

The Hardin County Memorandum of Understanding (hereinafter referred to as MOU) sets forth duties required by the Ohio Revised Code (ORC) 2151.421 (K)(2) (child abuse and neglect).

Following agreement by signatories, HCDJFS will submit this MOU to the Hardin County Board of County Commissioners for approval. Once approved by the Hardin County Commissioners, HCDJFS will submit a copy of the MOU to the Ohio Department of Job and Family Services (ODJFS) for compliance determination. This MOU is considered effective on the date ODJFS determines the MOU to be compliant. Should the MOU be considered non-compliant by ODJFS review, HCDJFS will develop and submit a compliance plan within sixty (60) days of the non-compliance determination. This MOU will be reviewed on a biennial basis.

The Director of the Hardin County Department of Job & Family Services (HCDJFS) or designee, shall convene a meeting of mandated subscribers when any changes are required to the operating procedures or responsibilities of mandated subscribers. Any amendment to the MOU which changes the operating responsibilities or procedures of mandated subscribers shall require the convening of all mandated participants for clarification and approval unless the change is necessitated by new or revised state or federal laws or rules. When the law changes, the MOU will automatically be drafted by the HCDJFS Director and approved by the Hardin County Prosecutor and copies of the changes mailed to all mandated subscribers for review and signature.

A copy of this MOU will be on file at the Hardin County Court of Common Pleas Domestic Relations Division and will be available at the Hardin County Department of Job & Family Services (HCDJFS), as well as all mandated and voluntary participants. This MOU will be made available on the HCDJFS website and will be provided to any other individuals, organizations, or agencies upon request.

If a mandated subscriber is replaced through election or appointment, the Director of Hardin County Department of Job & Family Services (HCDJFS) shall provide the new representative with a copy of the current MOU. The Director will seek the endorsement of any new representative and of all mandated participants. Should any mandated participant refuse to endorse the MOU, a letter of explanation shall be attached to and be filed with the MOU.

**Failure to follow procedures set forth in this MOU shall not be grounds for and shall not result in the dismissal of any charges or complaints arising from any reported case of child abuse or neglect or the suppression of any evidence obtained as a result of any reported child abuse or neglect. This MOU shall not be construed as giving any rights or grounds for appeal or post-conviction relief to any person.**


This MOU sets forth the normal operating procedures employed by the concerned officials in the execution of their respective responsibilities under the following Ohio Revised Codes:

- A. ORC 2151.421 (K)(2): Reporting child abuse and neglect; investigations and Memorandum of understanding
- B. ORC 2151.3516, ORC 2151.3517 and ORC 2151.353 Deserted Child
- C. ORC 2919.21(C): Nonsupport or contributing to the nonsupport of dependents
- D. ORC 5153.175: Reporting of abuse or neglect of a day-care license applicant
- E. ORC 5153.176: Reports of abuse and neglect involving licensed educators
- F. ORC 2919.22 (B)(1) Endangering children
- G. ORC 2919.25 Domestic violence
- H. ORC 2919.23 (B) Interference with custody
- I. ORC 2919.24: Contributing to unruliness or delinquency of a child
- J. OAC 5101:2-42-89: Death of a child in custody
- K. OAC 5101:2-33-26: Child Abuse and Neglect Memorandum of Understanding
- L. OAC 5101:2-36-12: Requirements for cross – referring reports of child abuse/neglect.

The goals for the MOU are as follows:

1. To ensure prompt reporting and to clarify roles and responsibilities of timely, comprehensive investigation and/or assessment of allegations of child abuse or neglect.
2. To provide protection and aid to victims and their families.
3. To bring about prosecution and treatment of the perpetrators of child abuse and neglect.
4. To identify a coordinated system of responding to reports involving individuals suspected of contributing to children becoming dependent, abused, or neglected.
5. To identify a coordinated system for receiving and responding to reports of individuals who contribute to children leaving the custody of an individual or department without legal consent.
6. To identify a coordinated system of responding to reports of missing children.
7. To clarify standards and procedures for emergency or non-emergency removal and placement children.

8. To establish a system to notify the Hardin County Prosecuting Attorney if any mandated reporter fails to report.
9. To establish a system to notify the Hardin County Prosecuting Attorney when there is an unauthorized dissemination of information of a child abuse/neglect report.
10. To ensure interagency timely communication and coordination of investigative interviews, facts, and findings. To attempt to eliminate multiple interviews of victims who are the subject of reports of abuse/neglect and when feasible provide for only one interview of a victim who is the subject of any of the above types of reports.



