

**Ohio Department of Children and Youth
Brown County Department of Job and Family Services
Brown County Children Services
MEMORANDUM OF UNDERSTANDING
TO ADDRESS CHILD ABUSE AND NEGLECT**

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 rule 5180:3-1-26 of the Ohio Administrative Code. It is an agreement among **Brown County Department of Job and Family Services** and community partners that delineates roles and responsibilities for referring, reporting, investigating, and prosecuting child abuse and neglect cases within **Brown County**. The MOU also identifies procedures for collaborative service provisions needed to ensure child safety, permanence, 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:

- 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 the subject of a report of child abuse or neglect.

Throughout the state each PCSA (Public Children Service Association) provides the following services to their communities:

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/day, 7 days/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 decisions regarding referrals of suspected child abuse, neglect, and/or dependency within 24 hours from the time of the referral; Documenting case decisions; And assigning 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 one (1) hour and non-emergency reports within twenty-four (24) hours; Conducting an initial Safety Assessment using a standardized CAPM (Comprehensive Assessment Planning Model) tool within the timeline prescribed in the Ohio Administrative Code; Completing a more in-depth CAPM Family Assessment including a clinical and actuarial risk assessment within sixty (60) days; Working collaboratively with other investigative agencies when appropriate; Making traditional response case dispositions within required

timeframes; Evaluating the need for protective, prevention, or supportive services and/or court involvement; and documenting all activities and 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 change(s) needed for reunification to occur through the use of the CAPM Family Case Plan; Monitoring the family's case progress, measuring service outcomes, re-assessing 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 (If a combined agency or stand-alone PCSA)

The Brown County Job and Family Services is the lead agency for the investigation of child abuse, neglect, or dependency in the county. **Brown County Job and Family Services** will coordinate and facilitate meetings, establish standards and protocol for joint assessment/investigation with law enforcement, cross-referrals, 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.

B. LAW ENFORCEMENT

The county peace officer, each Chief of the local political subdivisions, and any other law enforcement officers handling child abuse and neglect cases in the county will have responsibility for: taking referrals/reports alleging child abuse and neglect from any source within their respective jurisdiction; Referring reports to **Brown County Job and Family Services** as soon as possible or within **24 hours** for investigation of the circumstances; Determining whether allegations of abuse or neglect rise to the level of criminal conduct; Cooperating with **Brown County Job and Family Services** in a joint and thorough investigation when the information contained in the report lends itself to allege a present danger; Assisting **Brown County Job and Family Services** in hazardous situations where the provision of protective services or the investigation of child abuse or neglect is impeded; Coordinating with the **Brown County Job and Family Services** on interviews with principals of the case when there are serious criminal implications; Notifying **Brown County Job and Family Services** of any legal action involving an alleged perpetrator of child abuse or neglect; Responding to **Brown County Job and Family Services** requests for information regarding the status of the legal action; Providing police record checks for **Brown County Job and Family Services** as necessary or requested as permitted by law; Consulting with the **Brown County Job and Family Services** prior to removal of a child from their home when possible; Handling

and coordinating investigations involving a child fatality or near fatality which may have resulted from abuse or neglect.

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 agreements with the other signatories of the MOU regarding the court's responsibility to timely hear and resolve child abuse, neglect, and dependency matters, signing the MOU, and updating the MOU or approving 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 will 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 dispositions for children; Preserve the family environment whenever possible while keeping the child(ren)'s health and safety paramount.

D. COUNTY PROSECUTOR

The County Prosecutor will report suspected cases of child abuse and neglect to **Brown County Job and Family Services** or appropriate law enforcement agency. The County Prosecutor will represent **Brown 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 will prosecute, on behalf of the state, all complaints, suits, and controversies in which the state is a party, except for those needing 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 the **Brown County Job and Family Services** 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 **Brown County Job and Family Services** in protecting the confidential nature of children services records and investigations; As well as the special protection afforded to the identity of the reporting source.

