

RESOLUTION NO. 23-0694

**- RE: RESOLUTION TO ESTABLISH THE
PORTAGE COUNTY CHILD ABUSE AND
NEGLECT MEMORANDUM OF
UNDERSTANDING TO SET NORMAL
OPERATING PROCEDURES FOR ALL
CONCERNED OFFICIALS IN PORTAGE
COUNTY IN RESPECT OF THEIR
RESPONSIBILITIES UNDER REVISED CODE**

It was moved by Sabrina Christian-Bennett, seconded by Mike Tinlin that the following resolution be adopted:

- WHEREAS,** it is necessary to set forth the roles, responsibilities, standards and procedures for handling emergency and non-emergency cases of child abuse and neglect and methods for interviewing the child who is the subject of the report and allegedly was abused or neglected.
- WHEREAS,** this Child Abuse and Neglect Memorandum of Understanding (hereinafter referred to as "Memorandum") is required by Section 2151.421 of the Ohio Revised Code
- RESOLVED,** that the Board of Portage County Commissioners does hereby authorize the Portage County Job and Family Services to outreach and secure signatures from the listed officials within the Memorandum; now therefore be it
- RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

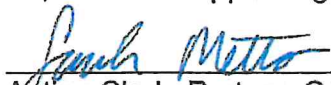
Roll call vote as follows:

Anthony J. Badalamenti, Yea;

Sabrina Christian-Bennett, Yea;

Mike Tinlin, Yea;

I, Clerk of the Board of County Commissioners do hereby certify that the foregoing is a true and correct copy of a resolution of the Portage County Board of Commissioners duly adopted November 21, 2023 and appearing upon the official records of said Board, Volume 100.



Acting Clerk, Portage County Board of Commissioners



Board of Commissioners

Anthony J. Badalamenti
Sabrina Christian-Bennett
Mike Tinlin

Job and Family Services
Kellijo Jeffries Ph.D., MSW, LSW, Director

November 21, 2023

Dear Community Partner,

In Portage County and across the State of Ohio, the handling of alleged child abuse and neglect is a process that involves children, families, Job and Family Services, Children Services Boards, law enforcement, prosecutors, the court, schools, health care professionals, social service agencies, and many other valuable community partners. In this complex arena involving various disciplines and their individual areas of focus, when it comes to alleged child abuse and neglect, understanding and complying with guidelines and working together for the best interest of the children is essential.

Ohio Revised Code 2151.421 requires that each public Children Services agency prepare a Child Abuse and Neglect Memorandum of Understanding (MOU) to set forth the normal operating procedures for all concerned officials within their respective county and in the execution of their responsibilities under the following sections of the Code: 2151.421, 2919.21(C), 2919.22(B) (1), Section 2919.23(B), and 2919.24. Attached you will find Portage County's updated MOU that reflects a current list of concerned officials in Portage County.

In addition to statutory or codified responsibilities within the code, this MOU sets forth goals of eliminating all unnecessary interviews of children who are the subject of reports made pursuant to ORC 2151.421 (A) or (B), when feasible, conducting only one interview of children who are the subject of a report made pursuant to ORC 2151.421 (A) or (B), and submitting timely cross referrals of reports containing allegations or indications of criminal conduct, in-home abuse and neglect, out-of-home child abuse and neglect, missing children and emergency reports of alleged abuse or neglect. Additional goals include supporting the concept of a single county-wide criminal investigation of allegations of child sex abuse and striving to reach the most expedient response possible to reports involving alleged child abuse or neglect or to the imminent threat of danger to officials investigating or assessing incidents of alleged child abuse or neglect.

The Portage County Board of Commissioners approved the attached MOU via resolution on November 21, 2023. I respectfully ask for your review and support of this MOU as well. Your support would be signified by signing above your name before December 20, 2023. Once all signatures have been gathered, the final MOU will be sent to all signatories within the MOU and will be forwarded on to the Ohio Department of Job and Family Services. Thank you for your service and commitment to ensuring best interest of children are being met.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kellijo Jeffries", written over a horizontal line.