Mandated by Ohio Revised Code to participate in this MOU include the following:

1. Hardin County Department of Job and Family Services
2. Hardin County Court of Common Pleas Domestic Relations Division
3. Hardin County Prosecutor's Office
4. Hardin County Dog Warden
5. Hardin County Sheriff's Office
6. Kenton Police Department
7. Ada Police Department
8. Forest Police Department

This MOU includes several participants who are not mandated:

1. Hardin County Health District
2. Hardin County Commissioner
3. Hardin County Coroner

1. The following professionals (acting in their official or professional capacity) who know or have reasonable cause to suspect, that a child<sup>1</sup> has suffered or faces a threat of suffering child abuse or neglect, are mandated by law (ORC 2151.421) to immediately report that knowledge to the Hardin County Department of Job Family Services (HCDJFS) or a Hardin County Law Enforcement:
- Attorney\* (under limited circumstances<sup>2</sup>)
  - Physician\* (under limited circumstances<sup>2</sup>)
  - Cleric\* (under limited circumstances<sup>3</sup>)
  - Hospital Intern
  - Resident Physician
  - Dentist
  - Podiatrist
  - Practitioner of branch of medicine under 4731.15
  - Registered Nurse
  - Licensed Practical Nurse
  - Visiting Nurse
  - Employee of a home health agency
  - Health Care professional
  - Licensed Psychologist
  - Licensed School Psychologist
  - Marriage and Family Therapist
  - Speech Pathologist or Audiologist
  - Coroner
  - Administrator or employee of a child day care center
  - Administrator or employee of a residential camp or child day camp
  - Administrator or employee of a private, nonprofit therapeutic wilderness camp


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<sup>1</sup> "Child" means any person under eighteen years of age or a person under twenty-one years of age who has a physical or mental impairment; mental or psychological disorder such as an intellectual disability; physiological disorder or condition.

<sup>2</sup> An attorney or physician is not required to make a report of abuse or neglect concerning any communication the attorney or physician receives from the client or patient if protected under ORC 2317.02 (A)(B). However, attorney-client and physician-patient testimonial privilege is deemed to have been waived if the client or patient at the time of the communication is either a child under eighteen years of age or a person under twenty-one years of age with a developmental disability or physical impairment and the abuse or neglect does not arise out of the client's or patient's attempt to have an abortion under ORC section 2151.85.

<sup>3</sup> Clerics are not required to make a report if the cleric receives a disclosure from a penitent if protected under ORC (C). However, cleric-penitent testimonial privilege is deemed to have been waived if the penitent at the time of the communication is either a child under eighteen years of age or a person under twenty-one years of age with a developmental disability or physical impairment and the abuse or neglect does not arise out of the client's or patient's attempt to have an abortion under ORC section 2151.85, unless the disclosure of the communication the cleric receives from the penitent is in violation of the sacred trust. However clerics must report abuse or neglect by another cleric, church volunteer, faith leader, official or delegate if they know or have reasonable cause to believe based upon facts that would cause a reasonable person in a similar position to believe that a child has suffered or faces a threat of suffering any physical or mental wound, injury, disability or condition of a nature that reasonably indicates abuse or neglect of the child.

- Administrator or employee of a certified childcare agency
  - Administrator or employee of a public or private children services agency
  - School teacher
  - School employee
  - School authority
  - Person engaged in Social Work or professional counseling
  - Agent of a county humane society
  - Person rendering spiritual treatment through prayer under a recognized religion
  - Employee of a county department of job and family services
  - Superintendent or regional administrator employed by the department of youth services
  - Employee of a facility or home that provides respite care
  - Employee of a home health agency
  - Employee of an entity that provides homemaker services
  - A host family
  - A foster caregiver
  - A person performing the duties on an adoption assessor
  - A third party employed by a public children services agency to assist in providing child or family related services
  - A CASA/GAL
  - Law Enforcement
2. In addition to the above mandated reporters, anyone who knows or has reasonable cause to suspect that a child has suffered or faces a threat of abuse or neglect, may report to Hardin County DJFS or to Hardin County Law Enforcement.
  3. If it is suspected that a person knowingly makes or causes another to make a false report, the information will be reported to the Hardin County Law Enforcement, pursuant to ORC 2921.14.
  4. If it is suspected that a person has failed to report child abuse and/or neglect, the information will be reported to the Hardin County Law Enforcement. Failure to report suspected child abuse and/or neglect may result in criminal charges or civil liability in the form of compensatory or exemplary damages.

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1. Hardin County Department of Job & Family Services (HCDJFS) or any Hardin County Law Enforcement pursuant to the Ohio Revised Code section 2151.421(K)(2) shall receive referrals of child abuse and/or neglect twenty-four hours a day, seven days a week.
  2. During business hours of 8:00 am until 4:30 pm Monday-Thursday; 8:30 am until 2:30 pm Friday, the assigned HCDJFS intake staff will receive calls of abuse and neglect at the agency business number of (419) 675-1130.
  3. Referrals may be made to HCDJFS outside of above referenced business hours or on holidays by calling the Hardin County Sheriff's Office (419-673-1268) and requesting the HCDJFS worker on call.
  4. In the event of an interruption of telephone or cell phone service during a natural or man-made disaster, referrals may be made via emergency response procedures contained in the Hardin County Emergency Management and County Operations Plan.
  5. Each referral of suspected abuse or neglect is confidential. The information shared with the subscribers of this MOU is made available only for the purposes of investigation, treatment, or case management of suspected abuse and/or neglect of a child. No person shall permit or encourage the unauthorized dissemination of contents of any report or referral made pursuant to this MOU.
  6. The identity of the referral source shall not be released by HCDJFS unless ordered to do so by a court of law or shall be released to law enforcement or the Prosecutor's Office for purposes of the investigation of false reporting. When determined by the Director of HCDJFS or designee, the reporting source shall be released under specific circumstances in a criminal investigation in accordance with OAC 5101:2-33-21. If a referral source identity is made known under the above conditions, the referral source will be informed of the release by HCDJFS.
  7. Every effort shall be made to have the HCDJFS review every report of child physical abuse as well as all reports of sexual abuse that are reported to HCDJFS or any Hardin County Law Enforcement. The mission of HCDJFS is to investigate allegations of child abuse through a coordinated effort designed to protect children and families.