E. COUNTY DEPARTMENT OF JOB & FAMILY SERVICES

Not Applicable *(if selected, this section is not relevant.)*

If the county's Department of Job and Family Services is a separate agency from the PCSA, employees within the county agency are expected to report suspected cases of child abuse and neglect to the PCSA or appropriate law enforcement agency upon receipt; Collaborate with the PCSA to assist families in caring for their children; Assure that children at risk of abuse and neglect receive protective services; Assure service coordination for families already involved with the PCSA; Promote ongoing communication between the county's Department of Job and Family Services and the PCSA regarding mutual clients, including minors under the protective supervision or in the custody of the Agency and/or minor parents; Assist the PCSA upon request in obtaining case or assistance group information regarding a family when the PCSA is assessing Title IV-E eligibility or completing an assessment/investigation of a child at risk or alleged to be abused; Assist the PCSA in obtaining addresses and attempts to locate parents whose whereabouts are unknown, pursuant to OAC (Ohio Administrative Code) 5180:2-33-28; And where applicable and permitted assist the PCSA in locating suitable relatives or kin that may be available as familial support for the child(ren) 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 child abuse and neglect that may be observed during the commission of their duties to **Brown County Job and Family Services** or local law enforcement.

G. CHILDREN'S ADVOCACY CENTER/MAYERSON CENTER

1. The Mayerson Center for Safe and Healthy Children is a co-located, hospital-based child advocacy striving to evaluate child victims of abuse or neglect in a way that minimizes trauma to the child and maximizes positive outcomes for the child victim and his or her family.
2. The Mayerson Center hosts a weekly team meeting where cases are discussed in order to ensure proper identification and referral of cases to mandated agencies as well as to provide problem solving, support and education to the multidisciplinary team.
3. Emergency Evaluations of child abuse and neglect case be referred to Cincinnati Children's Hospital Emergency Department Referent can notify the Emergency Department social worker by paging 513-736-4410 or by calling the main hospital at 513-636-4200 and asking for the Emergency Department Social Worker.
4. Non-emergency evaluations can be scheduled by calling 513-636-7233, Monday through Friday, 8:30-5:00.

All initial forensic interviews of alleged child victims shall occur at the Mayerson Center, Cincinnati Children's Medical Center, or another accredited CAC (Children's Advocacy Center) as the circumstances require.

Upon request of the Prosecutor's Office, either law enforcement or **Brown County Job and Family Services** will conduct a subsequent interview. This is to occur with the goal of elimination of all necessary interviews of children who are subject of reports of child abuse or neglect. Interviews of children will be conducted in appropriate settings, using age-appropriate interviewing techniques. Interviewers will be trained on conducting interviews of children.

- **Brown County Job and Family Services** worker shall attend the Mayerson or CAC appointment for the ACV (Alleged Child Victim) or shall respond to Cincinnati Children's Medical Center Emergency Department to be present during the assessment.

NOTE: This Mayerson Center interview requirement does not prohibit **Brown County Job and Family Services** investigators from assessing the situation and asking questions to ensure the health and safety of the child prior to the Mayerson, other CAC or Cincinnati Children's Medical Center Emergency Department visit. **Brown County Job and Family Services** investigators shall, however, refrain from conducting a detailed, forensic questioning of the ACV concerning the specifics of the allegation.

- **Brown County Job and Family Services** will notify law enforcement of the date and time of the Mayerson Center/CAC appointment so that law enforcement can also attend. If Brown County Job and Family Services send the ACV to Cincinnati Children's Emergency Department, Brown County Job and Family Services shall immediately notify law enforcement of that fact.

The Mayerson Center/CAC will establish internal protocols regarding the investigation of CAC cases, participate in training as needed, work jointly and cooperatively in their established role with the other team members in the investigation of CAC cases, and attend and exchange information when meeting with Brown County Job and Family Services, law enforcement, and other signatories of this agreement.

- Pursuant to this MOU, all request in such instances shall be deemed to constitute "good cause" for dissemination purposes of O.R.C 5153.17 by the Director of the **Brown County Job and Family Services**.
- Any information disseminated to the requesting individual remains confidential and privileged, and further dissemination by the recipient is prohibited unless otherwise permitted by R.C. 5153.17, 2151.421 and 2151.423.
- **Brown County Job and Family Services** is only required to share information concerning the ACV to the extent required for the treatment and evaluation of the child. **Brown County Job and Family Services** shall share information on the AP (Alleged Perpetrator) only to the extent necessary for the treatment and

evaluation of the ACV. **Brown County Job and Family Services** is not required to share information gathered through its investigation concerning other family members, past referrals, etc.

