Prosecutor shall represent **Richland County Children Services** in legal actions to protect a child from further harm resulting from child abuse or neglect unless the Prosecutor has granted consent for the appointment of an In-house PCSA Attorney pursuant to Ohio Revised Code chapters 309 and 305.

The prosecuting attorney may inquire into the commission of crimes within the county. The prosecuting attorney shall prosecute, on behalf of the state, all complaints, suits, and controversies in which the state is a party, except for those required to be prosecuted by a special prosecutor or by the attorney general. The County Prosecutor is to determine, based upon the facts, whether criminal culpability exists and if enough evidence exists for a matter to be prosecuted. The prosecutor will be available to law enforcement and **Richland County Children Services** staff for questions or assistance in the investigation of child abuse and neglect cases and eliminate the need for testimony at the municipal court level by allowing for direct presentation to the Grand Jury, when feasible, to minimize trauma to child victims. The prosecuting attorney agrees to aid **Richland County Children Services** in protecting the confidential nature of children services records and investigations; As well as the special protection afforded to the identity of the reporting source.

E. COUNTY DEPARTMENT OF JOB & FAMILY SERVICES Richland County Children Services

☐ Not Applicable *(if selected this section is not relevant.)*

If the **Richland County Job & Family Services** is a separate agency from **Richland County Children Services**, employees within the county agency are expected to report suspected cases of child abuse and neglect to **Richland County Children Services** or appropriate law enforcement agency upon receipt; Collaborate with **Richland County Children Services** to assist families in caring for their children; Assure that children at risk of abuse and neglect receive protective services; Assure service coordination for families already involved with the **Richland County Children Services**; Promote ongoing communication between **Richland County Job & Family Services** and **Richland County Children Services** regarding mutual clients, including minors under the protective supervision or in the custody of the Agency and/or minor parents; Assist **Richland County Children Services** upon request in obtaining case or assistance group information regarding a family when the **Richland County Children Services** is assessing Title IV-E eligibility or completing an assessment/investigation of a child at risk or alleged to be abused; Assist **Richland County Children Services** in obtaining addresses and attempts to locate parents whose whereabouts are unknown, pursuant to OAC 5101:2-33-28; And where applicable and permitted assist **Richland County Children Services** in locating suitable relatives or kin that may be available as familial support for the child(ren) or as a placement option.

F. LOCAL ANIMAL CRUELTY REPORTING AGENCY

The local animal cruelty reporting agencies are to investigate reports of animal abuse and neglect within the county and, pursuant to ORC 2151.421, report suspected cases of child abuse and neglect that may be observed during the commission of their duties to **Richland County Children Services** or local law enforcement.

G. CHILDREN'S ADVOCACY CENTER (Must include if agreement with CDJFS/PCSA exists. Option to skip this section if your agency does not have a formal agreement with a children's advocacy center.)

☒ Not Applicable *(if selected this section is not relevant.)*

The Children's Advocacy Center (CAC) will establish internal protocols regarding the investigation of CAC cases, participate in training as needed, work jointly and cooperatively in their established role with the other team members in the investigation of CAC cases, and attend and exchange information when meeting with **[Enter the name of the CDJFS/PCSA here]**, law enforcement, and other signatories of this agreement.

H. CLERK OF COUNTY COMMON PLEAS COURT (Optional per statute, but benefits to inclusion should be considered per county)

☒ Not Applicable *(if selected this section is not relevant.)*

The Clerk of County Common Pleas Court will collaborate with **[Enter the name of the CDJFS/PCSA here]**, County Prosecutor, and local law enforcement to establish standards and processes for the filing and acceptance of abuse, neglect, and dependency pleadings; Notice to the necessary parties; Service of process; How to send and receive communications from the Clerk; Defining acceptable methods of communication; Best practices for handling emergency/ex parte motions and orders which require the removal of children and need to be acted upon in an expeditious manner; Date and timestamp process and any cut-offs; Determine how and when to expect decisions or entries to be communicated; Provide periodic training for those involved in the investigation of child abuse and neglect and the signatories of this MOU; Be available to **[Enter the name of the CDJFS/PCSA here]** management staff or the Prosecutor should questions arise.

III. **SCOPE OF WORK**

The key objective of this MOU is to clearly define the roles and responsibilities of each agency in the provision of child protective services.

A. Mandated reporters and penalty for failure to report

Persons identified as mandated reporters per Ohio Revised Code section 2151.421, while acting in official or professional capacity, shall immediately report knowledge or reasonable cause to suspect the abuse or neglect of a child in accordance with that section. Reports shall be made to **Richland County Children Services** or a law enforcement officer.