Kellijo Jeffries PhD, MSW, LSW
Portage County Job and Family Services Director

PORTAGE COUNTY

CHILD ABUSE AND

NEGLECT

MEMORANDUM OF

UNDERSTANDING

NOVEMBER 2023

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PORTAGE COUNTY CHILD ABUSE AND NEGLECT MEMORANDUM OF UNDERSTANDING

Mission Statement:

To set forth the roles and responsibilities for handling emergency and non emergency cases of child abuse and neglect, to establish standards and procedures used in handling and coordinating investigations of reported cases of child abuse and neglect, and establish methods, standards and procedures for interviewing the child who is the subject of the report and allegedly was abused or neglected

I. Introduction

A. Purpose

In Portage County and across the State of Ohio, the handling of alleged child abuse and neglect is a process that involves children, families, Job and Family Services, law enforcement, prosecutors, the court, schools, health care professionals, social service agencies, and many others. In this complex arena involving various disciplines and their individual areas of focus, the primary focus is doing what is best for the child. The primary purpose of reporting suspected child abuse or neglect is to protect the child who is the subject of the report and who was allegedly abused or neglected and to engage the family in services to correct the conditions that resulted in neglect or abuse of the child.

B. Legal Requirements

1. Authority

This Child Abuse and Neglect Memorandum of Understanding (hereinafter referred to as "Memorandum") is required by Section 2151.421 of the Ohio Revised Code (ORC). The Memorandum sets forth the normal operating procedures for all concerned officials of Portage County in the execution of their respective responsibilities under the following sections of the Ohio Revised Code:

- ☐ 2151.421 "Persons required to report injury or neglect; procedures on receipt of report";
- ☐ 2919.21(C) "Nonsupport or contributing to nonsupport of dependents";
- ☐ 2919.22(B) (1) "Endangering children";
- ☐ 2919.23(B) "Interference with custody";
- ☐ 2919.24 "Contributing to unruliness or delinquency of a child."

In addition to their statutory or codified responsibilities, each official agrees to support the following goals of this Memorandum:

- a. The elimination of all unnecessary interviews of children who are the subject of reports made pursuant to ORC 2151.421 (A) or (B).
- b. When feasible, conducting only one interview of children who are the subject of a report made pursuant to ORC 2151.421 (A) or (B).
- c. The timely cross referrals of reports containing allegations or indications of criminal conduct, in-home abuse and neglect, out-of-home child abuse and neglect, missing children and emergency reports of alleged abuse or neglect.
- d. The concept of a single county-wide criminal investigation of allegations of child sex abuse.
- e. The most expedient response possible to reports involving alleged child abuse or neglect or to the imminent threat of danger to officials investigating or assessing incidents of alleged child abuse or neglect.

2. Mandatory Subscribers

The following officials are required to sign the Memorandum: Judge for the Portage County Common Pleas Court, Juvenile Division; Portage County Sheriff; all chief municipal peace officers within Portage County; Portage County Prosecuting Attorney; Portage County Job & Family Services (PCJFS); Portage County Children's Advocacy Center, and the Children Services Division of the county and each participating member of the Memorandum establishing the Children's Advocacy Center; the County Humane Society.

3. Failure to Follow the Memorandum

The failure to conduct an investigation in accordance with this County Memorandum regarding allegations of child abuse and neglect is not grounds for, and shall not result in, the dismissal of any charges or complaint arising from the report or the suppression of any evidence obtained as a result of the report 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.

4. Implementation and Review of the Memorandum

A. Public Notice Upon Approval

Copies of the approved Memorandum will be sent to all cooperating agencies requesting signatures. A copy of Portage County Child Abuse and Neglect

Memorandum of Understanding will be placed on file in the Juvenile Court and Portage County Job and Family Services.

B. New Subscribers

If a mandated subscriber is replaced through election or appointment, the Executive Director of Portage County Job and Family Services or his/her designee, shall provide the new representative with a copy of the current County Memorandum. The PCJFS Director or designee will seek the signed endorsement of any new representative and of all mandated participants. Should any mandated participant refuse to endorse the memorandum, a letter of explanation shall be attached to and filed with the Memorandum.

C. Amendments

Any amendment to the Memorandum which changes the operating responsibilities or procedures of mandated subscribers shall require the convening of all managed participants for clarification and approval. If at any time, the mandated subscribers amend the Memorandum, PCJFS shall submit an updated copy to the appropriate Ohio Department of Job and Family Services (ODJFS) field office within ninety (90) days of the amendment. If the Memorandum is amended because of revisions to the Ohio Administrative Code (OAC) 5101:2-33-26, then PCJFS shall submit an updated copy to ODJFS within ninety (90) days of the effective date of the revised rule. The next review of this memorandum will be scheduled and completed by June 30, 2017.