H. CLERK OF COUNTY COMMON PLEAS COURT (Optional per statute but benefits to inclusion should be considered per county. If the Clerk signs this MOU, the Clerk will execute all relevant responsibilities as required of officials specified in this MOU.)

Not Applicable (*if selected, this section is not relevant.*)

The Clerk of County Common Pleas Court will collaborate with the PCSA, 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; Service of process; How to send and receive communications from the Clerk; Defining acceptable methods of communication; 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 timestamp process and any cut-offs; Determine how and when to expect decisions or entries to be communicated; Provide periodic training for those involved in the investigation of child abuse and neglect and the signatories of this MOU; Be available to the PCSA management staff or the Prosecutor should questions 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 penalty for failure to report

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 **Brown County Job and Family Services** 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.

Brown County Children Services shall notify the county prosecutor when it becomes aware of a reckless failure of a mandated reporter to report alleged child abuse or neglect. The notification shall be submitted in writing to the Brown County Prosecutor by the Director or designee of Brown County Children Services.

B. System for receiving reports

Reports of child abuse or neglect will be made to the **Brown County Job and Family Services** or any law enforcement officer with jurisdiction in the county. If the **Brown County Job and Family Services** contracts with an outside source to receive after-hour calls, a copy of the signed agreement will be attached to this MOU which indicates that all reports with identifying and demographic information of the reporter and principals will be forwarded to a designated children services worker within an hour of receipt, confidentiality requirements will be met, and how the public is informed of after-hours reporting opportunities.

An on-call worker can be contacted through the Brown County Communication Center at 937-378-4155. During the week, an on-call worker will be available Monday through Friday beginning at 4:31 p.m. until 8:00 a.m. the following morning. An on-call worker will be available on weekends from 4:31 p.m on Fridays until 8:00 a.m. Monday morning. If the assigned on-call worker does not answer/unavailable, calls can be directed to the next on-call worker or on-call supervisor. Monthly on call schedules are provided to the Director, Supervisors, and Brown County Communication Center.

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 will 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 the **Brown County Job and Family Services** screens in a report of child abuse, **Brown County Job and Family Services** will notify the appropriate law enforcement agency of the report, unless law enforcement is present and an arrest is made at the time of the report that results in the appropriate law enforcement agency being notified of the child abuse.

When **Brown County Job and Family Services** screens in a report of child neglect, and **Brown County Job and Family Services** implements a legally authorized out-of-home placement due to neglect within the first seven days of the assessment/investigation, the **Brown County Job and Family Services** will notify the appropriate law enforcement agency within the first seven days of the assessment/investigation unless an arrest is made at the time of the report that results in the appropriate law enforcement agency being notified of the child neglect.

C. Responding to mandated reporters

When the **Brown County Job and Family Services** receive a referral from a mandated reporter who provides their name and contact information, **Brown County Job and Family Services** will forward an initial mandated reporter notification to the referent within seven days. The notification will be provided, in accordance with the mandated reporter's preference. Information shared with the mandated reporter will include the information permitted by ORC 2151.421(K):

- Whether the agency or center has initiated an investigation of the report;
- Whether the agency or center is continuing to investigate the report;
- Whether the agency or center 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 **Brown County Job and Family Services** close an investigation/assessment reported by a mandated reporter, the **Brown County Job and Family Services** will forward a mandated reporter referral outcome notification to the referent. The notification will be provided in accordance with the mandated reporter's preference. Information shared with the mandated reporter will be that 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 **Brown County Job and Family Services** determines that a report is emergent, **Brown County Job and Family Services** will attempt a face-to-face contact with the child subject of the report/ alleged child victim within one hour of the receipt of the report.

If the **Brown County Job and Family Services** identify an active safety threat at any point during the assessment/investigation, the caseworker or supervisor will implement a safety response.