The penalty for the failure of a person required to report any suspected case of child abuse and/or neglect pursuant to ORC section 2151.421 shall be a misdemeanor of the fourth degree. The penalty is a misdemeanor of the first degree if the child who is the subject of the required report that the offender fails to make suffers or faces the threat of suffering the physical or mental wound, injury, disability or condition that would be the basis of the required report when the child is under the direct care or supervision of the offender who is then acting in the offender's official or professional capacity or when the child is under the direct care or supervision of another person over whom the offender, while acting in the offender's official or professional capacity, has supervisory control. Failure to report suspected child abuse and/or neglect may also result in civil liability in the form of compensatory or exemplary damages.

B. System for receiving reports

Reports of child abuse or neglect shall be made to **Richland County Children Services** or any law enforcement officer with jurisdiction in **Richland** County. If **Richland County Children Services** contracts with an outside source to receive after-hour calls, a copy of the signed agreement shall be attached to this MOU which indicates that all reports with identifying and demographic information of the reporter and principals will be forwarded to a designated children services worker within an hour of

receipt, confidentiality requirements will be met, and how the public is informed of after-hours reporting opportunities.

Reports may be filed with Richland County Children Services at 731 Scholl Rd. Mansfield Ohio 44907, phone number (419) 774-4100, or with any law enforcement Agency. Richland County Children Services has staff available to receive reports by telephone on a 24 hours a day, seven day a week basis. The agency utilizes an answering service by the name of Help Line, after regular business hours, on weekends, and holidays so that reports can be received. The after hours number is (419) 774-4100. A caseworker and a supervisor are available during these times to respond to emergency situations. Law enforcement personnel may access staff through Help Line answering services. The daily hours are posted on the Agency website at richlandcountychildrengservices.org, on facebook, published on all Agency literature, and in all advertisements.

When a law enforcement officer receives a report of possible abuse or neglect of a child or the possible threat of abuse or neglect of a child, the law enforcement officer shall refer the report to the appropriate PCSA unless an arrest is made at the time of the report that results in the appropriate PCSA being contacted concerning the alleged incident involving the child.

When **Richland County Children Services** screens in a report of child abuse, **Richland County Children Services** shall notify the appropriate law enforcement agency of the report, unless law enforcement is present and an arrest is made at the time of the report that results in the appropriate law enforcement agency being notified of the child abuse.

When **Richland County Children Services** screens in a report of child neglect, and an active safety threat is identified within the first seven days of the assessment/investigation, **Richland County Children Services** shall notify the appropriate law enforcement agency within the first seven days of the assessment/investigation. Unless an arrest is made at the time of the report that results in the appropriate law enforcement agency being notified of the child neglect.

C. Responding to mandated reporters

When **Richland County Children Services** receives a referral from a mandated reporter who provides their name and contact information, **Richland County Children Services** shall forward an initial mandated reporter notification to the referent within seven days. The notification will be provided, in accordance with the mandated reporter's preference. Information shared with the mandated reporter shall include the information permitted by ORC 2151.421(K):

- Whether the agency or center has initiated an investigation of the report;
- Whether the agency or center is continuing to investigate the report;
- Whether the agency or center is otherwise involved with the child who is the subject of the report;
- The general status of the health and safety of the child who is the subject of the report;
- Whether the report has resulted in the filing of a complaint in juvenile court or of criminal charges in another court.

When **Richland County Children Services** closes an investigation/assessment reported by a mandated reporter, **Richland County Children Services** shall forward an outcome mandated reporter notification to the referent. The notification will be provided in accordance with the mandated reporter's preference. Information shared with the mandated reporter shall be that permitted by ORC 2151.421 to include a notification that the agency has closed the investigation along with a point of contact.

D. Roles and responsibilities for handling emergency cases of child abuse, neglect, and dependency

1. PCSA's Response Procedure

When **Richland County Children Services** determines that a report is emergent, **Richland County Children Services** shall attempt a face-to-face contact with the child subject of the report/ alleged child victim within one hour of the receipt of the report.

If **Richland County Children Services** identifies an active safety threat at any point during the assessment/investigation, the caseworker or supervisor shall implement a safety response.

If the child(ren) cannot remain safely within their own home, the agency will utilize one of the following options:

1) Work with the family to develop a temporary, safe living arrangement, usually with a relative or significant other, through safety planning; 2) Contact the Richland County Juvenile Court to ask for removal of the child from the home.

2. Law Enforcement and [Enter CAC and/or any other applicable party] Response Procedure

It is recommended that law enforcement officers make reports to **Richland County Children Services** immediately, if the officer believes the child to be at immediate risk of abuse or neglect. Any time there is a question as to if the situation warrants a report to **Children Services**, a call to **Children Services** should be made.

Agency staff will answer questions and inform the reporter if the information warrants agency intervention.

3. Children in Need of Medical Attention Special Response Procedures

E. Standards and procedures to be used in handling and coordinating investigations of reported cases of child abuse and/or neglect

Methods to be used in interviewing the child who is the subject of the report and who allegedly was abused and/or neglected, alleged perpetrators, and other family members and witnesses/collaterals will be discussed and agreed upon in advance by the **Richland County Children Services** and the corresponding law enforcement agency.

