

RESOLUTION

June 12, 2025  
Resolution 395-25

RE: **AUTHORIZING THE HANCOCK COUNTY COMMISSIONERS TO ENTER INTO A MEMORANDUM OF UNDERSTANDING ENTITLED OHIO DEPARTMENT OF CHILDREN AND YOUTH, HANCOCK COUNTY MEMORANDUM OF UNDERSTANDING TO ADDRESS CHILD ABUSE, NEGLECT AND DEPENDENCY.**

The Board of County Commissioners, Hancock County, Ohio met in regular session on the 12<sup>th</sup> day of June, 2025, with the following Commissioners present:

**Mr. William L. Bateson Mr. Timothy K. Bechtol Mr. Jeffrey L. Hunker**

The Clerk advised that the Board followed the notice requirements of Section 121.22 of the Revised Code and the implementing rules adopted by the Board pursuant thereto for the meeting.

Bechtol moved for the adoption of the following resolution:

**WHEREAS**, the Hancock County Commissioners are parties to the Ohio Department of Children and Youth, Hancock County Memorandum of Understanding to Address Child Abuse, Neglect and Dependency and must authorize same; and

**WHEREAS**, the Board, upon the recommendation of the HCJFS, wishes to authorize the attached Memorandum of Understanding (MOU);

**NOW BE IT THEREFORE RESOLVED**, that the Board of Hancock County Commissioners hereby approves the authorization of the Ohio Department of Children and Youth, Hancock County Memorandum of Understanding to Address Child Abuse, Neglect and Dependency attached hereto and incorporated herein as if fully rewritten.

Hunker seconded the Resolution, and the roll being called upon its adoption, the vote resulted as follows:

**Board of Hancock County Commissioners**

William L. Bateson      yes  
William L. Bateson, President

Jeffrey L. Hunker      yes  
Jeffrey L. Hunker, Vice-President

Timothy K. Bechtol      yes  
Timothy K. Bechtol, Commissioner

ATTEST:

Alec Helms  
Alec Helms, Assistant Clerk  
Board of Hancock County Commissioners  
DATE: 6-12, 2025

Ohio Department of Children and Youth  
**Hancock County Memorandum of Understanding  
To Address Child Abuse, Neglect and Dependency**

**I. STATEMENT OF PURPOSE**

This memorandum of understanding (hereinafter MOU) to address child abuse and neglect is required by Sections 2151.4220, 2151.4221, 2151.4222, 2151.4223, 2151.4225, 2151.4226, 2151.4228, 2151.4229, 2151.4230, 2151.4231, 2151.4232, 2151.4233, and 2151.4234 of the Ohio Revised Code and Section 5101:2-33-26 of the Ohio Administrative Code. It is in agreement among Hancock County Job and Family Services and Community Partners that delineate roles and responsibilities for referring, reporting, investigating, and prosecuting child abuse and neglect cases. The MOU also identifies procedures for collaborative service provisions needed to ensure child safety, permanency, and well-being, and the minimum requirements of screening, assessment/investigation, and service planning to meet mandates included in children services legislation passed by the 134th Ohio General Assembly.

Two primary goals of this MOU are as follows:

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

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

**GENERAL REPORTING:** Any person wishing to make a report of child abuse or neglect may do so by telephone, in writing, sending an email, or visiting Hancock County Jobs and Family Services at 7814 County Road 140, Findlay, Ohio, phone 419-429-8008, during regular business hours Monday through Friday from 8:00 a.m. to 4:30 p.m. After regular business hours reports shall be received by the dispatcher of Hancock County Sheriff's Office at 419-422-2424. The Dispatcher will take the necessary referral information and contact the children services on-call worker within 15 minutes of receiving the referral information. Depending on the circumstances, the on-call worker will determine the next step, with supervisor assistance, and act appropriately per OAC 5180:2-36-21.

**SCREENING:** The capacity to accept and screen referrals of suspected child abuse, neglect and/or dependency includes, but is not limited to the following: Receiving referrals 24 hours a day, 7 days a week, recording and retaining referral information, following Ohio's screening guidelines based on Ohio Administrative and Revised Code, and categorizing the child maltreatment type; adherence to a protocol for making screening and differential response pathway decision regarding referrals of suspected child abuse, neglect and/or

dependency within 24 hours from the time of the referral; documenting case decisions, and defining a response priority of emergency or non-emergency to any screened-in report.