Failure of a person required to report child abuse or neglect under their official or professional capacity shall be reported to the Hardin County Law Enforcement for consideration of charges.

8. According to ORC 2151.421, when any person acting in an official or professional capacity “knows, or has reasonable cause to suspect based on facts that would cause a reasonable person in a similar position to suspect” child abuse or neglect, that person is mandated to immediately report the alleged child abuse and neglect to the Hardin County Department of Job and Family Services or to a county law enforcement in the county where the child resides or where the abuse or neglect is occurring or has occurred.



Interagency reports of serious abuse or neglect require cooperation and timely sharing of information to assure the safety of children, and/or identified individuals with developmental disabilities. Cooperation and information sharing is needed to appropriately address important case developments and to ensure culpable individuals are held responsible.

HCDJFS Social Services Department's primary role in this process is to assure maximum protection for the child and to clearly understand the circumstances surrounding the reported abuse or neglect so that the overall well-being of the child can be assessed through determining whether medical and therapeutic treatment is necessary and evaluating a safe placement for the child. Law enforcement's role in this process in addition to the above is to uphold the Ohio Revised Code and to bring to justice individuals in violation of the law.

In order to assure a child's safety is not compromised, it is agreed that should the particular law enforcement agency or Children's Services representative require urgent assistance of the other, upon request, the other agency will respond in person within one hour. It shall be considered an urgent situation if one of the following exists.

- An allegation of abuse or neglect meeting the Hardin County/Ohio Department of Job and Family Services (ODJFS) Guidelines has been made and the child is at risk of imminent harm.
- The alleged abuser identified in a child abuse or neglect allegation is in the household or has on-going contact with the alleged child victim and the victim has confirmed sexual abuse or strong evidence of sexual abuse exists.
- The alleged abuser is in the household or has ongoing contact with the alleged child victim of confirmed serious physical abuse.
- The caretaker involved in a child abuse or neglect report is unwilling or unable to fully protect the child living in the household and serious harm is likely without intervention.
- Situations may arise where a child is not found to be at imminent risk of harm at the time of the initial report, however, based on the nature of the circumstances, an immediate interview may be deemed in the best interest of the criminal investigation. In situations where a collaborative decision has been made of the need for an immediate interview of the child victim, HCDJFS will respond in an expedited manner that meets the needs of the criminal investigation.

**It is agreed that Hardin County Department of Job & Family Services shall:**

1. Respond to emergency and non-emergency reports of child abuse and neglect by:
  - a. determining whether an incoming referral allegation meets the criteria outlined in
    - i. ORC 2151.031 Abused Child
    - ii. ORC 2151.03 Neglected Child,
    - iii. ORC 2151.04 Dependent Child
    - iv. OAC Chapter 5101:2-36-01
    - v. Hardin County/Ohio Department of Job and Family Services (ODJFS) Guidelines for an investigation and/or assessment appropriate for Child Protective Services.

In making this determination Hardin County Department of Job and Family Services may consider historical information available to the agency. If information is insufficient or does not meet the ODJFS Screening Criteria, the referent will be given informational resources to potentially assist the family;

- b. accepting twenty-four hours a day, seven days per week, from any reporting source, as reports for investigation and/or assessment, those referrals meeting screening criteria for investigation and/or assessment, services and/or intervention of alleged child abuse and neglect including those alleging risk to children due to exposure to suspected illegal chemical laboratories;
- c. accepting as reports Family in Need of Services requests by custodians for family assessment or interview of their child(ren) when services are needed;
- d. commencing an investigation and/or assessment within one hour of the report being screened in if the agency determines imminent risk to the child's life and safety or within 24 hours if no immediate safety concerns are reported;
- e. refer to law enforcement or, in some cases if law enforcement declines to assist, to a neighboring county children's services agency for a "third party investigation", any reports of child abuse or neglect (including death of a child in the custody of HCDJFS as outlined in 5101:2-42-89) involving a conflict of interest according to the OAC 5101:2-36-08 for one or more of the following:
  - i. 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 Hardin County Department of Job and Family Services
  - ii. foster caregiver, pre-finalized adoptive parent, adoptive parent, relative, or kinship caregiver who is recommended, approved, or

supervised by the Hardin County Department of Job and Family Services

- iii. an employee or an agent of Hardin County Department of Job and Family Services, or Ohio Department of Job and Family Services as defined in ORC Chapter 5153.
- iv. a “type B family day care home or type A family child care home” licensed by the Ohio department of job and family services (ODJFS) when Hardin County Department of Job and Family Services has assumed the powers and duties of the county children services function defined in Chapter 5153. of the Revised Code.
- v. any authorized person representing Hardin County Department of Job and Family Services who provides services for payment or as a volunteer
- vi. a foster caregiver or employee of an organization or facility licensed by ODJFS when the alleged child victim is in the custody of, or receiving services from, Hardin County Department of Job and Family Services
- vii. a report, involving mandated reporters or other key community personnel, in which the agency determines that a third-party investigation would be appropriate in the interest of justice