To the extent possible investigative interviews of children who are the alleged victims of reports of abuse and/or neglect where criminal activity is suspected, including reports of human trafficking, are cooperatively planned by **Richland County Children Services** and the law enforcement agency of the jurisdiction.

Every effort will be made by the signatories of this MOU to prevent or reduce duplicate interviews of the victims or witnesses. When feasible, to reduce trauma complete only one interview with the alleged child victim/ child subject of the report. **Richland County Children Services** agrees to be the lead agency in scheduling the time, place, and location of joint interviews as well as notifying all participants.

Before starting the interview, the participants will determine who is to be present in the room, who will be asking the questions, what areas are to be covered, and who will be the scribe for the interview. Audio and video recordings may be used when necessary.

When law enforcement or the prosecutor's office interviews a participant in a criminal investigation and a representative of **Richland County Children Services** is not present, the interviews conducted by law enforcement or the prosecutor's office may be used by **Richland County Children Services** to meet the agency investigative requirements set forth in rule. Law enforcement or the prosecutor's office will forward a written summary of the interview to **Richland County Children Services** upon request.

The **Richland County Children Services** agrees not to proceed without the advice and consent of the prosecutor's office when a criminal investigation is being conducted concurrently. **Richland County Children Services** will not jeopardize a criminal investigation but will work with law enforcement to protect the safety of the child victim or witnesses. Law enforcement will be the lead agency in the collection of forensic evidence

and will coordinate with the necessary facilities to obtain and store such evidence properly.

Development of Richland County's Multidisciplinary Team (MDT)

Members of the MDT are from:

Richland County Children Services Board

Richland County Prosecutor's office

Richland County Sheriff's Department

**Mansfield, Bellville, Butler, Plymouth, Lexington, Shelby, Ontario
Police Departments**

SANE Nurses from Ohio Health and Avita Hospitals

The mission of the team is to provide a multi-disciplinary approach to investigation and coordination of cases involving allegations of severe physical abuse, sexual abuse, or neglect against children. The intent of the team is to assure that efforts during the investigative process are consistent and thorough, yet efficient and free of unnecessary duplications of effort.

The team meets monthly to review and update each other on the cases that they are working on together.

Richland County Children Services shall follow up with law enforcement to ensure timely assistance and to complete mandated assessment/investigation activities within the forty-five-day timeframe. The timeframe can be extended in special circumstances to a maximum of sixty days if law enforcement needs additional time, however, **Richland County Children Services** must make a disposition within the sixty-day timeframe.

F. Standards and procedures addressing the categories of persons who may interview the child who is the subject of the report and who allegedly was abused or neglected

The categories of personnel who may conduct interviews of children who are the subjects of reports of alleged abuse, neglect, and/or dependency are limited to the following:

- Casework and supervisory staff of **Richland County Children Services**
- Law enforcement personnel
- County or city prosecuting attorneys, assistant prosecuting attorneys, in-house JFS legal counsel if applicable, and their investigative staff
- **[If applicable, enter appropriate CAC personnel here]**
- **When criminal activity is suspected, joint interviews of children will be planned and conducted with Children Services and law enforcement officers. Interviews with the alleged child victim should be conducted in the least stressful, safest environment possible. All interviews, whether conducted jointly or separately, are documented by each entity involved. To further reduce the possibility of unnecessary interviews, the written investigative reports or statements from collaterals and perpetrators resulting from independently conducted interviews will be available to Children Services within two weeks of said interview. By signing this memorandum of understanding, it is understood that all involved parties will share copies of these reports with each investigative entity, as required.**

G. Standards and procedures for Richland County Children Services requests for law enforcement assistance

Richland County Children Services may request the assistance of law enforcement during an assessment/investigation if one or more of the following situations exist:

- An exigent circumstance exists.
- **Richland County Children Services** has reason to believe that the child is in immediate danger of serious harm.
- **Richland County Children Services** has reason to believe that the worker is, or will be, in danger of harm.
- **Richland County Children Services** has reason to believe that a crime is being committed, or has been committed, against a child.
- **Richland County Children Services** worker must conduct a home visit after regular **Richland County Children Services** business hours and a law enforcement escort is requested as a standard operating procedure.
- **Richland County Children Services** is removing a child from his or her family via an order of the court and the assistance of law enforcement is needed as **Richland County Children Services** has reason to believe the family will challenge the removal.
- **Richland County Children Services** is working with a client who has a propensity toward violence and the assistance of law enforcement is needed to ensure the safety of all involved.

- **Richland County Children Services** is working with a family that has historically threatened to do harm to PCSA staff.

