



Defiance/Paulding Consolidated Job and Family Services

CHILD ABUSE AND NEGLECT MEMORANDUM OF UNDERSTANDING Paulding County

Defiance/Paulding Consolidated Job and Family Services

PURPOSE:

This memorandum of understanding (MOU) is designed to set forth the normal operating procedures by all concerned officials for the reporting and investigation of child abuse and or neglect (CA/N) within Paulding County. This will facilitate communication and procedures between the Defiance/Paulding Consolidated Job and Family Services (DPCJFS), various law enforcement offices throughout the county, the County office of the Prosecuting Attorney, and the Juvenile and Probate Judge of the County.

Failure to follow procedures set forth in this 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 any reported CA/N, and does not give and shall not be construed as giving any rights or groups for appeal or pose conviction relief to any person. (OAC 5101:2-33-26 (C) (1)).

AUTHORITY:

This MOU has been prepared in accordance with Section 2151.421 of the ORC and OAC 5101: 2-33-26.

PROCEDURES:

1. Required Parties to the MOU
 - a. Juvenile Judge
 - b. County Peace Officer
 - c. All chief municipal peace officers within the county
 - d. Other law enforcement officers who handle child abuse and neglect cases in the county
 - e. County prosecuting attorney
 - f. County Job and Family Services Director
 - g. All City Law Directors and Village Solicitors
 - h. The county Humane Society

2. General Reporting Procedures

Any person wishing to make a report of child abuse or neglect may do so by telephoning, faxing, writing, or visiting the Defiance/Paulding Consolidated Job and Family Services at

- Defiance, 6879 Evansport Rd., Suite A, Defiance, OH 43512,
 - regular business hours, Monday through Thursday, 7:00 AM to 4:30 PM.
 - phone numbers (419) 782-3881 or 800-342-0160,
 - fax (419) 782-1717

Or

- Paulding, 252 Dooley Drive, Paulding, Ohio 45879,
 - regular business hours, Monday through Thursday, 7:00 AM to 4:30 PM.
 - phone numbers (419) 399-3756, 800-201-9865
 - fax (419) 399-4674

Outside regular business hours, reports shall be received by the Dispatcher at the Paulding County Sheriff's Office, 419 399-3791 or Defiance County Sheriff's Office, 419-784-1155. The Dispatcher or Deputy will obtain the necessary referral information and contact the on-call Children Services Worker. Depending upon the circumstances, the children's services worker will determine the next step and act accordingly.

3. Responsibilities of Children's Services (DPCJFS)

- a. Accept complaints of child abuse and neglect 24 hours per day, 7 days per week.
- b. Initiate an investigation within 1 hour of each emergency complaint (when screened in) and within 24 hours of each non-emergency complaint (screened in).
- c. Enter reports into SACWIS within 24 hours of receipt of the complaint.
- d. Interview alleged child victims, principals of the case, collateral contacts and witnesses as deemed necessary during the investigation.
- e. Conduct investigations in cooperation with appropriate law enforcement agencies if there is criminal activity is suspected.
- f. Notify the County Prosecuting Attorney in writing within 3 work days if there is any unauthorized dissemination of information
- g. Notify the County Prosecuting Attorney in writing within 3 days if the agency becomes aware of any mandated reporter who has failed to report an incident of CA/N.
- h. Upon the determination that a third-party investigation is warranted, DPCJFS shall immediately contact law enforcement by phone (the oral report will be followed by a written report within 3 days) to initiate the investigation within mandated time frames, and to complete the investigation within the mandated time frames. The Caseworker and Officer will confer on how to proceed.
- i. In cases of receipt of reports concerning missing children:
 - i. immediately contact law enforcement and provide assistance and cooperation in the case, and
 - ii. file a Protective Service Alert with ODJFS if the missing child is the subject of a CA/N investigation.
- j. When a report of a death of a child, due to alleged CA/N is received (including the death of a child in the custody of DPCJFS), the DPCJFS shall:
 - i. immediately contact law enforcement
 - ii. complete the mandated investigation activities
 - iii. contact the Toledo Field Office immediately upon receipt of the report if during office hours. After hours reports shall be referred to the field office in the morning of the following working day.
- k. When a report involves alleged withholding of appropriate nutrition, hydration, medication, or medically indicated treatment from infants with life-threatening conditions, the DPCJFS shall do the following:
 - i. contact the health care facility's administrator or designee to obtain information regarding the condition of the infant, within 1 hour of the receipt of the report.
 - ii. determine if there is a need for an investigation based on the information obtained, and
 - iii. follow investigative procedures
- l. When an investigation involves a report of out-of-home care CA/N, the DPCJFS shall do the following:
 - i. immediately contact the out of home care setting administrator or designee to discuss the allegations, and procedures and actions to protect the ACV.
 - ii. proceed with mandated investigative activities
- m. DPCJFS will contact appropriate law enforcement within 24 hours concerning reports involving adults who aid, abet, induce, cause, encourage, or contribute to a child or ward of the Juvenile Court:

- i. becoming a dependent or neglected child
 - ii. becoming an unruly or delinquent child
 - iii. leaving the custody of any person, department, or institution without the legal consent of that person, department, or institution.
- n. In the event there is an imminent threat to the child's safety, the DPCJFS will consider the following options:
 - i. file an emergency complaint in the Juvenile Court requesting a court order to remove a child.
 - ii. obtain an ex parte order from juvenile court
 - iii. remove the child with the assistance of law enforcement pursuant to the ex parte order, and the next court day file the emergency complaint for the case to be heard before Juvenile Court
 - iv. assist the caretaker in placing the child with a relative or non-relative, via a safety check
 - v. execute a JFS 01645 "Agreement for Temporary Custody of a Child" if the caretaker is a parent or guardian
 - vi. contact the supervisor
- o. Procedures for removing a child (ex parte or court ordered)
 - i. the agency will request the assistance of law enforcement
 - ii. the agency will provide the caretaker with:
 - o "Notification of Child Removal"
 - o Time and place of court hearings (if applicable)
 - o An explanation of the reasons for the removal
 - o Agency name, address, contact person and phone number
 - iii. when removal of a child occurs in the absence of a caretaker the DPCJFS shall provide or attempt to provide the caretaker with the information stated above within 24 hours. The "Notification of Child Removal" form may be left at the residence of the caretaker in the caretaker's absence.
- p. Procedure for placements with relative and non-relative substitute caregivers
 - i. collect identifying information (name, aliases, SSN, address, phone number, place of employment) on a prospective caregiver and others residing in the home.
 - ii. complete and agency records check
 - iii. run background checks on all adults in the home for emergency placements
 - iv. assess the safety of the home
 - v. if placement is determined safe for the child, place the child per procedures.
- q. In any case referred for a CA/N investigation/assessment in which there is an allegation of drug involvement, the case worker shall contact local law enforcement and or the MAN Unit.
- r. As a courtesy, DPCJFS will provide a social worker when requested to assist law enforcement in conducting interviews of and providing support to children in which the agency is not an active party.

4. Responsibilities of Law Enforcement Within the County

- a. Accept complaints, emergency and non-emergency, regarding CA/N from any source, 24 hours per day, 7 days per week.
- b. Immediately refer by phone any report concerning the possible abuse or neglect of a child in imminent risk (emergency) to the DPCJFS. All non-emergency reports should be reported to the DPCJFS within 24 hours.
- c. After hours complaints will be referred to the DPCJFS by contacting the on-call pager.
- d. Cooperate and assist the DPCJFS in its efforts to complete the investigation.
- e. Interview alleged perpetrators of alleged CA/N if requested by DPCJFS or when the case may involve criminal prosecution.
- f. Contact DPCJFS in the event of the death of a child
- g. Conduct an independent and/or independent investigation at the request of the DPCJFS
- h. Prepare, present and refer cases for court action
- i. Investigate missing children cases.

5. County Prosecuting Attorney
 - a. Upon receipt of an emergency or non-emergency report of CA/N, will immediately forward the information by telephone to the DPCJFS.
 - b. Provide legal advice and interpretation to the Child Protection Unit.
 - c. Provide legal advice and interpretation
 - d. Make a determination as to any charging decisions
6. City Law Director and Village Solicitors
 - a. In the County Courts, prosecute misdemeanor cases rising from their respective village or city limits, pertaining to CA/N.
 - b. Make a determination as to any charging decisions.
7. Procedures for interviewing the child(ren)
 - a. Depending upon the allegations, the DPCJFS will determine if local law enforcement requires notification prior to the interview of the child(ren). Law enforcement will decide whether or not to attend the interview.
 - b. Interviews will take place in a neutral setting whenever possible, and not in the presence of the parents if parents, siblings, or other relatives are the alleged perpetrators.
 - c. The DPCJFS caseworker will provide a copy of the dictation of the interview of the ACV to law enforcement to assist in their interview of the alleged perpetrator.

