

**Defiance/Paulding Consolidated  
Job & Family Services**

**Child Abuse and Neglect  
Memorandum of Understanding**

**Defiance County**

**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 neglect (CA/N) within Defiance County. This will facilitate communication and procedures between the Defiance/Paulding Consolidated Job & 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 division (J)(2) of Section 2151:421 of the ORC and OAC 5101:2-33-26.

**Required Parties to the MOU:**

- Juvenile Judge
- County Peace Officer
- All Chief Municipal Peace Officers within the County
- Other Law Enforcement Officers who handle CA/N cases within the County
- Prosecuting Attorney of the County
- County Job & Family Services Director
- All City Law Directors and Village Solicitors
- The County Humane Agent

**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 JFS at:**

**Defiance office** located at 6879 Evansport Rd Suite A Defiance, OH 43512

- Regular business hours, Monday through Thursday 7:00am-4:30pm
- Phone numbers 419-782-3881 OR 1-800-342-0160
- Fax 419-782-1717

**Paulding office** located at 252 Dooley Drive Paulding, OH 45879

- Regular business hours, Monday through Thursday 7:00am-4:30pm
- Phone numbers 419-399-3756 OR 1-800-201-9865
- Fax 419-399-4674

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

### **Responsibilities of Children Services (DPCJFS)**

1. Accept complaints of child abuse and neglect 24 hours per day, 7 days per week
2. Initiate an investigation within 1 hour of each emergency complaint (when screened in) and within 24 hours of each non-emergency complaint (when screened in).
3. Enter reports into SACWIS within 24 hours of receipt of the complaint.
4. Interview alleged child victims, principals of the case, collateral contacts and witnesses as deemed necessary during the investigation.
5. Conduct investigations in cooperation with appropriate law enforcement agencies if their assistance or intervention is necessary, or there is criminal activity suspected. DPCJFS will attempt to ensure this assistance is obtained timely in cases where CA/N is alleged, in the efforts to assure child safety and conducted mandated investigative activities within the maximum 60-day time frame of a case (OAC chapter 5101:2-36).
6. Consult with the County Prosecutor's Office for cases in which any of the following exist:
  - Legal assistance or intervention is needed.
  - Written notification within 3 business days, if there is any unauthorized dissemination of confidential PCSA information.
  - Also within 3 business days, if the Agency becomes aware of any mandated reporter who has failed to report an incident of CA/N, written notification is made.
7. Upon 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.
8. In cases of receipt of reports concerning missing children:
  - DPCJFS will immediately contact law enforcement and provide assistance and cooperation in the case, and
  - File a Protective Service Alert (PSA) with ODJFS if the child missing is the subject of a CA/N investigation.
9. 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:
  - Immediately contact law enforcement.
  - Complete the mandated investigative activities.
  - 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 workday.
10. 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:
  - 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.
  - Gather and maintain current information regarding the name, address and telephone number of each appropriate health care facility within its jurisdiction.
  - Identify and maintain current data regarding the name, title and telephone number of each facility's contact person for the allegations involving alleged withholding of medically indicated treatment for disabled infants with life-threatening conditions.
  - Identify and maintain the name and chairperson of the appropriate health care facility's review committee, if such a committee exists.
  - Internal DPCJFS procedures will be conducted for determining if the reported allegations meet the threshold of an open case.