H. **Specialized Investigations or Circumstances**

To the extent possible, investigative interviews of children who are the alleged child victims/child subjects of the report of abuse and neglect where criminal activity is suspected, including reports of human trafficking, physical and sexual abuse, domestic violence, child endangering, or the like, are cooperatively planned by **Richland County Children Services** and the law enforcement agency of jurisdiction.

1. **Out-of-Home Care**

Richland County Children Services conducts an out-of-home care investigation in response to a child abuse or neglect report that includes an alleged perpetrator who meets one or more of the following criteria:

- Is a person responsible for the alleged child victim's care in an out-of-home care setting as defined in rule 5101:2-1-01 of the Administrative Code.
- Is a person responsible for the alleged child victim's care in out-of-home care as defined in section 2151.011 of the Revised Code.
- Has access to the alleged child victim by virtue of his/her employment by or affiliation to an organization as defined in section 2151.011 of the Revised Code.
- Has access to the alleged child victim through placement in an out-of-home care setting.

Richland County Children Services follows the procedures for conducting out-of-home care investigations as described in section 5101:2-36-04 of the OAC.

A caseworker investigating a report of suspected child abuse and neglect shall immediately notify the appropriate law enforcement agency when an out-of-home investigation is required. It is Richland County Children Services' responsibility to coordinate the investigation with the local law enforcement agency who has jurisdiction over the case. Both professional departments must decide how to intervene in a fashion that will maximize the information obtained from the investigation while minimizing the risk of trauma to the alleged child victim and/or family members. It is important to remember that every investigation is stressful for a child and a family, but that it does not have to be traumatic. Joint interviews should be conducted whenever possible to minimize trauma.

2. Third-Party Investigations

In accordance with section 5101:2-36-08 of the OAC, **Richland County Children Services** shall request a third-party investigation be conducted by a local law enforcement agency or a PCSA in a contiguous county when there is potential for a conflict of interest because one of the following parties is a principal of the report:

- Any employee of an organization or facility that is licensed or certified by the Ohio Department of Job and Family Services (ODJFS) or another state agency and supervised by the PCSA.
- A foster caregiver, pre-finalized adoptive parent, adoptive parent, relative, or kinship caregiver who is recommended, approved, or supervised by the PCSA.
- A type B family childcare home or type A family childcare home licensed by ODJFS when the CDJFS has assumed the powers and duties of the county children services function defined in Chapter 5153. of the Revised Code.
- Any employee, or agent of ODJFS or the PCSA as defined in Chapter 5153. of the Revised Code.
- Any authorized person representing ODJFS or the PCSA who provides services for payment or as a volunteer.
- A foster caregiver or an employee of an organization or facility licensed or certified by ODJFS and the alleged child victim is in the custody of, or receiving services from, the PCSA that accepted the report.
- Any time a PCSA determines that a conflict of interest exists. The PCSA shall document in the case record if a conflict of interest is identified.

Richland County Children Services shall request that law enforcement serve as the third party when a report alleges a criminal offense. **Richland County Children Services** must request the assistance of a third party within 24 hours of identifying that a conflict of interest exists.

The interviews with alleged offenders will be conducted by both law enforcement and a Children Services worker, when possible. Law enforcement is typically in charge of this interview due to their specialized training and legal connection to the court system. The purpose of the interview is to gather information regarding the alleged abuse; assess the danger to which the alleged offender is a risk to the child; and to persuade the offender to cooperate with a plan to ensure the safety of the child. At its conclusion, the Children Services worker and the law enforcement officer will be provided with a verbal report of the

results of the interrogation. A written report will be provided one week after the completion of the interview.

3. Child Fatality- Suspected cause of death is abuse or neglect

Richland County Children Services is governed by ORC section 307.622 and must have a child fatality review board.

A caseworker investigating a report of suspected child abuse and neglect shall immediately notify the appropriate law enforcement agency with cases involving a death of a child from alleged abuse or neglect.

4. Child Fatality- Death of a child in the custody of Richland County Children Services

Richland County Children Services follows section 5101:2-42-89 of the OAC following the death of a child in its custody.

5. Allegations of withholding medically indicated treatment from disabled infants with life-threatening conditions

Richland County Children Services follows the procedures described in section 5101:2-36-07 of the OAC for responding to these reports.

The withholding of medically indicated treatment is the refusal to provide appropriate nutrition, hydration, medication, or other medically indicated treatment from a disabled infant with a life-threatening condition.

Medically indicated treatment includes the medical care most likely to relieve, or correct, the life-threatening condition. Nutrition, hydration, and medication, as appropriate for the infant's needs, are medically indicated for all disabled infants; in addition to, the completion of appropriate evaluations or consultations necessary to assure that sufficient information has been gathered to make informed medical decisions on behalf of the disabled infant.

In determining whether treatment is medically indicated, reasonable medical judgments made by a prudent physician, or treatment team, knowledgeable about the case and its treatment possibilities are considered. The opinions about the infant's future "quality of life" are not to bear on whether a treatment is judged to be medically indicated. Medically indicated treatment does not include the failure to provide treatment to a disabled infant if the treating physician's medical judgment identifies any of the situations listed in OAC section 5101:2-36-07(A)(3)(a-d).