- f. ensure child safety and not compromise the child protective assessment/investigation while concurrently assisting law enforcement with the criminal investigation;

2. Request law enforcement assistance for the following situations, but not limited to when:

- a. there is reason to believe the child is in immediate danger of serious harm;
- b. there is reason to believe the worker is or will be in danger of harm;
- c. there is reason to believe that a crime is being committed or has been committed against a child;
- d. an exigent circumstance exists;
- e. a worker must conduct a home visit after regular HCDJFS business hours and a law enforcement escort is recommended as a standard operating procedure;
- f. HCDJFS is removing a child from his or her family via an order of the Court and the assistance of law enforcement is needed as the worker has reason to believe the family will challenge the removal;
- g. HCDJFS 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;

- h. HCDJFS is working with a family that has historically threatened to do harm to HCDJFS staff.
- 3. Conduct an investigation and/or assessment to determine:
  - a. immediate safety concerns and ensure the child's protection while keeping the child within the family, extended family, or identified non-relative kin if at all possible;
  - b. if child maltreatment has occurred and/or underlying factors leading to concerns around the allegations of abuse/neglect;
  - c. if there is risk of future maltreatment;
  - d. if future agency services are needed to address the effects of child maltreatment and reduce the risk of future maltreatment.
- 4. Investigate and/or assess reported cases of abuse/ neglect or dependency by determining:
  - a. circumstances surrounding the injury, abuse, or neglect;
  - b. the cause thereof;
  - c. the person(s) responsible;
  - d. the need to protect the child from further harm.
- 5. Such an investigation and/or assessment shall include, but is not limited to:
  - i. a face-to-face interview with the alleged child victim/child subject of the report and in serious cases of abuse or neglect, interviews shall be audio or video recorded whenever possible;
  - ii. when deemed appropriate under a county approved forensic interviewing protocol, the anatomy tool shall be used to collect information from an alleged child victim of sexual abuse;
  - iii. the interview information shall be shared with the investigating Law Enforcement agency and the Hardin County Prosecutor's Office;
  - iv. a face-to-face interview with the alleged perpetrator/adult subject of the report unless the perpetrator/adult subject of the reports are alleged to have committed a criminal act and thus will be interviewed by the investigating Law Enforcement Agency;
  - v. a face-to-face interview with the child's caretaker(s) unless the caretaker is alleged to have committed a criminal act and thus will be interviewed by the investigating Law Enforcement Agency;
  - vi. a safety assessment using ODJFS Safety Assessment factors and considerations;

- vii. if indicated, develop a written Safety Plan with the family to assure immediate safety needs of the child;
- viii. conducting a Family Assessment using the ODJFS Family Assessment tool to evaluate the potential for future harm and the family's strengths and needs for services;
- ix. arranging for a medical examination of the child and if necessary, accompany the child and protective caretaker to the hospital for a medical exam;
- x. immediately contacting law enforcement if the abuse and/or neglect report alleges a criminal offense and/or the perpetrator has unprotected access to the child;
- xi. coordinating appropriate services for the family;
- xii. providing necessary information for a filing with the Hardin County Court of Common Pleas Domestic Relations Division for an Ex Parte Emergency Custody Order, Court Ordered Protective Supervision and/or Temporary Custody;
- xiii. provide notification to other DJFS program areas (cash assistance, food assistance) of the removal of a child from the household;
- xiv. provide notification to the HCDJFS worker assigned to determine day care services when the report involves an individual who is a "type B family day care provider" (*OAC rule 5101:2-36-12*);
- xv. promptly referring to law enforcement with request for information to be entered into the National Crime Information Center (NCIC) database and the Ohio Attorney General Missing Children Clearinghouse (1-800-325-5604) when a child is missing from his or her family, and to the National Center for Missing and Exploited Children (NCMEC) if the child is in the custody of HCDJFS;
- xvi. promptly completing a Protective Service Alert, when the whereabouts of a child or family is unknown it is determined that the child is in immediate danger of serious harm or during the course of the provision of protective services (*OAC 5101:2-36-14*);
- xvii. promptly reporting to law enforcement when a child is reported to have run away or left the care of a department or individual without consent;
- xviii. promptly reporting to law enforcement and determine need for third party or joint investigation upon receipt of a report of the death of a child who is in the legal custody of Hardin County Department of Job and Family Services (*5101:2-33-14 (E)(1)*);
- xix. contact law enforcement prior to the completion of the report disposition to determine the status of the criminal investigation and document the status of the criminal investigation in the case record.