**ASSESSMENT AND INVESTIGATION:** The capacity to investigate and assess accepted reports of suspected child abuse, neglect and/or dependency includes responding to emergency reports within 1 hour and non-emergency reports within 24 hours; conducting an initial Safety Assessment using a standardized CAPM (Comprehensive Assessment Planning Model) tool within the time frame prescribed in the Ohio Administrative Code; completing a more in-depth CAPM Family Assessment, including a clinical and actuarial risk assessment within sixty (60) working days as prescribed in the Ohio Administrative Code; working collaboratively with other investigative agencies when appropriate; making traditional response cases dispositions within required time frames; evaluating the need for protective, prevention, or supportive services and/or court involvement; and documenting all activities in case determinations.

**SERVICE PROVISION:** The capacity to provide services that ameliorate, eliminate or reduce future child maltreatment and the conditions which led to abuse, neglect or dependency includes providing service planning and case management coordination; identifying and stating the concern and behavior changes needed for reunification to occur through the use of the CAPM family case plan; monitoring the family's case progress; measuring service outcomes; reassessing safety and risk; and evaluating permanency options by using the CAPM case review and semi-annual review tools; and adhering to existing visitation documentation and case closure protocols.

## **II. ROLES AND RESPONSIBILITIES OF EACH PARTICIPATING AGENCY**

### **A. CDJFS/PCSA**

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

### **B. LAW ENFORCEMENT**

The Hancock County Sheriff and each chief of the local political subdivisions will have responsibility for: taking referrals, reports alleging child abuse and neglect from any source within their respective jurisdiction, referring reports to HCJFS as soon as possible or within 24 hours for investigation of the circumstances, determining whether allegations of abuse or neglect arise to the level of criminal conduct, cooperating with the HCJFS in a joint and thorough investigation when the information contained in the report lends itself to allege a present danger, assisting HCJFS in hazardous situations with a provision of protective services or the investigation of child abuse or neglect is impeded,

coordinating with HCJFS on interviews with principals of the case where there are serious criminal implications, notifying HCJFS of any legal action involving an alleged perpetrator of child abuse or neglect, responding to HCJFS request for information regarding the status of the legal action, providing police report checks for HCJFS as necessary or requested, as permitted by law, consulting with HCJFS prior to removal of a child from their home, when possible, handling and coordinating investigations involving a child fatality or near fatality which have resulted from abuse or neglect.

All non-emergency reports with identifying and demographic information, including current location of the children, will be forwarded to Hancock County Children's Services within an hour of receipt and confidentiality will be maintained of reporter/reporting source.

### **C. JUVENILE COURT**

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

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

The Juvenile Court will collaborate with Hancock County Department of Job and Family Services, county prosecutor, and local law enforcement to establish standards and processes for the filing and acceptance of abuse, neglect, and dependency pleadings, notice to the necessary parties, defining acceptable methods of communications, best practices for handling emergency/ex-parte motions, and orders which require the removal of children and need to be acted upon in an expeditious manner, date and time stamp process and any cut off, determine how and when to expect decisions or entities to be communicated, provide periodic training for those involved in the investigation of child abuse, neglect, and the signatories of this MOU, be available to Hancock County Job and Family Services management staff or the prosecutor should a question arise.

**D. COUNTY PROSECUTOR**

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

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

**E. COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES (If not part of combined agency)**

  X   Not applicable. If selected, this section is not relevant.

If the HCJFS is a separate agency from Hancock County Children's Services, employees within the county agency are expected to report suspected cases of abuse and neglect to Hancock County Children's Services or appropriate law enforcement agency upon receipt, collaborate with Hancock County Children's Services to assist families in caring for their children, assure that children are at risk of abuse and neglect receive protective services, assure service coordination for families already involved with the Hancock County Children's Services, promote ongoing communication between HCJFS and Hancock County Children's services regarding mutual clients, including minors under the protective supervision or in the custody of the agency and/or minor parents, assist Hancock County Children's Services upon request in obtaining case or assistance group information regarding a family when the Hancock County Children's Services is assessing Title 4E eligibility or completing an assessment investigation of a child at risk or alleging to be abused, assist Hancock County Children's Services in obtaining addresses and attempts to locate parents whose whereabouts are unknown pursuant to OAC 5180:2-33-28 and where applicable and permitted, assist Hancock County Children's Services in locating suitable relatives or kin that may be available as familial supports for the children or as a placement option.