Brown County Job and Family Services will notify law enforcement should there be an emergency where **Brown County Job and Family Services** need assistance of law enforcement to execute a Rule 6 [Ohio Rules of Juvenile Procedure]. Law Enforcement will assist the **Brown County Job and Family Services** in taking custody of any child who is in an emergency that creates substantial risk of harm to the child.

In planned events, such as serving an arrest warrant or a search and law enforcement needs assistance due to child/ren being present, law enforcement will notify **Brown County Job and Family Services** to be on standby. Then if needed the agency can respond.

2. **Law Enforcement and Mayerson Center for Safe and Healthy Children Response Procedure**

PCSA uses Mayerson Center for Safe and Healthy Children to conduct child abuse and neglect interviews, assessments, service referrals etc. to child/ren who are victims of suspected child abuse and neglect.

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

Children that are in the custody of **Brown County Job and Family Services** shall be transported to the nearest medical facility in the event of a medical emergency and **Brown County Job and Family Services** will be notified immediately.

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 **Brown County Job and Family Services** and the corresponding 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 the **Brown County Job and Family Services** and the law enforcement agency of the jurisdiction.

Every effort will be made by the signatories of this MOU to prevent or reduce duplicate interviews of the victims or witnesses. When feasible, to reduce trauma complete only one interview with the alleged child victim/ child subject of the report. The **Brown County Job and Family Services** agree 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 participants will determine who is to be present in the room, who will be asking the questions, what areas are to be covered, and who will be the scribe for the interview. Audio and video recordings may be used when necessary.

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

The **Brown County Job and Family Services** agree not to proceed without the advice and consent of the prosecutor's office when a criminal investigation is being conducted concurrently. The **Brown County 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.

This document constitutes an agreement entered into by the Brown County Law Enforcement and Brown County Job and Family Services in order to provide specialized law enforcement services necessary for the investigation of crimes that juveniles are the reported victims.

The **Brown County Job and Family Services** will follow up with law enforcement to ensure timely assistance and to complete mandated assessment/investigation activities within the sixty-day timeframe.

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

- Casework and supervisory staff of the **Brown 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
- Cincinnati Children's Medical Center, Mayerson Center for Safe and Healthy Children or any other similarity situated medical professional.

G. Standards and procedures for Brown County Job and Family Services requests for law enforcement assistance

Brown County Job and Family Services will contact the appropriate law enforcement jurisdiction via Brown County Communication Center for emergency situations and/or after hour emergencies.

The **Brown County Job and Family Services** may request the assistance of law enforcement during an assessment/investigation if one or more of the following situations exist:

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

H. **Specialized Investigations or Circumstances**

To the extent possible, investigative interviews of children who are the alleged child victims/child subjects 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 **Brown County Job and Family Services** and the law enforcement agency of jurisdiction.

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

The **Brown County Job and Family Services** 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 out-of-home care as defined in section 2151.011 of the Revised Code.
- Has access to the alleged child victim by virtue of their 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 placement in an out-of-home care setting.

The **Brown County Job and Family Services** follow the procedures for conducting out-of-home care investigations as described in section 5180:2-36-04 of the OAC.

PCSA is to refer and work cooperatively with the Brown County Sheriff Department and/or the local law enforcement agency or another public children services agency in "third party" and out-of-home investigations regarding alleged abuse or neglect of children.

Should Law Enforcement decline to assists, information will be reviewed with Brown County Prosector.

2. Third-Party Investigations

In accordance with section 5180:2-36-08 of the OAC, the **Brown County Job and Family Services** is to request a third-party in the assessment/investigation for reports of child abuse or neglect 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 Children and Youth (DCY) or another state agency and supervised by the **Brown County Job and Family Services**.
- A foster caregiver, pre-finalized adoptive parent, adoptive parent, relative, or kinship caregiver who is recommended, approved, or supervised by **Brown County Job and Family Services**.
- A type B family childcare home or type A family childcare home licensed by DCY when the CDJFS has assumed the powers and duties of the county children services function defined in Chapter 5153. of the Revised Code.
- Any employee or agent of DCY or **Brown County Job and Family Services** as defined in Chapter 5153. of the Revised Code.
- Any authorized person representing DCY or **Brown County Job and Family Services** who provides services for payment or as a volunteer.
- A foster caregiver or an employee of an organization or facility licensed or certified by DCY and the alleged child victim is in the custody of, or receiving services from, **Brown County Job and Family Services** that accepted the report.