Richland County Children Services will do the following:

- **Gathering and maintaining current information regarding the name, address, and telephone number of each appropriate health care facility within its jurisdiction.**
- **Identifying and maintaining the current name, title, and telephone number of each facility's contact person for allegations involving withholding of medically indicated treatment from disabled infants with life-threatening conditions.**

- Identifying and maintaining the name and chairperson of the appropriate health care facility's review committee, if such a committee exists.
6. Allegations of child abuse and/or neglect constituting a crime against a child, including human trafficking, and require a joint assessment/investigation with law enforcement

Upon receipt of a potentially life threatening child abuse or neglect report, immediate contact between the children services agency, and the appropriate law enforcement agency will be made by telephone to jointly plan the intervention and investigation. The children services agency and law enforcement will share immediately all statements, reports and verbal and written opinions concerning the abusive or neglectful situation. Richland County Children Services shall meet its obligation of maintaining communications with the appropriate law enforcement agency regarding child and neglect investigations. The following guidelines will apply: A written report will be filed with law enforcement regarding any investigation involving the death of a child; Written reports will be filed as requested by law enforcement agencies; Telephone contact will be maintained to share information on joint investigations and to notify law enforcement agencies of independently initiated Children Services investigations of actual abuse or neglect situations (in such cases, follow-up reports in conference or in writing will be provided upon request by law enforcement officials). If law enforcement is unable to conduct the joint interview within the mandated timeframes set forth in section 5101:2-36-03 of the Ohio Administrative Code. Richland County Children Services will conduct the interviews within their mandated timeframes.

7. Reports of cases involving individuals who aid, abet, induce, cause, encourage, or contribute to a child or a ward of the juvenile court becoming dependent, neglected, unruly, and delinquent child

Follow Screening guidelines

8. Reports involving individuals who aid, abet, induce, cause, encourage, or contribute to a child or a ward of the juvenile court by leaving the custody of any person, department, or public or private institution without the legal consent of that person, department, or institution

Follow Screening guidelines

9. **Receiving and responding to reports of missing children**

Upon learning that a minor child has either run away from or is otherwise missing from the home or the care, custody, and control of the child's parents, custodial parent, legal guardian, or non-custodial parent **Richland County Children Services** shall:

- Refer the reporter to the law enforcement agency in the appropriate jurisdiction.
- Contact the law enforcement agency for entry into the National Crime Information Center (NCIC) database if the child is in **Richland County Children Services** custody.
- Contact the National Center for Missing and Exploited Children (NCMEC) if the child is in **Richland County Children Services** custody.

Upon request of law enforcement, **Richland County Children Services** shall provide assistance and cooperation in the investigation of a missing child, including the immediate provision of any information possessed by **Richland County Children Services** which may be relevant in the investigation.

Law enforcement shall notify **Richland County Children Services** upon learning that a minor child who is alleged to be in the child services system or who is known or suspected to be abused or neglected has either run away from or is otherwise missing from the home or the care, custody, and control of the child's parents, custodial parent, legal guardian, or non-custodial parent.

I. **Standards and procedures for removing and placing children**

1. **Emergency**

Emergency removal of a child from home is necessary when the child is at imminent risk of harm and in need of protection from abuse, neglect, or dependency.

An ex parte order may be issued with or without a complaint being filed. Prior to taking the child into custody the judicial fact-finder must make a determination that reasonable efforts were made to notify the child's parents, guardian, or custodian, or there were reasonable grounds to believe doing so would jeopardize the safety of the child, or lead to the removal of the child from the jurisdiction.

Juv. R 6 orders can be issued in-person, by phone, video conference, or otherwise. Reasonable grounds must exist to believe the child's removal is necessary to prevent immediate or threatened physical or emotional harm.

Findings must be made that the agency either did or did not make reasonable efforts to prevent the removal of the child from their home with a brief description of services provided and why those did not prevent the removal or allow the child to return home, and if temporary custody is granted to the PCSA an additional finding that it would be contrary to the welfare and best interest of the child to continue in the home. If granted, a shelter care hearing must be scheduled the next business day (but not later than seventy-two hours) after the emergency order has been issued. If the ex parte motion is denied the matter must be set for a shelter care hearing within ten days from the filing date.

When removing the child, the assigned caseworker shall arrange to be assisted by a member of law enforcement, another caseworker and/or a supervisor. The caseworker shall provide written notification of the removal to both parents or guardians. The written notification shall include the worker's contact information, the date and time of the emergency custody hearing, and the reason for the emergency removal. If the parents or guardians are not available in person, the worker may provide this information verbally and follow up with written notification within 24 hours of the removal.