**F. LOCAL ANIMAL CRUELTY REPORTING AGENCY**

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

**G. CHILD ADVOCACY CENTER**

Children's Advocacy Center (the Children's Advocacy Center (CAC)) will establish internal protocols regarding the investigation of CAC cases, participate in training as needed, work jointly and cooperatively within their established role with the other team members in the investigation of CAC cases, and attend and exchange information when meeting with Hancock Family Job and Family Services, law enforcement, or other signatories of this agreement.

**H. CLERK OF COUNTY COMMON PLEAS COURT**

The Clerk of County Common Pleas Court will collaborate with Hancock County Department of Job and Family Services, county prosecutor, and local law enforcement to establish standards and processes for the filing and acceptance of criminal case filings for felony charges where adults are charged with child abuse.

The Clerk of County Common Pleas Court will determine how and when to expect decisions or entities to be communicated, provide periodic training for those involved in the investigation of child abuse, neglect, and the signatories of this MOU, and be available to Hancock County Job and Family Services management staff or the prosecutor should a question arise.

**III. SCOPE OF WORK**

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

**A. MANDATED REPORTERS AND PENALTIES FOR FAILURE TO REPORT**

Persons identified as mandated reporters per Ohio Revised Code, section 2151.421 while acting in official or professional capacity shall immediately report knowledge or reasonable cause to suspect the abuse or neglect of a child in accordance to that section. Reports shall be made to Hancock County Job and Family Services or a law enforcement officer. The penalty for the failure of a person required to report any suspected case of child abuse and/or neglect pursuant to ORC, section 2151.421, shall be a misdemeanor of the fourth degree. The penalty is a misdemeanor of the first degree if the child who is the subject of the required report that the offender fails to make suffers or faces the threat of suffering the physical or mental wound, injury, disability, or

condition that would be the basis of the required report when the child is under the direct care or supervision of the offender, who is then acting in the offender's official or professional capacity, or when the child is under the direct care or supervision of another person over whom the offender, while acting in the offender's official or professional capacity, has supervisory control. Failure to report suspected child abuse and/or neglect may also result in civil liability in the form of compensatory or exemplary damages.

## **B. SYSTEM FOR RECEIVING REPORTS**

Reports of child abuse or neglect shall be made to the Hancock County Department of Job and Family Services or any law enforcement officer with jurisdiction in Hancock County.

**Law enforcement agencies, by law, are also required to accept reports of suspected abuse or neglect. All law enforcement agencies agree that any such reports received shall be immediately referred to the public children's service agency. The PCSA shall maintain staff available on a 24-hour basis, 7 days a week for emergency assessment and investigations after office hours. The on-call caseworker can be contacted through the Hancock County Sheriff's Department dispatch at 419-422-2424.**

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

When Hancock County Job and Family Services screens in a report of child abuse, HCJFS shall notify the appropriate law enforcement agency of the report, unless law enforcement is present at the time the report is being made.

When Hancock County Department of Job and Family Services screens in a report of child abuse or neglect and an active safety threat is identified within the first 7 days of the assessment or investigation, Hancock County Department of Children and Families shall notify the appropriate law enforcement agency within the first 7 days of the assessment, unless an arrest is made at the time of the report that results in the appropriate law enforcement agency being notified of the child abuse or neglect.

## **C. RESPONDING TO MANDATED REPORTERS**

When Hancock County Job and Family Services receives a referral from a mandated reporter who provides their name and contact information, Hancock County Department of Children and Family Services shall forward an initial mandated reporter notification to the referent within 7 days by email or mail. The notification will be provided in accordance with the mandated reporter's preference. Information shared with the mandated reporter shall include information permitted by the ORC 2151.421K.

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

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

**D. Roles and Responsibilities for Handling Emergency Cases of Child Abuse, Neglect and Dependency**

**1. PCSA's Response Procedure.**

When Hancock County Department of Job and Family Services determines that a report is emergent, the agency shall attempt a face-to-face contact with the child subject of the report and alleged child victim within one (1) hour of the receipt of the report.

If Hancock County Department of Children and Families identifies an active safety threat at any point during the investigation/assessment, the caseworker or supervisor shall implement a safety response.