- Any time a PCSA determines that a conflict of interest exists. The **Brown County Job and Family Services** is to document in the case record if a conflict of interest is identified.

The **Brown County Job and Family Services** is to request that law enforcement serve as the third party when a report alleges a criminal offense. The **Brown County Job and Family Services** is to request the assistance of a third party within 24 hours of identifying that a conflict of interest exists.

Reports of child abuse and neglect which require a third-party investigation will be received, screened and investigated B, D, and E of the MOU.

3. **Child Fatality- Suspected cause of death is abuse or neglect**

The **Brown County Job and Family Services** is governed by ORC section 307.622 and needs to have a child fatality review board.

The **Director of Brown County Job and Family Services** is a mandated member of the **Brown County Child Fatality Review Board**. The **Brown County Child Fatality Review Board** meets once a year, typically in March of each year to review the previous year's child deaths. The **Child Fatality Review Board** meeting is conducted by the **Brown County Health Department**.

4. **Child Fatality- Death of a child in the custody of the Brown County Department of Job and Family Services**

The **Brown County Job and Family Services** follow rules 5180:2-33-14 and 5180:2-42-89 of the OAC following the death of a child in its custody.

In addition to following OAC 5101:2-42-89, **Brown County Job and Family Services** will notify the **Brown County Commissioners** and the **Brown County Prosecutor** that the child in the custody of the agency has died. **PCSA** will cooperate with local law enforcement, the county prosecutor and **ODJFS** in conducting an investigation.

5. **Allegations of withholding medically indicated treatment from disabled infants with life-threatening conditions**

Brown County Job and Family Services follow the procedures described 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.

In 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 on 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 5180:2-36-07(A)(3)(a-d).

- The nearest hospital or Emergency Room will be utilized by the **Brown County Department of Job and Family Services** in which treatment is medically indicated. If necessary, the hospital treating the child will transfer the child to a hospital that specializes in the specific treatment of that child.
- **Brown County Job and Family Services** will identify and maintain current information regarding the name, date, title, and telephone number of facilities contact person for allegation involving alleged withholding of medically indicated treatment from disabled infants with life-threatening conditions.
- Reports of withholding of medically indicated treatment will be received, screened and investigated in accordance with section B, D, and E of this MOU.

6. Allegations of child abuse and/or neglect constituting a crime against a child, including human trafficking, and needing a joint assessment/investigation with law enforcement

Reports of child abuse and neglect, including human trafficking will be received, screened and investigated in accordance with section B, D, E of this MOU. Brown County Job and Family Services will ensure child safety and not compromise children protective assessment and/or investigation while concurrently assisting law enforcement with the criminal investigation.

7. **Reports of cases involving individuals who aid, abet, induce, cause, encourage, or contribute to a child or a ward of the juvenile court becoming dependent, neglected, unruly, and/or delinquent child.**

Reports of child abuse, neglect and dependency will be received, screened and investigated by Brown County Job and Family Services. Brown County Job and Family Services will assist law enforcement in cases which the child is unruly or delinquent, but will not open an investigation unless there is specific evidence that abuse or neglect is contributing to the unruliness or delinquency of the child in accordance with screening guidelines prescribed by the Ohio Department of Job and Family Service.

8. **Reports involving individuals who aid, abet, induce, cause, encourage, or contribute to a child or a ward of the juvenile court leaving the custody of any person, department, or public or private institution without the legal consent of that person, department, or institution**

Reports of this nature will be screened in or out by Brown County Job and Family Services after consultation with the county prosecuting attorney.

9. **Receiving and responding to reports of missing children involved with the Brown County Job and Family Services**

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, the following actions will take place:

- When an MOU signatory agency is made aware that a child is missing, they will coordinate with the custodian to report their concerns to the law enforcement agency in the appropriate jurisdiction.
- The law enforcement agency will enter known information into the National Crime Information Center (NCIC) database if the child is in Brown County Job and Family Services custody.
- The law enforcement agency will take prompt action upon the report, including, but not limited to, concerted efforts to locate the missing child.
- The law enforcement agency will promptly enter any additional, relevant information into NCIC.
- The law enforcement agency will promptly notify the missing child's parents, parent who is the residential parent and legal custodian, guardian, or legal custodian, or any other person responsible for the care of the missing child, that the child's information was entered into NCIC.