For Sex Abuse Interviews

- i. Detailed pictures may be used to aid the child in telling what happened.
 - ii. The ACV shall be interviewed prior to any medical examinations being completed, if possible. The child will be emotionally prepared for the medical examination by the DPCJFS case worker. The caseworker shall explain the necessity of the examination and be supportive of the child.
 - iii. If the abuse has occurred recently, the child must be taken for a physical examination. If the abuse has not occurred recently but the nature of the abuse was such that, in the social worker's professional opinion an examination is warranted, an exam may be requested.
 - iv. If possible, examinations should be referred to the **Center for Child and Family Advocacy SART Clinic** in Archbold which specializes in sexual abuse exams and has a specialized team to help the child.
 - o 419-445-4155
 - o 121 Westfield Dr., Archbold, OH 43502
 - v. If the **Center for Child and Family Advocacy SART Clinic** is not available or the examination warrants immediate attention, all efforts should be made to contact a SANE nurse, who does sex abuse exams. This should be made a priority for the benefit of the child.
 - vi. Utilizing the team approach will reduce the number of times a child will need to be interviewed.
 - vii. Family may be referred to Victims Assistance by the DPCJFS or local law enforcement as appropriate.
8. Procedure for Interview of the Alleged Perpetrator
 - a. If a disclosure is made by the child, the law enforcement representative will be primarily responsible for locating and interviewing the alleged perpetrator. DPCJFS staff will be the secondary interviewers of the alleged perpetrator. Law enforcement will have the option of allowing the DPCJFS case worker to be present during the interview.
 - b. Law enforcement will prepare the crime summary.
 - c. The law enforcement representative will determine if the case needs to be referred to the prosecutor for further consideration.
 - d. a copy of the interview/report of the alleged perpetrator shall be forwarded to DPCJFS.

9. Requests by DPCJFS for Assistance from Law Enforcement

As a normal matter of doing business, assistance should not be requested of law enforcement in the investigation of CA/N allegations. However, there are instances where it is appropriate due to one or all of the following:

- a. The DPCJFS has reason to believe the worker is or will be in danger of harm.
- b. The DPCJFS has reason to believe that a crime is being or has been committed against a child.
- c. There is an exigent circumstance in relation to the safety of a child that arises on a case and the assistance of law enforcement is needed.
- d. The DPCJFS worker must conduct a home visit after regular business hours and a law enforcement escort was requested.
- e. The agency worker is removing a child(ren) via court order and there is reason to suspect the family will challenge the removal.
- f. The agency must conduct an assessment/investigation at a known drug house and law enforcement's services are requested for caseworker protection.
- g. The caseworker is working with a client who has a propensity toward violence and the assistance of law enforcement is requested to ensure the safety of all involved.
- h. The agency representative is working with a family who has historically threatened to do harm to agency employees.
- i. The child is in immediate danger or eminent serious harm



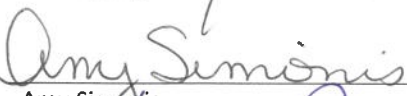

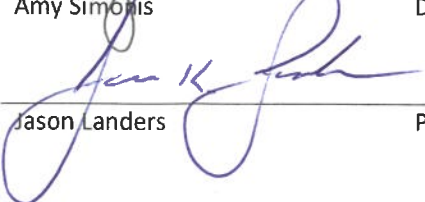

10. Information Sharing




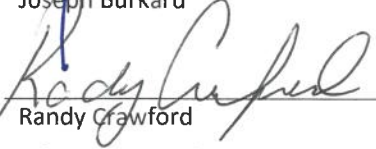







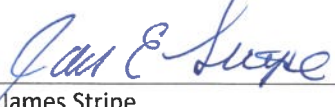

The subscribers, by signing this document to hereby express a commitment to share information to facilitate the investigation, prosecution, treatment, and/or case management of suspected CA/N, to the extent allowed by law.

- 11. Administration of Children's Services, as well as other DPCJFS functions, in the event of an emergency or catastrophic event is addressed in the County Disaster Plan.
- 12. Amending the MOU

This memorandum of understanding may be amended by agreement of the mandated subscribers if significant changes are necessary.

Signatures:

		
Corey Walker	DPCJFS Director	Date
		
Amy Simonis	DPCJFS Children Services Administrator	Date
		
Jason Landers	Paulding County Sheriff	Date

	Tiffany Beckman	Paulding County Common Pleas Judge	5/26/22 Date
	Michael Wehrkamp	Paulding Co. Juvenile Probate Judge	5/26/22 Date
	Joseph Burkard	Paulding County Prosecutor	5-5-2022 Date
	Randy Crawford	Chief, Paulding Police Department	5-17-2022 Date
	George Clemens	Interim Chief, Oakwood Police Department	5-17-22 Date
	George Clemens	Antwerp Police Department	5-17-22 Date
	Melanie Farr	Antwerp Village Solicitor	5-24-22 Date
	N. Edward Hatcher	Oakwood Village Solicitor	5-31-22 Date
	Harvey Hyman	Paulding Village Solicitor	5/19/2022 Date
	Rodney Miller	Chief, Payne Police Department	5-19-22 Date
	Harvey Hyman	Payne Village Solicitor	5/19/2022 Date
	James Stripe	Superintendent, Paulding Co. MR/DD	05/18/2022 Date
	David Bash	Dog Warden, Paulding County	19 May 22 Date