**Emergency removal of children shall be considered necessary when a child is at imminent risk, in need of protection from child abuse and neglect. Hancock County Department of Job and Family Services will make reasonable efforts to prevent placement, including temporary safety planning and exploring all other less restrictive options in both emergency and non-emergency cases.**

**2. Law Enforcement and Hancock County Department of Job and Family Services Response Procedure.**

If the perpetrator is a member of the household, has unlimited authorized access to the child, or the child is determined to be at imminent risk, this report will be made immediately. In other cases, the report will be made within 24 hours of receipt. It's based upon the information the law enforcement agency having jurisdiction cannot be determined, then the Hancock County Sheriff's Office will accept the report until the appropriate jurisdiction can be established.

In those cases where a child is in life threatening situations require immediate intervention and time does not permit obtaining a court order, children's services will request immediate assistance of a law enforcement officer. Upon consultation between law enforcement, children's services, and with the agreement by both agency representatives, the law enforcement officer may execute an emergency removal of the child as duly authorized by ORC 2151.31.

If law enforcement is the first agency to encounter a child who may need emergency removed, the officer shall follow ORC Section 2151.42.1E, which states, "no township, municipal, or county peace officer shall remove a child about whom a report is made pursuant to this section from a child's parent, step-parent, or guardian, or any other person having custody of the child without consultation with the public children services agency, unless, in the judgment of the officer, and if the report is made by a physician, immediate removal is considered essential to protect the child from further abuse or neglect.

If law enforcement and the children's services representative do not concur on the need for the child to be removed by the officer, then the safety of the child will be secured at the scene while consultation is made with the prosecuting attorney's office and/or juvenile court judge.

Children's services may remove and place on a non-emergency basis through executing an agreement for temporary custody if requested to do so by the parent and least restrictive options are not available.

Reasonable efforts to prevent the placement must be attempted, including temporary safety planning and exploring all other less restrictive options in both emergency and non-emergency cases.

### **3. Children in Need of Medical Attention Special Response Procedures.**

Children should be taken to the appropriate medical facility immediately when they:

- a. Are suspected of being or alleged to have been a recent victim of sexual abuse within the last 72 hours. Child should be taken to a facility which can accommodate children under the age of 10, such as St. Rita's Hospital in Lima, Ohio, or Promedica Children's Hospital in Toledo.
- b. Are at risk of being a harm to themselves or others.

- c. Appear to be suffering from medical neglect.
- d. Are displaying injuries that are in need of diagnosis and treatment.
- e. Are suspected of exposure to hazardous substances.

**E. Standards and Procedures to be Used in Handling and Coordinating Investigations of Reported Cases of Child Abuse and/or Neglect.**

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

To the extent possible, investigative interviews of children who are the alleged victims of reports of abuse and/or neglect where criminal activity is suspected, including reports of human trafficking, are cooperatively planned by Hancock County Children's Services and the law enforcement agency of the jurisdiction and will be conducted at The Center for Safe and Health Children (Child Advocacy Center) in Hancock County.

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

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

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

The Hancock County Department of Job and Family Services agrees not to proceed without the advice and consent of the prosecutor's office when a criminal investigation is being conducted concurrently. Hancock County Department of Job and Family Services will not jeopardize a criminal investigation but will work with law enforcement to protect the safety of the child victim or witnesses. Law enforcement will be the lead agency in the collection of forensic evidence and will coordinate with the necessary facilities to obtain and store such evidence properly.

Upon request, audio/video recordings shall be shared with the county prosecutor's office to aid in the performance of their official duty, especially those involving child interviews. It is recognized that the prosecutor's office may have the need to interview the child victim. Both law enforcement and children's services will cooperate as deemed necessary to provide all available information and services to make this interview as easy as possible for the child. Law enforcement, children's services, and the prosecutor's office are the recognized persons who may have a need to interview the child during an investigation. In the interest of establishing a system to eliminate all unnecessary interviews of the child victim, other persons seeking interviews of the child will be referred to the head investigators. This is done to determine if the referral information sought can be obtained in another manner, i.e., recordings or written records.

In cases of co-investigations, the general accepted practice would be for the law enforcement to interview the perpetrator. As noted above, if the best investigative procedure is indicated, this interview may be done by the children's services caseworker or collaboratively. The recording of such interviews and the sharing of information is the same procedures as in the victim's interview above.

Hancock County Job and Family Services shall follow up with law enforcement to ensure timely assistance and to complete mandated assessment investigation activities within the 60-day time frame.

**F. Standards and Procedures Addressing the Categories of Persons Who May Interview the Child Who is the Subject of the Report and Who Allegedly was Abused or Neglected.**

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

- Caseworker and supervisory staff of Hancock County Job and Family Services
- Law enforcement personnel
- County or city prosecuting attorneys, assistant prosecuting attorneys, in-house JFS, legal counsel, if applicable, and their investigative staff.