11. When an investigation involves a report of out of home care CA/N, the DPCJFS shall do the following:
  - Immediately contact the out of home care setting administrator of designee to discuss the allegations and follow mandated procedures and actions to assure safety and protection of the alleged child victim.
  - Proceed with all other mandated investigative activities.
12. DPCJFS will contact appropriate law enforcement within 24 hours concerning reports involving adults who aide, abet, induce, cause, encourage or contribute to a child or ward of the Juvenile Court:
  - Becoming a dependent or neglected child.
  - Becoming an unruly or delinquent child
  - Leaving the custody of any person, department or institution without the legal consent of that person, department or institution.
13. In the event there is an imminent threat to a child's safety, the DPCJFS will consider the following options:
  - Contact local law enforcement to assist in the situation.
  - Contact the Supervisor.
  - Upon approval from the Supervisor, the DPCJFS caseworker can make a direct call to the Juvenile Court Judge to request an Ex Parte order of custody.
  - File an emergency complaint in the Juvenile Court, requesting a court order to remove a child.
  - Remove the child, with the assistance of law enforcement, pursuant to the ex parte order and the next working day, file in the Court the emergency complaint for the case to be heard in Juvenile Court.
  - Assist the caregiver in placing the child with a relative or non-relative via a safety check completed of the home.
  - Execute a JFS 01645 "Agreement for Temporary Custody of a Child" if the caregiver is a parent or guardian.
14. Procedures for removing a child (Ex parte order or Court ordered situation)
  - 
  - The Agency (DPCJFS) will request assistance from law enforcement.
  - The agency will provide the caretaker with the following:
    - "Notification of Child Removal"
    - Time and place of court hearing(s) as applicable
    - An explanation of the reasons for the removal
    - Agency name, address, phone number and contact person
  - When the removal of a child occurs in the absence of a caregiver, the DPCJFS shall provide or attempt to provide the caregiver with the above listed information, within 24 hours.
  - The Notification of Child Removal" from may be left at the residence of the caregiver, in said caregiver's absence.
15. Procedures for placements with relatives and non-relative substitute caregivers:
  - Collect identifying information (name, aliases, SSN, address, phone numbers, place of employment) on a prospective caregiver and others residing in the home.
  - Complete an agency records check through SACWIS
  - Run background checks on all adults (18+ years of age) residing in the home, for emergency placements.
  - Assess the safety of the home.
  - If placement is determined safe for the child, place the child per Agency procedures.
16. In any case referred for a CA/N investigation/assessment in which there is an allegation of drug involvement, the caseworker shall contact local law enforcement and/or the MAN Unit.

17. As a courtesy, DPCJFS will provide a caseworker when requested to assist law enforcement in conducting interviews of and providing support to children in which the Agency is not an active party.
18. When allegations against a child constitute a crime against a child, including human trafficking, a joint assessment/investigation with law enforcement is required. The procedures shall include a statement of assurance as to how DPCJFS will ensure child safety and not compromise the child protective services case, while concurrently assisting law enforcement with the criminal investigation.

#### **Responsibilities of Law Enforcement within the County:**

Accept complaints, both emergency and non-emergency, regarding CA/N from any reporting source, 24 hours/day, 7 days/week.

- 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.
- After hours complaints will be referred to the DPCJFS by contacting the on-call worker.
- Cooperate and assist DPCJFS in its efforts to complete the investigation.
- Interview alleged perpetrators of alleged CA/N if requested by DPCJFS or when the case may involve criminal prosecution.
- Contact DPCJFS in the event of a death of a child.
- Conduct an independent investigation at the request of the DPCJFS.
- Prepare, present and refer cases for Court action.
- Investigate cases of missing children.

#### **Responsibilities of County Prosecuting Attorney:**

- Upon receipt of an emergency or non-emergency report of CA/N, will immediately forward the information by phone to DPCJFS.
- Provide legal advice and interpretation of law to the Child Protective Services unit.
- Make a determination as to the filing of any criminal charges.
- Assist in drafting legal documents for Child Protective Services unit.
- Representation of the Child Protective Services unit in local Juvenile Court proceedings.

#### **Responsibilities of City Law Director and Village Solicitors:**

- In the Municipal Court(s), the above will prosecute misdemeanor cases rising from their respective village or city limits, pertaining to cases of CA/N.
- Make a determination as to the filing of any criminal charges.

#### **Procedures for Interviewing Children:**

- Depending on 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.
- 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.
- The categories of personnel who may conduct interviews of children who are the subject of reports of alleged abuse, neglect, and/or dependency are limited to the following:
  - Caseworkers and supervisory staff of DPCJFS;
  - Law enforcement personnel;
  - County or City prosecuting attorneys and assistant prosecuting attorneys
- A team approach will be utilized in efforts to reduce or eliminate all unnecessary interviews of a child who is the subject of A/N/D report. When feasible, one interview of said child will be completed.

- The DPCJFS caseworker will provide a copy of the case notes regarding the interview of the Alleged Child Victim (ACV) to law enforcement to assist in their interview of the alleged perpetrator.