6. Immediately refer to the law enforcement agency with jurisdiction the following information:

- knowledge gained of individuals who aid, abet, induce, cause, encourage, or contribute to a child or a ward of the Court of Common Pleas Domestic Relations Division toward becoming an abused, dependent or neglected child;

- knowledge gained of individuals who aid, abet, induce, cause, encourage, or contribute to a child or a ward of the Court of Common Pleas Domestic Relations Division toward becoming an unruly or delinquent child, or leaving the custody, department, or public or private institution without the legal consent of the custodian;
  - knowledge gained of a missing child;
  - knowledge gained of a methamphetamine or other dangerous chemical lab site;
  - knowledge gained that a child may be a victim of human trafficking.
7. Conduct a joint investigation and/or assessment with the law enforcement agency having jurisdiction when the HCDJFS has knowledge of:
- a child death suspected to be a result of abuse or neglect;
  - a child who appears to be in imminent danger;
  - a child who is in imminent danger as a result of a sexual assault and/or is being exploited for pornographic purposes or for prostitution;
  - severe physical abuse in which the child requires medical treatment;
  - caregivers who are manufacturing controlled substances in/around the home;
  - caregivers dealing/using controlled substances and the children are exposed to the drug or drug residue;
  - evidence learned during the course of an investigation and/or assessment which suggests the possibility of a criminal offense;
  - a referral made by a Law Enforcement to conduct a child abuse or neglect investigation and/or assessment of children residing in the home of a parent or caretaker being investigated for alleged crimes under ORC 2919.22 and ORC 2919.24;
  - a child alleged to be a victim of human trafficking.
8. Respond according to the ORC 2151.3517 when a child under 31 days old is left in accordance with the law by:
- a. taking necessary actions to protect the child's health or safety, including taking possession of the infant;

- b. making available to the parent documents on which medical information regarding the child can be gathered;
  - c. making available to the parent written materials describing services available to assist parents of newborns;
  - d. commencing a child abuse/neglect investigation if the child is suffering from a condition that reasonably indicates abuse or neglect.
9. Respond to allegations of the alleged withholding of medically indicated treatment from a disabled infant with life-threatening conditions by doing the following:
- a. Prepare for response to cases of alleged withholding of medically indicated treatment from a disabled infant with life threatening conditions by contacting Ohio Health- Hardin Memorial, in Kenton, Ohio upon any revision of the MOU to determine if a committee for reviewing disabled infants with life threatening conditions has been established and to obtain the name, address, and telephone number of the facility administrator.
    - a. Upon receipt of a referral from any other hospital, gather information about whether that facility has a committee for reviewing disabled infants with life threatening conditions and to obtain the name, address, and telephone number of the facility administrator.
  - b. Review within one hour the information received from the referral source with the appropriate health care facility designee to determine if there is a need for initiation of assessment/investigation.
  - c. Respond within one hour of a screening decision by contacting the appropriate health care facility's administrator to obtain information regarding the condition of the infant.
  - d. Respond within one hour to reports alleging that a disabled infant with life-threatening conditions, whose legal parent/custodian resides in Hardin County, is a neglected child due to withholding of appropriate nutrition, hydration, medication, or medically indicated treatment under OAC 5101:2-36-07 by:
    - providing verbal notification to the disabled infant's parent that the agency has received the report alleging the child is not receiving medically indicated treatment;
    - in cooperation with a medical consultant to review the infant's records and conduct interviews of the attending physician and health care facility staff to determine:
      - measures taken to provide medically indicated care;
      - if life support will be sustained during the assessment/investigation;
      - condition and risk to the infant;

- plan to convene or adopt the recommendations of a health care facility review committee;
- pursue any legal remedies that may be necessary to insure indicated treatment;
- discontinue investigative activities if there is sufficient information to indicate the infant will continue to receive medically indicated treatment;
- if neglect is determined, continue face to face interviews with parents and complete an assessment/investigation and seek consent to provide, medically indicated treatment including assistance from the Hardin County Prosecutor's Office if consent is refused;
- monitor the case to assure continued appropriate medically indicated treatment is being provided;
- assist the parents with obtaining necessary services for the infant.

10. Participate by doing the following:

- a. Training all investigative children services workers to utilize forensic interviewing protocol.
- b. Each component of the protocol may be modified where necessitated by the specific circumstances of the interview, including but not limited to, the age and cognitive capacity of the alleged child victim, as well as the circumstances surrounding the opportunity to obtain an interview of the child victim.
- c. Interviews should generally consist of open-ended questions coming from the child's free recall memory, however deviations from the protocol follow in these examples:
  - i. A single video recorded interview by a trained forensic interviewer is the preferred method for interviewing a child victim of sexual or severe physical abuse in which the child requires medical treatment. However, the trained interviewer may not abandon the prospect of interviewing a child if a video recording system is not operable and they believe that critical evidence may be sacrificed by waiting (e.g., preserving evidence of the child's state of mind, familial pressures on the child to recant the allegations, etc.).
  - ii. Although a single interview of the child victim is preferred, HCDJFS recognizes that situations may arise where a second interview of the child is appropriate (e.g., the child discloses additional information to a caregiver or friend subsequent to the victim's initial interview with the interviewer, etc.).
  - iii. An emergency might evolve or exist necessitating the requirement for obtaining immediate information in order to protect the health, safety or welfare of the child victim/child subject of the



report or a related family or household member. As such, differing locations for conducting interviews and additional types of questioning styles may be employed by the interviewer.