2. Non-emergency

Upon receiving a report alleging child abuse, neglect, and/or dependency, **Richland County Children Services** commences an investigation in accordance with the requirements of section 2151.421 of the ORC. If the final case decision rises to the level of court involvement, **Richland County Children Services** shall approach the juvenile court and file a complaint alleging the child(ren) to be abused, neglected, or dependent per ORC 2151.27. The matter will be set for a shelter care/preliminary protective hearing expeditiously by the juvenile court.

Reasonable oral or written notice of the time, place, and purpose of the hearing must be provided to the parents, guardian, or custodian unless they cannot be found. The same parties are also entitled to notification that a case plan may be prepared, the general requirements, and possible consequences of non-compliance with the case plan.

The parties will be served with the complaint and summons to appear before the juvenile court. Unrepresented parties are advised by the juvenile court of their right to counsel. Counsel is appointed for children when abuse is alleged. A Guardian Ad Litem is appointed to all children subject of abuse, neglect, or dependency proceedings. A separate guardian ad litem may be appointed to minor parents or parents who appear mentally incompetent.

The judicial fact-finder must determine whether there is probable cause that the child is abused, neglected, or dependent; the child is in need of protection, whether or not there is an appropriate relative or kin willing to assume temporary custody of the child, reasonable efforts were made by **Richland County Children Services** to prevent the removal or continued removal or to make it possible for the child to return home safely, and for temporary custody orders to **Richland County Children Services** that it would be contrary to the welfare and best interest of the child to continue in the home. All other temporary orders should be requested and considered at this time.

J. [Optional Section(s)]

☐ Not Applicable *(if selected this section is not relevant.)*

Richland County Children's Services utilizes an Emergency Phone Outage Plan to ensure that supervisors and workers are available to respond to emergencies every day of the calendar year, and the community has continued access to report child abuse and neglect via various public outlets should a phone outage occur. Richland County Children Services will contact Richland County Sheriff's Department and advise of the emergency number (419-774-4100) not being available. Richland County Children Services staff will relay their personal phone number to Sheriff's staff thus making Richland County Children Services staff available. Richland County Children Services will contact OhioHealth Mansfield and Avita Hospital and advise them to contact Richland County Children Services through a direct cell phone number or through the Richland County Sheriff's Office. Richland County Children Services will contact the News Journal, Richland Source, WMFD and Clear Channel Radio and request that they give notice to the community that emergencies for Richland County Children's Services can be reported through the Sheriff's Department.

On receipt of a notice that a deserted child has been taken into possession, Richland County Children Services shall do all the following: 1). Consider the child to need public care and protective services. 2). Accept and request emergency temporary custody of the child. 3). Provide temporary emergency care for the child, without agreement or commitment. 4). Make an investigation concerning the child. 5). File a motion with the Richland County Juvenile Court requesting that the court grant temporary custody of the child to the agency or to a private child placing agency (PCPA). 6). Provide any care for the child that the Richland County Children Services considers to be in the best interest of the child, including placing the child in shelter care. 7). Provide any care and perform any duties that are required of Richland County Children Services under current law. 8). Prepare and keep written records of the investigation of the child, of the care and treatment afforded the child, and any other records by ODJFS. If the court issues an order placing the child in temporary custody, the court is to treat the child the same as a child adjudicated a neglected child when performing its duties under the Ohio Revised Code with respect to the child. Those duties include hearing and deciding motions for further disposition on termination of temporary custody and, if made, motions for permanent custody; review of case plans, placement, and custody arrangements; and hearing and deciding on proposed changes to case plans. In performing those duties, the court is to be bound to a reputable presumption that it is not in the child's best interest to return the child to the natural parents. The Richland County Children Services or PCPA that receives temporary custody of a child adjudicated a deserted child must prepare case plans, conduct investigations, conduct periodic reviews of case plans, and provide services for the deserted child as if the child were adjudicated a neglected child and must follow the same procedures under the Ohio Revised Code in performing those functions as if the deserted child was a neglected child.

IV. TRAINING

Cross system training is to be provided to and a plan developed by all signatories of this MOU to ensure parties understand the mission and goals identified in this MOU and are clear about the roles and responsibilities of each agency. Periodic trainings events will be coordinated by **Richland County Children Services** as the lead agency and notification of the trainings will be provided to the signatories of this agreement. By agreeing to participate in the county MOU process signatories express a commitment to attend training opportunities when presented.

A training will be scheduled upon request of any participating member.

V. CONFLICT RESOLUTION

☐ Not Applicable (*if selected this section is not relevant.*)

When a conflict occurs among county partners, the effect is often broader than the individuals directly involved in the dispute. As disputes are often inevitable this MOU must set forth the local process by which disputes will be resolved so as not to disrupt program effectiveness.

As the mandated agency responsible for the provisions of child protective services, the ultimate decision on how to handle abuse, neglect investigations lie with **Richland County Children Services**. Every effort will be made to take in to account other subscribers' requests and concerns relating to services.