#### **FOR SEX ABUSE INTERVIEWS:**

- Detailed pictures may be used to aide the child in being able to explain what happened.
- 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 caseworker and/or advocate. The caseworker shall explain the necessity of the examination, based on child's developmental understanding and will be supportive of the child.
- 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 caseworker's professional opinion, an examination is warranted, an exam may be requested.
- If possible, the examinations should be referred to the **Center for Child and Family Advocacy SART Clinic** in Archbold, Ohio. This clinic specializes in sexual abuse examinations and has a specialized team to help the child.  
 -SART Clinic     121 Westfield Drive, Archbold, OH 43502     419-445-4415
- If the SART Clinic is not available or the examination warrants immediate attention, all efforts should be made to contact the SANE nurse, who does sex abuse examinations. This should be made a priority for the benefit of the child.
- Utilizing the team approach will reduce the number of times a child will need to be interviewed. Family may be referred to Victim's Assistance by the DPCJFS or local law enforcement as appropriate.

#### **Procedures for Interview of the Alleged Perpetrators:**

- 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 caseworker to be present during the interview.
- Law enforcement will prepare the crime summary.
- The law enforcement representative will determine if the case needs to be referred to the prosecutor for further consideration.
- A copy of the interview/report of the alleged perpetrator shall be forwarded to DPCJFS.

#### **Requests by DPCJFS for Assistance from Law Enforcement:**

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

- The DPCJFS caseworker has reason to believe they are or will be in danger of harm.
- DPCJFS has reason to believe that a crime is being or has been committed against a child.
- 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.
- DPCJFS caseworker must conduct a home visit after regular business hours and a law enforcement escort is requested.
- DPCJFS caseworker is removing a child(ren) via court order and there is reason to suspect the family will challenge the removal.
- DPCJFS must conduct an investigation/assessment at a known drug house and law enforcement's services are requested for caseworker protection.
- The caseworker is working with a client who has a propensity towards violence and the assistance of law enforcement is requested to ensure the safety of all involved.
- DPCJFS caseworker is working with a family who ha historically threatened to cause/do harm to Agency employee(s).
- The child is in immediate danger or imminent risk of serious harm.


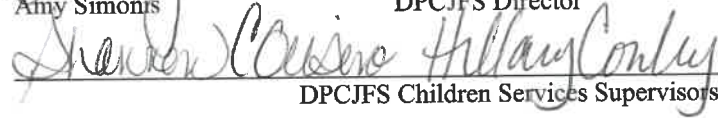


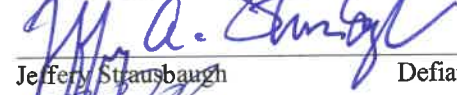


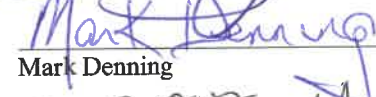
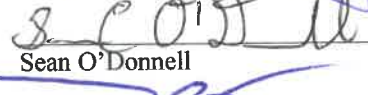





**Information Sharing:**

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

**\*\*Administration of Children Services, as well as other DPCJFS functions, in the event of an emergency or catastrophic event, is addressed in the County Disaster Plan.**

**Amending the MOU:** This Memorandum of Understanding may be amended by agreement of the mandated subscribers, if significant changes are necessary.

**SIGNATURES:**

 Amy Simonis	DPCJFS Director	11/22/2023
		Date
 Heather Cousins Hillyard Conley	DPCJFS Children Services Supervisors	11-22-2023
		Date
 Doug Engel	Defiance County Sheriff	11-22-2023
		Date
 Joseph Schmenk	Defiance County Common Pleas Judge	12/14/23
		Date
 Jeffrey Strausbaugh	Defiance County Juvenile/Probate Judge	NOV 29 2023
		Date
 Morris Murray	Defiance County Prosecutor	11-22-23
		Date
 Todd Shafer	Chief, Defiance Police Department	11 29 23
		Date
 Mark Denning	Chief, Hicksville Police Department	11-30-23
		Date
 Sean O'Donnell	Defiance City Law Director	11/29/2023
		Date
 Troy Essex	Hicksville Village Solicitor	12/15/2023
		Date
 Taylor Vance	Sherwood Village Solicitor	12/1/2023
		Date
 Steve Hubbard	Ney Village Solicitor	12/1/2023
		Date
 Heidi Hull	Superintendent, Defiance County DD	12/7/2023
		Date
 Stacie Fedderke	Humane Agent, Defiance County	11-29-23
		Date