- d. Assure exchange of information critical to child safety, family assessment and concurrently assisting law enforcement with their criminal investigation.
11. Promptly report to the Hardin County Prosecutor when the agency obtains knowledge that there has been unauthorized dissemination of confidential child abuse investigation information.
12. Promptly report to the Hardin County Prosecutor according to OAC 5101:2-36-05 if there is reason to believe the alleged perpetrator has not been investigated by law enforcement.
13. Contact the Hardin County Humane Agent/Hardin County Sheriff's Office for the handling of abused or neglected animals discovered during a child abuse/neglect investigation.
14. Respond to reports of a death of a child by using the afore identified procedure for handling serious cases of abuse or neglect. Participate in exchange of information according to ORC 3701.045 Child fatality review boards conducting reviews.
15. Share OAC 5101:2-42-90 required information to the county board of education for any youth in the custody of Hardin County who is enrolled outside of Hardin County.
16. Report to the Office of Professional Conduct in the Ohio Department of Education (ODE) pursuant to ORC 5153.176 notice of the initiation of an investigation against an educator and the final disposition of the investigation. If further information is requested, Hardin County Department of Job and Family Services will determine through the Hardin County Prosecutor what information can be released to ODE.

**It is agreed that Hardin County Peace Officers shall:**

1. Respond to emergency and non-emergency reports of child abuse/neglect or of an adult with developmental disabilities by:
  - a. assuring the safety and well-being of the alleged child victim or adult with disabilities, and any other children residing in the home or accessible to the alleged perpetrator;
  - b. interviewing suspects alleged to have committed crimes against a child or disabled adult;
  - c. conduct interviews of additional witnesses as relevant to the reporting circumstances;
  - d. act as the lead agency in the collection of forensic evidence related to criminal investigations and coordinate with the necessary facilities to obtain and store such evidence;
  - e. accompany Hardin County Department of Job and Family Services caseworkers when:
    - i. safety concerns for a caseworker exist;
    - ii. a child is in immediate danger;
    - iii. there is reason to believe a crime is being committed, or has been committed, against a child;
    - iv. Hardin County caseworkers are denied access to the home and there is reason to believe children are in immediate danger;
    - v. assistance is requested by Hardin County DJFS caseworker when executing court orders;
2. Confer with Hardin County Department of Job and Family Services on-call caseworkers when law enforcement removal of children is contemplated.
3. Respond to request for a "third party investigation" (OAC 5101:2-36-08) of child abuse or neglect when the alleged child victim resides in a home licensed by Hardin County Department of Job and Family Services, the child is in the custody of the Hardin County Department of Job and Family Services, or the investigation involves an employee of the agency or an employee's immediate family.

4. Respond to reports of abuse, neglect, or exploitation involving individuals with disabilities by investigating and referring for prosecution if necessary. Communicate interviews, facts, and findings with HCDJFS Children's Services investigators in a timely manner, as applicable.
5. Enter information for missing children in HCDJFS custody into the National Crime Information Center (NCIC) database and assist HCDJFS with location efforts. Work collaboratively with the National Center for Missing and Exploited Children (NCMEC) staff if contacted regarding a missing child in HCDJFS custody.
6. Report incidents of child abuse and neglect to Hardin County Department of Job and Family Services, including incidents of Domestic Violence, under ORC 2919.25 when children are harmed by or witness to incidents of domestic violence.
7. Contact the Hardin County Humane Agent/Hardin County Sheriff's Office for the handling of abused or neglected animals discovered during a child abuse/neglect investigation.
8. Provide a report to Hardin County Department of Job and Family Services in child abuse or neglect criminal investigations referred by Hardin County Department of Job and Family Services, within 60 days of referral. If an ongoing criminal investigation prevents a final report, a preliminary report will be provided outlining investigative activities.
9. If person making the report is identified as a part of a criminal investigation, maintain confidential the name of the person making the child abuse or neglect report under ORC 2151.421(I)(1).
10. Respond to crimes against children under ORC 2919.22 and ORC 2919.24 to address criminal charges against individuals alleged to have endangered children or contributed to their unruliness or delinquency. In the course of investigating allegations, any encounter of the following shall be reported to the Hardin County Department of Job and Family Services and to the Hardin County Prosecutor's Office:
  - a. Abuse of a child
  - b. Torture or cruel abuse of a child
  - c. Excessive corporal punishment
  - d. Unwarranted discipline seriously impairing or delaying a child's mental health or development
  - e. Reports of an adult involving a child in obscene, sexually oriented matters or nudity
  - f. Reports of children residing within 100 feet of a methamphetamine lab or other drug operation
  - g. Reports of children in a vehicle when an individual is found to be operating a vehicle while under the influence of drugs or alcohol

11. Under ORC 2151.3516, respond by taking possession of a child under 31 days of age deemed to be deserted in order to assure necessary protection for the child's health and safety. Immediately notify HCDJFS of the deserted child so that arrangements can be made for the child's custody and care.



**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, 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.

**Non-Emergency:**

Upon receiving a report alleging child abuse, neglect, and/or dependency, Hardin County DJFS/PCSA 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, Hardin County DJFS/PCSA shall approach the Court of Common Pleas Domestic Relations Division 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 within the applicable timelines, by the Court of Common Pleas Domestic Relations Division.

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 to abuse, neglect, or

dependency proceedings. A separate Guardian Ad Litem/CASA 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 Hardin County DJFS/PCSA 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 Hardin County DJFS/PCSA 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.