Criminal investigations and prosecution remain the responsibility of the prosecuting attorney and appropriate law enforcement agencies. **Richland County Children Services** will assist these agencies, but in no way, interfere or jeopardize a criminal investigation or prosecution.

For cases which come before the court as it relates to decisions and orders, the Juvenile Judge's rulings are final.

In the event internal conflict resolution efforts fail and a statutorily required participant refuses to sign or engage in the MOU process the PCSA is to consult with the County Prosecutor to explore available remedies.

VI. CONFIDENTIALITY STATEMENT

Any report made in accordance with ORC section 2151.421 is confidential. Both the information and the name of the person who made the report under section 2151.421 shall not be released to the public for use and shall not be used as evidence in any civil action or proceeding brought against the person who made the report.

Children services records are not public records and are exempt from Ohio's Sunshine Laws under ORC 149.43. Children Services records are confidential in nature and should be treated accordingly.

ORC section 2151.423 requires **Richland County Children Services** to disclose confidential information discovered during an investigation conducted pursuant to section 2151.421 or 2151.422 of the Ohio Revised Code to any federal, state, or local government entity that needs the information to carry out its responsibilities to protect children from abuse or neglect. Likewise, law enforcement, **[Enter the name of the CAC, if applicable]**, and other entities are expected to release information to **Richland County Children Services** for the purpose of carrying out its responsibility of protecting children from abuse and/or neglect.

The confidentiality provisions of this MOU will survive the expiration or termination of this agreement.

Information regarding the report and/or investigation of alleged abuse or neglect may be shared only when dissemination is authorized by OAC section 5101:2-33-21 and in accordance with the procedures outlined in OAC section 5101:2-33-21. The unauthorized dissemination of confidential information is a misdemeanor and is punishable by law.

In the event of unauthorized dissemination of information, the party who learns of the breach of confidentiality will notify the Director of **Richland County Children Services** as soon as possible. The notification will be sent to the Director in writing describing the circumstances surrounding the breach. The notification will specify the confidential information released, who is responsible for disseminating the confidential information, how it was disseminated, and the parties who have access to the information without authorization. The Director of **Richland County Children Services** shall then refer this information to the prosecutor at their discretion.

VII. TERMS AND CONDITIONS AND STATUTORY REQUIREMENTS

This MOU must be retained for a period of at least seven years per the state of Ohio records retention schedule. Please refer to **Richland County Children Services** records retention policy for information on forms to be completed and processes to be followed for the destruction of records.

Consultation among the signatories will be done in person, whenever practicable. When an in-person meeting is not possible the signer may employ the use of alternative methods of communication including but not limited to MS Teams, Skype, Zoom, or telephone as agreed upon by all members. When **Richland County Children Services** is seeking consultation with a signer of this memorandum regarding an active referral of child abuse and/or neglect and has met in person or spoken with another signer, **Richland County Children Services** will make written contact with the appropriate agency by the next working day to request the needed information and make the referral in writing.

The required members shall review and evaluate the terms and conditions of the MOU every biennium. All required members to the MOU will sign the new or updated agreement. **Richland County Children Services** is to submit the MOU to the Board of County Commissioners for review and approval with enough time for any revisions to be made prior to December thirty-first of the year.

This MOU does not inhibit good faith compliance with a subpoena issued by a Grand Jury or in a criminal case. Dissemination of records pursuant to the State's discovery obligations is authorized. However, work product and other privileges are expected to be upheld.

Failure to follow the procedure set forth in the MOU by the concerned officials is not grounds for, and shall not result in, the dismissal of any charges or complaint arising from any reported case of abuse or neglect or the suppression of any evidence obtained as a result of reported child abuse or child neglect and does not

give, and shall not be construed as giving, any rights or any grounds for appeal or post-conviction relief to any person.

This MOU shall be governed by and construed in accordance with applicable state and federal laws and regulation. In the event any portion of this MOU is inconsistent with state or federal law, that portion shall be without effect as if stricken from the document and the remaining portion shall remain in full force and effect.

VIII. SIGNATURES OF EACH PARTICIPATING AGENCY: *The number of required signatures will vary widely by county. It will be helpful to have the signatures take up the entirety of 1 page so counties can copy it to use for as many signature pages as needed."*

The signature section authorizes the participating parties of the agreement to begin enactment of MOU protocols and activities. The participating members agree to follow the terms of this MOU and to meet at minimum once every biennium to review terms and conditions, evaluate if updates are needed, and sign a new or amended MOU **The terms and conditions of the MOU will be reviewed every other year by all participating members. The next review will take place in 2023 and every other year thereafter.**

If any individual serving as a signatory changes mid-term, **Richland County Children Services** is to provide the new required member with the current memorandum. The new member remains bound by the most recently approved version of the memorandum. Their signature is to be obtained and submitted on or before the next biennial review.