**G. Standards and Procedures for Hancock County Department of Job and Family Services Request for Law Enforcement Assistance.**

If, based upon the information, the law enforcement agency having jurisdiction cannot be determined, then the Hancock County Sheriff's Office will accept the report until the appropriate jurisdiction can be established. Hancock County Job and Family Services may request the assistance of law enforcement during an investigation assessment if one or more of the following situations exist.

- An exigent circumstance

- HCDJFS has reason to believe that the child is in immediate danger of serious harm.
- HCJFS has reason to believe that the worker is or will be in danger of harm.
- HCJFS has reason to believe that a crime is being committed or has been committed against a child.
- HCJFS worker must conduct a home visit after regular business hours and a law enforcement escort is requested as a standard operating procedure.
- HCJFS is removing a child from his or her family via an order of the court and the assistance of law enforcement is needed, as HCJFS has reason to believe the family will challenge the removal.
- HCJFS is working with a client who has a propensity towards violence, and the assistance of law enforcement is needed to ensure the safety of all involved.
- HCJFS is working with a family that has historically threatened to do harm to PCSA staff.

## **H. SPECIALIZED INVESTIGATION OR CIRCUMSTANCES**

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

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

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

- Is a person responsible for the alleged child victim's care in an out-of-home care setting as defined in Rule 5180:2-1-01 of the Administrative Code.
- Is a person responsible for the alleged child victim's care in an out-of-home care setting as defined in Section 2151.011 of the Revised Code.
- Has access to the alleged child victim by virtue of his/her employment by or affiliation to an organization as defined in Section 2151.011 of the Revised Code.
- Has access to the alleged child victim through a placement in an out-of-home care setting.
- HCJFS follows the procedures of conducting out-of-home care investigations as described in Section 5180:2-36-05 of the OAC.

For all reports of child abuse and neglect in an out-of-home care setting, a law enforcement agency that receives a report shall immediately provide a verbal report to the PCSA followed by a written report that shall be completed in accordance with the procedures established for the receipt of any report of child abuse or neglect.

## **2. Third-Party Investigation**

In accordance with Section 5180:2-36-08 of the OAC, HCJFS shall request a third-party investigation be conducted by a local law enforcement agency or a PCSA in a contiguous county where there is potential for a conflict of interest because one of the following parties is a principal of the report:

- Any employee of an organization or facility that is licensed or certified by the Ohio Department of Job and Family Services (ODJFS) or another state agency or supervised by the PCSA.
- A foster care, re-finalized adoptive parent, adoptive parent, relative, or kinship caregiver who is recommended, approved, or supervised by the PCSA.
- A Type B family childcare home or Type A family childcare home licensed by ODJFS when the CDJFS has assumed the powers and duty of the County Children Services Function defined in Chapter 5131 of the Revised Code.
- Any employee or agency of ODJFS or PCSA as defined in Chapter 5131 of the Revised Code.
- Any authorized person representing ODJFS or the PCSA who provides services for payment or as a volunteer.
- A foster caregiver or an employee of an organization or facility licensed or certified by ODJFS and the alleged child victim is in the custody of or receives services from, the PCSA that accepted the report.
- Any time a PCSA determines that a conflict of interest exists, the PCSA shall document in the case record if a conflict of interest is identified.

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

Third party investigations shall be completed by the Hancock County Sheriff's Office or another law enforcement agency as agreed upon by the director of Hancock County Job and Family Services and the sheriff. Request for a third party investigation by law enforcement shall be followed up with a written request within 3 days of the receipt of the report.

Children services will provide all information available and necessary to assist law enforcement in completing all mandated interviews and activities. Law enforcement, upon completion of the investigation shall provide a written report to children services, which shall maintain a copy of the investigation.

## **3. Child Fatality Suspected Cause of Death is Abuse or Neglect**

HCJFS is governed by ORC Section 307.622 and must have a child fatality review board.

Handling and coordinating investigations involving the death of a child, which may have resulted from child abuse or neglect and all subscribers will refer reports concerning the suspicious death of a child to the appropriate law enforcement agency.

Law enforcement will then take the lead in the investigation. Law enforcement will advise HCJFS of the presence of the report and HCJFS will not take any action until requested to do so by law enforcement personnel with law enforcement personnel's primary concern being any other potential child victims.

