

**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 5180:2-33-26 (E)(1)).

AUTHORITY:

This MOU has been prepared in accordance with ORC 2151:4220 and OAC 5180:2-33-26.

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:

Mandated reporters and penalty for failure to report

1. Persons identified as mandated reporters per Ohio Revised Code section 2151.421, while acting in official or professional capacity, will immediately report knowledge or reasonable cause to suspect the abuse or neglect of a child in accordance with that section. Reports will be made to the PCSA or a law enforcement officer. The penalty for the failure of a mandated reporter to report any suspected case of child abuse and/or neglect pursuant to ORC section 2151.421 is a misdemeanor of the fourth degree. The penalty is a misdemeanor of the first degree if the child who is the subject of the required report that the offender fails to make suffers or faces the threat of suffering the physical or mental wound, injury, disability or condition that would be the basis of the required report when the child is under the direct care or supervision of the offender who is then acting in the offender's official or professional capacity or when the child is under the direct care or supervision of another person over whom the offender, while acting in the offender's official or professional capacity, has supervisory control. Failure to report suspected child abuse and/or neglect may also result in civil liability in the form of compensatory or exemplary damages.

****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 419-784-0611
- Email: defiance-pcsa-dpcps@jfs.ohio.gov

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
- Email: defiance-pcsa-dpcps@jfs.ohio.gov

Outside of regular business hours, reports shall be received by the Dispatcher at 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 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
 - In accordance with ORC2151.421 (I) the identity of a person making a report of suspected child abuse or neglect is confidential, whether reported by a private citizen or by a person mandated to report suspected child abuse or neglect.
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 CCWIS 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 5180:2-36-03)
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 and whether law enforcement will assist. DPCJFS will proceed as required by law with all investigations when law enforcement declines to assist in the investigation.
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

- Issue a Protective Service Alert (PSA) through Ohio's Comprehensive Child Welfare Information System (CCWIS) 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 within CCWIS.
 - Notify the local Health Department and/or Child Fatality Review Board immediately upon receipt of the report if during office hours. After hours reports shall be referred 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: (per OAC 5180:2-36-07)
 - 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 or 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 CPS 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" form 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 CCWIS.
 - 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.
19. In accordance with ORC 5153.17 DPCJFS will maintain comprehensive and accurate case records.

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 ordinance violations within 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;
 - Trained Victim Advocates
- 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 aid 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 has historically threatened to cause/do harm to Agency employee(s).
- The child is in immediate danger or imminent risk of serious harm.

Confidentiality Statement

- Any report made in accordance with ORC section 2151.421 is confidential. Both the information and the name of the person who made the report under section 2151.421 will not be released to the public for use and will not be used as evidence in any civil action or proceeding brought against the person who made the report.
- Children services records are not public records and are exempt from Ohio's Sunshine Laws under ORC 149.43. Children Services records are confidential in nature and should be treated accordingly.
- ORC section 2151.423 requires the PCSA to disclose confidential information discovered during an investigation conducted pursuant to section 2151.421 or 2151.422 of the Ohio Revised Code to any federal, state, or local government entity, including any appropriate military authority or any agency providing prevention services, that needs the information to carry out its responsibilities to protect children from abuse or neglect. Likewise, law enforcement, and other entities are expected to release information to the PCSA for the purpose of carrying out its responsibility of protecting children from abuse and/or neglect.

Information Sharing:

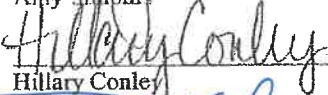
These subscribers, by signing this document, do hereby express a commitment to share information in the efforts to facilitate the investigation, prosecution, treatment and/or case management of suspected CA/N, to the extent allowed by law.

****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:

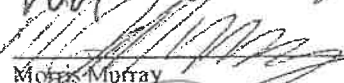

Amy Simonis DPCJFS Director Date 12/4/2025

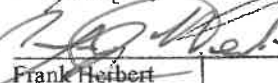

Hillary Conley DPCJFS Children Services Supervisor Date 12-4-25


Doug Engel Defiance County Sheriff Date 12-17-25



Joseph Schmenk Defiance County Common Pleas Judge Date 12/10/25



Jeffrey Straubach Defiance County Juvenile/Probate Judge Date 12-10-25

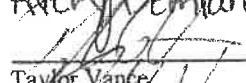

Morris Murray Defiance County Prosecutor Date 12-8-25

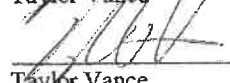

Frank Herbert Chief, Defiance Police Department Date 1/17/2026

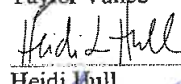

Mark Denning Chief, Hicksville Police Department Date 12-8-2025



Sean O'Donnell Defiance City Law Director Date 01/07/2026

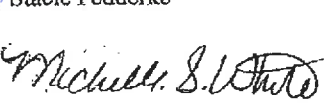

Avery Demland Hicksville Village Solicitor Date 12-16-2025


Taylor Vance Sherwood Village Solicitor Date 12/16/25


Taylor Vance Ney Village Solicitor Date 12/16/25


Heidi Hull Superintendent, Defiance County DD Date 11/17/25


Stacie Fedderke Humane Agent, Defiance County Date 1-14-26


Michelle S. White Date 12/8/25