A required member to this agreement may terminate their involvement in the MOU for good cause upon giving reasonable written notice to the other required members in this MOU. .

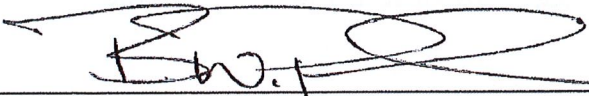
Richland County Children Services will initiate and address any requested and/or required modifications to the agreement with all parties on as needed basis.

Please notify the Richland County Children Services Director in writing 30 days in advance if you plan to terminate your involvement in the MOU and the reason(s) why.



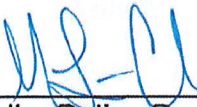
Ontario Police Department, Tommy Hill, Chief

12/12/22
Date



Lexington Police Department, Brett Pauley, Chief

12/13/22
Date



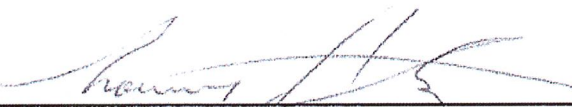
Shelby Police Department, M. Lance Combs, Chief

12-20-22
Date



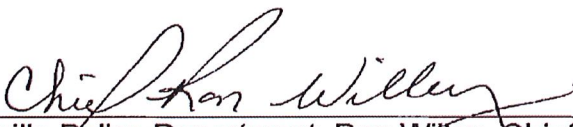
Ontario Police Department, Tommy Hill, Chief

12/12/22
Date



Plymouth Police Department, Thomas Hintz, Chief

12-19-22
Date



Bellville Police Department, Ron Willey, Chief

12/13/2022
Date



Butler Police Department, Eric Winbigler, Chief

12/13/22
Date

Mandated Subscribers:


Richland County Children Services, Nikki Harless, Executive Director

12.28.22

Date


Richland County Job & Family Services, Lori Bedson, Director

12/14/2022

Date


Richland County Prosecutor's Office, Gary Bishop, Prosecutor

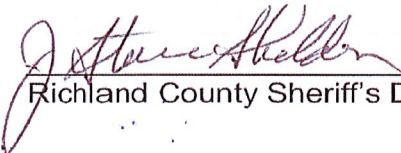
12/14/2022

Date


Richland County Juvenile Court, W. Steve McKinley, Judge

12-14-22

Date


Richland County Sheriff's Department, Steve Sheldon, Sheriff

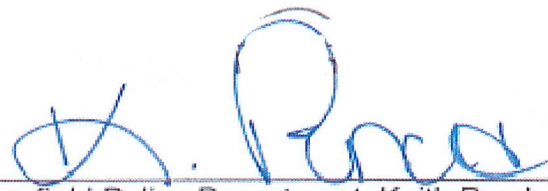
12/13/2022

Date


Humane Society of Richland County, Linda Chambers, Director

12/28/22

Date


Mansfield Police Department, Keith Porch, Chief

12.12.22

Date

IX. Refusal to Sign ☐ Not Applicable *(if selected this section is not relevant.)*

The **Richland County Children Services** attests they attempted to obtain the signature of all required participating agencies as set forth in Section II of this memorandum and as mandated through section 2151.4210 of the Revised Code. However, the following agency(ies) or individual(s) refused to sign this MOU.

[Option to repeat the following block of information in the event more than one agency/individual refuses to sign]

Date: **[Enter date of refusal]**

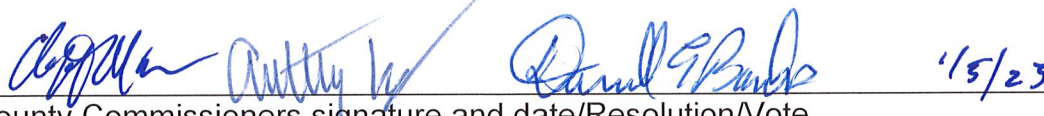
Agency, Name, Title: **[Enter the name of the agency, required individual, and their title]**

Reason the individual refused to sign:

[Enter the reason the individual refused to sign the text box]

X. Board of County Commissioners

The **Richland County Children Services** shall submit the MOU signed by all participating agencies, to the **Richland County** Board of County Commissioners. The participating agencies will ensure there is adequate time for both the County Board of Commissioners and ODJFS review and approval process along with any returns for correction prior to the end of the contractual period.


County Commissioners signature and date/Resolution/Vote

The Board of Richland County Commissioners hereby review and approve the Richland County Memorandum of Understanding.

ATTACHMENTS

[If the PCSA contracts with an outside source to receive after-hour calls, a copy of the signed agreement which indicates that all reports with identifying and demographic information of the reporter and principals of the report will be forwarded to a designated PCSA worker within an hour of receipt and that confidentiality requirements will be met.]

[Insert county specific information if desired]