Law enforcement will involve other agencies as necessary, including referral for prosecution if, because of, the investigation it is determined that the death was caused by abuse or neglect. A report will be forwarded to HCJFS for appropriate filing for historical references.

If an investigation of alleged child abuse or neglect is initiated and during such investigation, the child dies, HCJFS will immediately terminate their investigation activities so that law enforcement personnel can take the lead. HCJFS will assist as requested by law enforcement. A final report by law enforcement will be forwarded to HCJFS for historical case record.

The PCSA shall report all cases in which the death of a child is alleged to have occurred as the result of abuse or neglect. In cases which the PCSA has received any previous allegations of abuse or neglect or has had other protective services involvement to the Toledo District Office to the Ohio Department of Job and Family Services.

#### **4. Child Fatality Death of a Child in the Custody of Hancock County Job and Family Services**

HCJFS follows Section 5180:2-33-14 of the OAC following the death of a child in its custody.

#### **5. Allegations of Withholding Medically Indicated Treatment from Disabled Infants with Life Threatening Conditions**

HCJFS follows the procedures prescribed in Section 5180:2-36-07 of the OAC for responding to these reports.

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

Medically indicated treatment includes the medical care most likely to relieve or correct the life-threatening condition. Nutrition, hydration, and medication as appropriate for the infant's needs are medically indicated for all

disabled infants; in addition to, the completion of appropriate evaluations or consultations necessary to assure that sufficient information has been gathered to make informed medical decisions on behalf of the disabled infant.

On determining whether treatment is medically indicated, reasonable medical judgments made by a prudent physician or treatment team, knowledgeable about the case and its treatment possibilities are considered. The opinions about the infant's future "quality of life" are not to bear whether a treatment is judged to be medically indicated. Medically indicated treatment does not include the failure to provide treatment to a disabled infant if the treating physician's medical judgment identifies any of the situations listed in OAC Section 5180:2-36-07A3 A through D.

HCJFS follows the procedures prescribed in Section 5180:2-36-07 of the OAC for responding to such reports.

#### **6. Allegations of Child Abuse and/or Neglect Constituting a Crime Against a Child, Including Human Trafficking and Request a Joint Investigation/Assessment with Law Enforcement**

Procedures and protocols will follow these previously outlined. Included will be a referral to law enforcement to consider whether those persons may have endangered a child is needed for prosecution.

#### **7. Reports of Cases Involving Those Who Aid, Abet, Induce, Cause, Encourage, or Contribute to a Child or Ward of the Juvenile Court in Becoming Dependent, Neglected, Unruly and/or Delinquent**

All reports of this nature shall be immediately reported to the appropriate law enforcement agency for investigation. A verbal report shall be made, followed by a written report if requested within 3 business days.

HCJFS will assist as requested and would staff available for those cases involving sexual activity between legally consenting parties when such activity may not meet the definition of child sexual abuse. At any time that law enforcement believes that a child's parents' fail in their duty to protect, a report shall be made, and the agency will proceed with an investigation.

#### **8. Reports Involving Those Who Aid, Abet, Induce, Cause, Encourage, or Contribute to a Child or Ward of the Juvenile Court by Leaving the Custody of any Person, Department, Or Public/Private Institute without the Legal Consent of that Person, Department or Institution**

All reports of this nature shall be immediately reported to the appropriate law enforcement agency for investigation.

## **9. Receiving and Responding to Reports of Missing Children**

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

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

Upon request of law enforcement, HCJFS shall provide assistance and cooperation in the investigation of a missing child, including the immediate provision of any information possessed by HCJFS that may be relevant in the investigation.

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

## **I. STANDARDS AND PROCEDURES FOR REMOVING AND PLACING CHILDREN**

### **1. EMERGENCY**

Emergency removal of a child from their home is necessary when the child is in 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.

Orders to remove a child can be issued in person, by phone, video conference, or otherwise. Reasonable grounds must exist to believe the child's

removal is necessary to prevent immediate or threatened physical or emotional harm.

Findings must be made that the agency either did, or did not make reasonable efforts to prevent the removal of the child from their home with a brief description of services provided and why those did not prevent the removal or allow the child to return home, and the temporary custody is granted to the PCSA, and additional finding that it would be contrary to the welfare and best interest of the child to continue in the home of their caregiver also needs to be established. If granted, a shelter care hearing must be scheduled the next business day (but no later than seventy two hours) after the emergency order has been issued. If the ex parte motion is denied, the matter must be set for a shelter care hearing within 10 days from the filing date.