- The **Brown County Job and Family Services** will contact the National Center for Missing and Exploited Children (NCMEC) if the child is in **Brown County Job and Family Service's** custody.

Upon request of law enforcement, the Brown County Job and Family Services is to provide assistance and cooperation in the investigation of a missing child, including the immediate provision of any information possessed by the Brown County Job and Family Services that may be relevant in the investigation.

All MOU signatory agencies are to notify the Brown County Job and Family Services upon learning that a minor child who is alleged to be in the children 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, and 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 home is necessary when the child is at imminent risk of harm and in need of protection from abuse, neglect, or dependency.

An ex parte order may be issued with or without a complaint being filed. Prior to taking the child into custody the judicial fact finder is to make a determination that reasonable efforts were made to notify the child's parents, guardian, or custodian, or there were reasonable grounds to believe doing so would jeopardize the safety of the child, or lead to the removal of the child from the jurisdiction.

Juv. R 6 orders can be issued in-person, by phone, video conference, or otherwise. Reasonable grounds need to exist to believe the child's removal is necessary to prevent immediate or threatened physical or emotional harm.

Findings need to be made that the agency either did or did not make reasonable efforts to prevent the removal of the child from their home with a brief description of services provided and why those did not prevent the removal or allow the child to return home, and if temporary custody is granted to the PCSA an additional finding that it would be contrary to the welfare and best interest of the child to continue in the home. If granted, a shelter care hearing is to be scheduled the next business day (but not later than seventy-two hours) after the emergency order has been issued. If the ex parte motion is denied, the matter is to be set for a shelter care hearing within ten days from the filing date.

2. Non-emergency

Upon receiving a report alleging child abuse, neglect, and/or dependency, **Brown County Job and Family Services** commences an investigation in accordance with the requirements of section 2151.421 of the ORC. If the final case decision rises to the level of court involvement, **Brown County Job and Family Services** is to approach the juvenile court and file a complaint alleging the child(ren) to be abused, neglected, or dependent per ORC 2151.27. The matter will be set for a shelter care/preliminary protective hearing expeditiously by the juvenile court.

Reasonable oral or written notice of the time, place, and purpose of the hearing are to be provided to the parents, guardian, or custodian unless they cannot be found. The same parties are also entitled to notification that a case plan may be prepared, the general requirements, and possible consequences of non-compliance with the case plan.

The parties will be served with the complaint and summons to appear before the juvenile court. Unrepresented parties are advised by the juvenile court of their right to counsel. Counsel is appointed for children when abuse is alleged. A guardian ad litem is appointed to all children 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 is to determine whether there is probable cause that the child is abused, neglected, or dependent, the child is in need of protection, whether or not there is an appropriate relative or kin willing to assume temporary custody of the child, reasonable efforts were made by **Brown County Job and Family Services** to prevent the removal or continued removal or to make it possible for the child to return home safely, and for temporary custody orders to Brown County Job and Family Services that it would be contrary to the welfare and best interest of the child to continue in the home. All other temporary orders should be requested and considered at this time.

J. [Optional Section(s)]

Not Applicable *(if selected this section is not relevant.)*

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 trainings events will be coordinated by **Brown County Job and Family Services** as the lead agency and notification of the trainings will be provided to the signatories of this agreement. By agreeing to participate in the county MOU process signatories express a commitment to attend training opportunities when presented.

V. CONFLICT RESOLUTION

Not Applicable *(if selected this section is not relevant.)*

When a conflict occurs among any county partners, the effect is often broader than the individuals directly involved in the dispute. As disputes are often inevitable, this MOU is to 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 investigations lie with **Brown County Job and Family Services**. Every effort will be made to take into account other signatories' requests and concerns relating to services.