**It is agreed that the Hardin County Prosecutor and City Law Director shall:**

1. Act in their capacity as public officers to receive information from the general public pursuant to ORC 2151.421 at any time about suspected child abuse or neglect, and pursuant to OAC 5123-17-02 exploitation or misappropriation of individuals and immediately refer the information to HCDJFS Children's Services for investigation and/or assessment.

**It is agreed that the Hardin County Prosecutor shall:**

1. Receipt of Complaints  
Prosecutor and/or Agency Attorney shall respond to emergency and non-emergency reports of child abuse and/or neglect. They shall act in their capacity to receive information about suspected CA/N from the general public and immediately refer to the Hardin County Job and Family Services.
  2. The agency Attorney shall, upon request, review cases, provide legal advice and provide legal interpretations for custodial/protective supervision cases for the Hardin County Job and Family Services. They shall assist in preparing and filling of emergency and non-emergency complaints with Hardin County Court of Common Pleas Domestic Relations Division
  3. The Hardin County Prosecutor's Office shall help prepare, present and prosecute felony criminal cases of child abuse/neglect.
- D. Law Director City of Kenton, OH-
1. Shall help prepare, present and, prosecute misdemeanor criminal cases of child abuse/neglect.

**It is agreed that Hardin County Court of Common Pleas Domestic Relations Division shall:**

1. Attend meetings concerning the MOU.
2. Exercise jurisdiction over adults and children to hear and decide matters as permitted by Ohio Revised Code Chapters 2151 and 2152 and issuing orders regarding the care, protection, health, safety, and best interest of children.
3. Hear evidence and issue findings of fact and conclusions of law as to any abused, neglected, or dependent child.
  - a. Order timely and safe permanency dispositions for children.
  - b. Preserve the family environment whenever possible while keeping the child's health and safety paramount.



**As an optional subscriber of this plan of cooperation, agree to:**

1. Immediately report suspected child abuse and neglect to the Hardin County Department of Job and Family Services, Children's Services and/or to the appropriate law enforcement agency.
2. Educate staff of their respective organizations on Ohio Mandatory Reporting Law and the contents of this plan of cooperation.
3. Work cooperatively with Hardin County Department of Job and Family Services, Children Services Department in arranging in-service training on child abuse and neglect for professionals within their organizations who are required by Ohio's law to report suspected child abuse and neglect.
4. Share necessary identifying information to assist in completing investigation and/or assessment of child abuse and neglect.
5. Adhere to requirements of confidentiality with information that is known and professionally shared regarding child abuse and neglect reports.
6. Follow up a verbal report of abuse or neglect (if requested) with a written report within 24 hours or the next working day.
7. Whenever possible, collaborate with Hardin County Department of Job and Family Services, in the development of a treatment plan for timely access to services ordered by the Hardin County Court of Common Pleas Domestic Relations Division in cases involving HCDJFS Children's Services.



**It is agreed that:**


1. In accordance with OAC 5101:2-36-12, OAC 5101:2-33-21, and this MOU, Hardin County Department of Job and Family Services will make a cross report to law enforcement:
  - a. upon receiving information alleging a criminal offense;
  - b. within seven (7) calendar days of screening in a report alleging abuse unless an arrest was made by law enforcement at the time of the report or;
  - c. within seven (7) calendar days of screening in a report alleging neglect that requires intervention for an active safety threat, unless an arrest was made by law enforcement at the time of the report.
2. In accordance with rule OAC 5101:2-36-12 and OAC 5101:2-33-21, the appropriate state licensing and/or supervising authority shall be contacted no later than the next working day to share information regarding reports involving out of home care abuse or neglect.
3. The lead Children's Service agency for a child abuse investigation and/or assessment involving more than one county will be determined as outlined in OAC 5101:2-36-03. In order to coordinate investigations across county lines, information shall be shared in accordance with OAC 5101:2-33-21 and OAC 5101:2-36-13.

[REDACTED]

1. Within seven (7) days of receiving a referral from a mandated reporter, the Hardin County Department of Job and Family Services will send notification to the mandated reporter including the information permitted by ORC 2151.421(K):

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

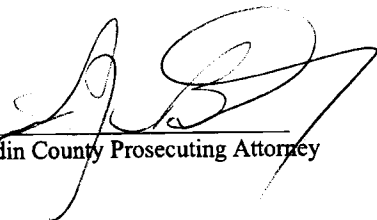
2. Upon closure of an investigation/assessment reported by a mandated reporter, HCDJFS will send notification to the mandated reporter of investigation closure and an agency contact person.



According to ORC 2151.421, the reporter's identity is confidential and is not to be confirmed or denied, except as permitted by the Ohio Revised Code. When any person commits, causes, permits, or encourages the unauthorized dissemination of information concerning the identity of a reporter of a child abuse or neglect, Hardin County Department of Job and Family Services will give written notification of such unauthorized dissemination to the Hardin County Prosecutor.



Non-compliance with this MOU shall be reported to the respective Agency Official listed below. The Agency Official agrees to address the non-compliance, as is appropriate, and to promote the safety and welfare of the children of Hardin County.