## **2. NON-EMERGENCY**

Upon receiving a report alleging child abuse/neglect and/or dependency, HCJFS commences an investigation in accordance with the regulations and requirements of § 2151.421 of the ORC. If the final case decision rises to the level of court involvement, Hancock County Department of Job and Family Services shall present the information to the prosecutor's office for a decision to be made on whether the case will be taken to juvenile court. If the decision is made to proceed with the involvement of Juvenile Court, a complaint alleging the child or children to be abused, neglected or dependent per ORC 2151.27 shall be authored by HCJFS and provided to the Prosecutor's Office. The Prosecutor's Office will then prepare the complaint and file the matter with Juvenile Court. The matter will be set for shelter care/preliminary protective hearing expeditiously by Juvenile Court.

Reasonable oral or written notice of the time, place, and the 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 of that case plan, and the possible consequences of non-compliance with the case plan.

The parties will be served with the complaint and summons to appear before 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 or CASA is appointed to all children subjects of abuse, neglect, or dependency proceedings. A separate guardian ad litem may be appointed to minor parents or parents who appear mentally incompetent.

The judicial fact finder must determine whether there is probable cause that the child is abused, neglect 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 who has an approved home study, reasonable efforts were

made by HCJFS to prevent the removal or continued removal and it is not possible for the child to return home safely at this time, or for temporary custody order to HCJFS that it would be contrary to the welfare and best interest of the child to continue in their home. All other temporary orders shall be requested and considered at the time of the judicial hearing.

#### **IV. TRAINING**

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

#### **V. CONFLICT RESOLUTION**

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

As the mandated agency responsible for the provisions of child protective services, the ultimate decision on how to handle abuse, neglect, and dependency investigations lay with HCJFS. Every effort will be made to consider other subscribers' requests and concerns relating to service.

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

For cases that come before the court as it relates to decisions and orders, the Juveniles Judges' rulings are final.

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

#### **VI. CONFIDENTIALITY STATEMENT**

Any report made in accordance with ORC § 2151.421 is confidential. Both the information and the name of the person who made the report under § 2151.421 shall not

be released to the public for use and shall not be used as evidence in any civil action or proceeding brought against the person who made the report.

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

ORC § 2151.423 requires HCJFS to disclose confidential information discovered during an investigation conducted pursuant to §§ 2151.421 or 2151.422 of the Ohio Revised Code to any federal, state or local government entity that needs the information to carry out its responsibilities to protect children from abuse and neglect. Likewise, law enforcement, prosecutor, and other entities are expected to release information to Hancock County Job and Family Services for the purpose of carrying out its responsibility of protecting children from abuse, neglect and dependency.

HCJFS records are not public records and are an exemption to public record request under Ohio Revised Code 149.43. The confidentiality provision of this MOU will survive the expiration or termination of this agreement.

Information regarding the report and/or investigation of alleged abuse or neglect may be shared only when dissemination is authorized by OAC § 5180:2-33-21 and in accordance with the procedures outlined in OAC § 5180:2-33-21. The unauthorized dissemination of confidential information is a misdemeanor and is punishable by law.

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

## **VII. TERMS AND CONDITIONS OF STATUTORY REQUIREMENTS**

This MOU must be retained for a period of at least 7 years per the State of Ohio Records Retention Schedule. Please refer to Hancock County Job and Family Services Record Retention Policy for information on forms to be completed and processes to be followed for the destruction of records.

Consultation among the signatories will be done in person whenever practical. When an in-person meeting is not possible, the signor may employ the use of alternative methods of communication including, but not limited to, Microsoft Teams, Zoom, another agreed-upon virtual platform, or telephone as agreed upon by all members. When Hancock County Job and Family Services is seeking consultation with the signor of this memorandum regarding an active referral of child abuse or neglect and

has met in person or spoke with another signor, HCJFS will make written contact with the appropriate agency by the next working day to request the needed information and make the referral in writing.

The required members shall review and evaluate the terms and conditions of the MOU every biennium. All required members of the MOU will sign the new or updated agreement. HCJFS is to submit the MOU to the Board of County Commissioners for review and approval with enough time for any revisions to be made prior to December 31 of the calendar year.

This MOU does not inhibit good faith compliance with a subpoena issued by a grand jury or in a criminal case. Dissemination of records pursuant to the state discovery obligation is authorized. However, work product and other privileges are expected to be upheld.