Criminal investigations and prosecution remain the responsibility of the prosecuting attorney and appropriate law enforcement agencies. **Brown County Job and Family Services** 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 Juvenile Judge's rulings are final.

Each agency will make a concerted effort to help the other with joint interviews, investigations, evidence collection, information sharing, and fact-finding. Each agency will not hinder or interfere with the express duties of another and will do their best to cooperate and collaborate with the other county partners.

In the event internal conflict resolution efforts fail and a statutorily required participant refuses to sign or engage in the MOU process, **Brown County Job and Family Services** is to consult with the County Prosecutor to explore available remedies.

VI. 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 **Brown County Job and Family Services** 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, **Mayerson Center for Safe and Healthy Children**, and other

entities are expected to release information to **Brown County Job and Family Services** for the purpose of carrying out its responsibility of protecting children from abuse and/or neglect.

The confidentiality provisions 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 section 5180:2-33-21 and in accordance with the procedures outlined in OAC section 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 Brown 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 the Brown County Job and Family Services will then refer this information to the prosecutor at their discretion.

VII. TERMS AND CONDITIONS AND STATUTORY REQUIREMENTS

This MOU is to be retained for a period of at least seven years per the state of Ohio records retention schedule. Please refer to **Brown County Job and Family Services** records retention policy for information on forms to be completed and processes to be followed for the destruction of records.

Consultation among the signatories may be done in person, whenever practicable. When an in-person meeting is not practicable the signer may employ the use of alternative methods of communication including but not limited to MS Teams, Skype, Zoom, or telephone as agreed upon by all members. When **Brown County Job and Family Services** is seeking consultation with a signer of this MOU regarding an active referral of child abuse and/or neglect and has met in person or spoken with another signer, the **Brown County Job and Family Services** 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 are to review and evaluate the terms and conditions of the MOU every biennium. All required members to the MOU will sign the new or updated agreement. The **Brown County Job and Family Services** 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 thirty-first of the 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's

discovery obligations is authorized. However, work product and other privileges are expected to be upheld.

Failure to follow the procedure set forth in the MOU by the concerned officials is not grounds for, and will 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 reported child abuse or child neglect and does not give, and will not be construed as giving, any rights or any grounds for appeal or post-conviction relief to any person pursuant to section 2151.4223 of the Revised Code.

This MOU will be governed by and construed in accordance with applicable state and federal laws and regulations. Any identified or listed citations to Ohio Administrative Code revised during the implementation of this MOU are to defer to the current finalized codification. In the event any other portion of this MOU is inconsistent with state or federal law, that portion will be without effect as if stricken from the document and the remaining portion will remain in full force and effect.

VIII. SIGNATURES OF EACH PARTICIPATING AGENCY

The signature section authorizes the participating parties of the agreement to begin enactment 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 changes mid-term, the **Brown County Job and Family Services** is to provide the new required member with the current MOU. The new member remains bound by the most recently approved version of the MOU. Their signature is to be obtained.

If the PCSA participated in the execution of a memorandum under section 2151.426 of the Revised Code establishing a CAC, each participating member of the CAC is a required signatory on this MOU.

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 in this MOU. **All parties to this MOU agree to give 30 days written notice.**

MOU participants will review agreement every 2 years.

Further, a written statement to the Director of Brown County Department of Job and Family services shall be provided explaining the reason for terminating said MOU that would justify good cause.

Signers of this MOU agree to meet at least every biennium to review the MOU and make any adjustments. If it is necessary to meet sooner, any signer of this MOU, may ask for a meeting by placing their request in writing and sending it to the Director of the Brown County Job and Family Services. The Director of the Brown County Job and Family Services will schedule a meeting within thirty days of receiving this request. A meeting will be held and any adjustments to the MOU will be discussed. Any changes to the MOU must be agreed to by all the parties. If an agreement cannot be reached, then the Director of the Brown County Job and Family Services will have the final say as it relates to child abuse and neglect activities and the county prosecutor will have the final say as it relates to law enforcement or the handling of criminal activity as it relates to child abuse and neglect.

The MOU may be signed in person or electronically.