  
Hardin County Prosecuting Attorney

  
Hardin County Director DIES

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Hardin County Court of Common Pleas  
Domestic Relations Division Judge

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Kenton Police Chief

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Forest Police Chief

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Hardin County Sheriff

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Ada Police Chief

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Hardin County  
Dog Warden Officer

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Hardin County Coroner

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Hardin County Health District Commissioner

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Hardin County Commissioner

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Hardin County Commissioner

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Hardin County Commissioner

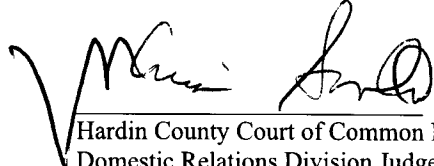
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\_\_\_\_\_  
Hardin County Prosecuting Attorney

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Hardin County Director DJFS

  
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Hardin County Court of Common Pleas  
Domestic Relations Division Judge

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Kenton Police Chief

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Forest Police Chief

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Hardin County Sheriff

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Ada Police Chief

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Hardin County  
Dog Warden Officer

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Hardin County Coroner

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Hardin County Health District Commissioner

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Hardin County Commissioner

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Hardin County Commissioner

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Hardin County Commissioner

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**TERMINATION**

Non-compliance with this MOU shall be reported to the respective Agency Official listed below. The Agency Official agrees to address the non-compliance, as is appropriate, and to promote the safety and welfare of the children of Hardin County.

\_\_\_\_\_  
Hardin County Prosecuting Attorney

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Hardin County Director DJFS

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Hardin County Court of Common Pleas  
Domestic Relations Division Judge

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Kenton Police Chief

  
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Forest Police Chief

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Hardin County Sheriff

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Ada Police Chief

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Hardin County  
Dog Warden Officer

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Hardin County Coroner

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Hardin County Health District Commissioner

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Hardin County Commissioner

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Hardin County Commissioner

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Hardin County Commissioner



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\_\_\_\_\_  
Hardin County Prosecuting Attorney

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Hardin County Director DJFS

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Hardin County Court of Common Pleas  
Domestic Relations Division Judge

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Kenton Police Chief

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Forest Police Chief

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Hardin County Sheriff

*Alec J. Cooper*  
\_\_\_\_\_  
Ada Police Chief

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Hardin County  
Dog Warden Officer

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Hardin County Coroner

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Hardin County Health District Commissioner

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Hardin County Commissioner

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Hardin County Commissioner

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Hardin County Commissioner

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**SIGNATURES**

Non-compliance with this MOU shall be reported to the respective Agency Official listed below. The Agency Official agrees to address the non-compliance, as is appropriate, and to promote the safety and welfare of the children of Hardin County.

\_\_\_\_\_  
Hardin County Prosecuting Attorney

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Hardin County Director DJFS

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Hardin County Court of Common Pleas  
Domestic Relations Division Judge


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Kenton Police Chief

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Forest Police Chief

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Hardin County Sheriff

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Ada Police Chief

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Hardin County  
Dog Warden Officer

  
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Hardin County Coroner  
AARON M. FULTZ DO

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Hardin County Health District Commissioner

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Hardin County Commissioner

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Hardin County Commissioner



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Hardin County Prosecuting Attorney

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Hardin County Director DJFS

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Hardin County Court of Common Pleas  
Domestic Relations Division Judge

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Kenton Police Chief

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Forest Police Chief

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Hardin County Sheriff

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Ada Police Chief

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Hardin County  
Dog Warden Officer

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Hardin County Coroner

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Hardin County Health District Commissioner

  
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Hardin County Commissioner

  
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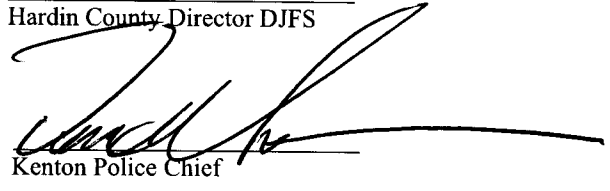
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\_\_\_\_\_  
Hardin County Prosecuting Attorney

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Hardin County Director DJFS



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Hardin County Court of Common Pleas  
Domestic Relations Division Judge

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Kenton Police Chief

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Forest Police Chief



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Hardin County Sheriff

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Ada Police Chief

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Hardin County  
Dog Warden Officer

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Hardin County Coroner

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Hardin County Health District Commissioner

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Hardin County Commissioner

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Hardin County Commissioner

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Hardin County Commissioner

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Hardin County Prosecuting Attorney

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Hardin County Director DJFS

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Hardin County Court of Common Pleas  
Domestic Relations Division Judge

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Kenton Police Chief

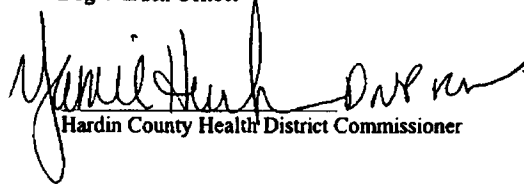
\_\_\_\_\_  
Forest Police Chief

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Hardin County Sheriff

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Ada Police Chief

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Hardin County  
Dog Warden Officer

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Hardin County Coroner

  
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Hardin County Health District Commissioner

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Hardin County Commissioner

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Hardin County Commissioner

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Hardin County Commissioner