Failure to follow the procedures set forth in the MOU by the concerned officials is not grounds for, and shall not result in, the dismissal of any charges or complaint arising from any reported case of abuse or neglect or the suppression of any evidence obtained as the result of reported child abuse or neglect and does not give, and shall not be construed as giving, any rights or any grounds for appeal or post-conviction relief to any person.

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

### **VIII. SIGNATURES OF EACH PARTICIPATING AGENCY**

The signature section authorizes the participating parties of the agreement to begin enactments of MOU protocols and activities. The participating members agree to follow the terms of this MOU and to meet at minimum once every biennium to review terms and conditions, evaluate if updates are needed, and sign a new or amended MOU.

If any individual serving as a signatory change midterm, Hancock County Job and Family Services is to provide the new required member with the current memorandum. The new member remains bound by the most recent approved version of the memorandum. Their signature is to be obtained and submitted on or before the next biennium review.

A required member to this agreement may terminate their involvement in the MOU for good cause upon giving reasonable written notice to the other required members of this MOU. All members will return a signed copy of this memorandum of understanding to Hancock County Job and Family Services within 15 days.

Hancock County Job and Family Services will work cooperatively with all members of the memorandum of understanding on modifications being necessary. If any

member of this memorandum of understanding wishes to be terminated as a participant, they will notify the agency immediately.

Hancock County Commissioners  
Agency  
Miki Sater  
Name and Title 6-12-25  
Date

Hancock County Commissioners  
Agency  
Jeffrey L. Hunter Hancock County Commissioner  
Name and Title 6/12/25  
Date

Hancock County Commissioners  
Agency Hancock Co.  
Franklin Beckwith (Commissioner)  
Name and Title 6-12-2025  
Date

\_\_\_\_\_  
Agency  
\_\_\_\_\_

Name and Title

Date

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Agency

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Name and Title Date

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Agency

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Name and Title Date

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Agency

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Name and Title Date

member of this memorandum of understanding wishes to be terminated as a participant, they will notify the agency immediately.

Hancock County Juvenile Court  
Agency  
[Signature], Judge  
Name and Title  
2/7/25  
Date

Hancock County Job + Family Services  
Agency  
[Signature], Director  
Name and Title  
2/7/2025  
Date

FINDLAY POLICE DEPARTMENT  
Agency  
[Signature] CHIEF OF POLICE  
Name and Title  
JAMES H. MATHIAS  
Date  
02/10/2025

HANCOCK CO CLERK OF COURTS  
Agency  
[Signature] 3/18/2025  
Name and Title  
CLERK OF COURTS

Name and Title

Date

The Center for Safe and Healthy Children

Agency

Rhy Jansuanyk, Executive Director

2/19/25  
Date

Name and Title

FOSTONIA POLICE DEPARTMENT

Agency

GABRIEL M. WEDGE, CHIEF OF POLICE

03/20/2025  
Date

Name and Title

Hancock County Sheriff

Agency

Michael A. Carter, Sheriff

4-7-25  
Date

Name and Title

Agency

Name and Title

Date

Agency

Name and Title

Date

Agency

member of this memorandum of understanding wishes to be terminated as a participant, they will notify the agency immediately.

McComb Police Department  
Agency

Jammy Blunk / Chief  
Name and Title

2/24/25  
Date

\_\_\_\_\_  
Agency

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Agency

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Agency

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Date

member of this memorandum of understanding wishes to be terminated as a participant, they will notify the agency immediately.

Humane Society + SPCH of Hancock County  
Agency

Paula Kungl Ex. Dir. 4/28/2025  
Name and Title Date

Agency

Name and Title

Date

Agency

Name and Title

Date

Agency

RYAN M. BURKHOLDER CHIEF OF POLICE MAY 9<sup>TH</sup> 2025  
Name and Title Date

BLUFFTON POLICE DEPARTMENT  
Agency

\_\_\_\_\_  
Name and Title Date

\_\_\_\_\_  
Agency

\_\_\_\_\_  
Name and Title Date

Name and Title

Date

Harrison County Prosecutor

Agency

 Prosecutor

4/14/2025

Name and Title

Date

Sean M. Abbott

Ohio State Highway Patrol

Agency

Refused to sign

5/12/25

Name and Title

Date

Agency

Name and Title

Date

Agency

Name and Title

Date

Agency

Name and Title

Date

Agency