Sheri Tabor

Sheri Tabor (Jan 27, 2026 14:48:19 EST)

Sheri Tabor – Director
Brown County Department of Job and Family Services/PCSA

01/27/2026

Date

Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

Zachary A. Corbin

Zachary A. Corbin (Jan 27, 2026 15:03:31 EST)

Zachary A. Corbin – Prosecuting Attorney
Brown County Prosecutor's Office

01/27/2026

Date

Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

Val E. Lewis, II
Val E. Lewis, II – Juvenile Court Judge
Brown County Juvenile Court

2/13/26
Date

Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

Chris Hodges

Chris Hodges (Feb 2, 2026 09:26:57 EST)

Christopher Hodges – Sheriff
Brown County Sheriff's Office

02/02/2026

Date

Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

L. Clark Gray
Clark Gray – Clerk of Courts
Brown County Clerk of Courts

02/11/2026
Date

Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

Robert Allan Shapiro

Robert Allan Shapiro (Jan 28, 2026 17:39:08 EST)

Robert Sharipo, MD – Director
Mayerson Center for Safe and Healthy Children

01/28/2026

Date

Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

JH

Jason Hahn (Jan 27, 2026 15:05:15 EST)

Jason Hahn – Chief
Mt. Orab Police Department

01/27/2026

Date

Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

SE

Shawn E Elliott (Jan 27, 2026 14:38:23 EST)

Shawn Elliott – Chief
Higginsport Police Department

Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

01/27/2026
Date

BERRY

Brian Perry (Feb 10, 2026 17:06:42 EST)

Brian Perry – Chief
Sardinia Police Department

Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

02/10/2026
Date

BERRY

Brian Perry (Feb 10, 2026 17:06:42 EST)

Brian Perry – Chief
Russellville Police Department

Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

02/10/2026
Date

David Benjamin

David Benjamin (Feb 4, 2026 12:47:41 EST)

David Benjamin – Chief
Ripley Police Department

Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

02/04/2026
Date

James Lee – Chief
Fayetteville Police Department

Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

Date

Chief Guy Sutton

Chief Guy Sutton (Jan 30, 2026 16:07:05 EST)

Guy Sutton – Chief
Hamersville Police Department

Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

01/30/2026
Date

Shaun Inlow

Shaun Inlow (Jan 28, 2026 16:37:30 EST)

Shaun Inlow – Chief
Georgetown Police Department

Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

01/28/2026
Date

Christopher Hunter

Christopher Hunter (Feb 2, 2026 11:03:18 EST)

Christopher Hunter – Chief
Aberdeen Police Department

Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

02/02/2026
Date

Marcus Callahan

Marcus Callahan – Chief
Lake Waynoka Police Department

Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

02/27/2026
Date

Mel Downs

Mel Downs – Chief Warden *Ashley York*
Brown County Humane Society/Dog Warden

Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

2/24/26
Date

IX. Refusal to Sign Not Applicable *(if selected, this section is not relevant.)*

The PCSA attests they attempted to obtain the signature of all required participating agencies as set forth in Section II of this MOU and as mandated through section 2151.4210 of the Revised Code. However, the following agency(ies) or individual(s) refused to sign this MOU.

Date:

Agency, Name, Title:

Reason the individual refused to sign:

Date:

Agency, Name, Title:

Reason the individual refused to sign:

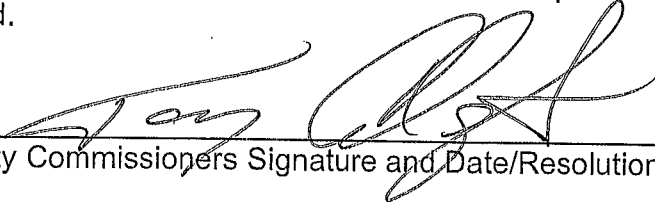
Date:

Agency, Name, Title:

Reason the individual refused to sign:

X. Board of County Commissioners

The PCSA is to submit the MOU signed by all participating agencies to the Board of County Commissioners. The participating agencies will ensure there is adequate time for both the County Board of Commissioners and DCY review and approval process along with any returns for correction prior to the end of the contractual period.



County Commissioners Signature and Date/Resolution/Vote

The Board of Brown County Commissioners hereby review and approve the Brown County Children Services Memorandum of Understanding.

ATTACHMENTS

NONE