II. Roles and Responsibilities of Mandated/Voluntary Subscribers

A. Portage County Prosecutor Role and Responsibilities

1. If a report of suspected child abuse and neglect occurring in this County is received, the Portage County Prosecutor's Office will forward it immediately, either in person or by phone to PCJFS on its Child and Adult Reporting Emergency Service (CARES) line {330-296-CARE(2273)}.
2. Review recommendations made by PCJFS deemed to be necessary to protect such children as are brought to its attention under this section of the Memorandum.
3. Review reports by law enforcement agencies alleging criminal activity and determine whether to prosecute criminal cases resulting from child abuse or neglect.

4. Provide legal advice to PCJFS and/or the law enforcement agency with jurisdiction regarding child abuse/neglect cases pertaining to this section.
5. Prepare and file pleadings including motions, actions and/or complaints necessary to protect children and prosecute criminal defendants.
6. Provide assistance to PCJFS when requested in the event the agency is refused access to an alleged child victim or any records needed for an assessment or investigation of child abuse and neglect.
7. Represent PCJFS in all cases brought before the Juvenile Court, Probate Court, and/or the criminal courts where the agency has initiated a child abuse, child neglect, child dependency, or child without proper parental care complaints or law enforcement has filed criminal complaints.
8. Investigate and, when appropriate, prosecute a mandated reporter for failure to report child abuse or neglect, and any person for unlawful dissemination of confidential material.

B. Law Enforcement Role and Responsibilities

1. To receive, accept and investigate complaints of child abuse or neglect in cooperation with PCJFS 24 hours per day 7 days per week.
2. To refer all reports of known or suspected child abuse and neglect to PCJFS upon receipt.
3. To determine, based upon the allegations of abuse and/or neglect present, whether there is criminal culpability which should be prosecuted.
4. To consult with the city director of law or prosecutor's office upon making such a determination to initiate criminal prosecution.
5. To notify PCJFS of any legal action and its ongoing status.
6. In cases becoming known to PCJFS or law enforcement where abuse/neglect is alleged to have been committed by a non-related perpetrator, to be solely responsible for interviewing such perpetrators, filing criminal charges when appropriate, and referring/collaborating with PCJFS staff regarding any rehabilitative service needs of the child(ren) or family.
7. To inform PCJFS of law enforcement's investigative dispositions so that PCJFS can comply with Statewide Automated Child Welfare Information System (SACWIS) reporting requirements in cases active with PCJFS.
8. To provide PCJFS immediate verbal notification and follow up with a written notification, when feasible, within 10 calendar days of the law enforcement agency's intent to be the sole interviewer of perpetrators of alleged abuse or neglect.

9. To arrange periodic meetings for PCJFS to meet with the staff of law enforcement agencies to give information about the functions and services of PCJFS and how officers can utilize PCJFS services.
10. To provide local police record checks for Portage County Children Services Division staff of individuals who are under investigation of alleged child abuse or neglect, or of individuals who
 - a. Pose a threat of physical harm to a Portage County Children Services Division employee or a member of the persons' household;
 - b. Are suspected of having a previous criminal history;
 - c. Have refused to give information or have given false information about their name or previous residency;
 - d. Are known by several names or aliases;
 - e. Are alleged to have a history of drug or alcohol abuse, illegal selling of drugs, domestic violence, violent behavior, mental illness, or physical or sexual abuse;
 - f. Are suspected of not being the child's legal guardian or parents.
11. To consult with PCJFS, when feasible, prior to taking any action towards removal of a referred child from the home as provided for in ORC 2151.421 (E), except in emergency cases to protect the child.
12. To handle and coordinate investigations involving the death of a child which may have resulted from abuse or neglect.
13. To accompany and assist PCJFS Social Services workers in hazardous situations where the provision of protective services or the investigation of child abuse or neglect is or may be impeded.
14. To receive and respond to reports or cases involving individuals who aid, abet, induce, encourage, contribute to, or act in a way tending to cause a child or ward of the Juvenile Court to become delinquent, unruly, neglected, dependent, or to leave the custody of any person, department, or public or private institution without legal consent of that person.
15. To assist PCJFS in investigating allegations of child abuse and neglect in an out-of-home care setting; and to investigate alleged child abuse and neglect reports requiring "third-party" investigations.
16. Receive and keep on file all reports of investigations completed by PCJFS in accordance with the cross referral system provided for in this Memorandum.
17. Provide PCJFS with additional information regarding an open child abuse and neglect cases when the information becomes available.
18. Submit proper documentation to PCJFS and appear in court to provide testimony as is necessary for child abuse, neglect, and dependency cases.
19. Provide assistance to PCJFS in an assessment or investigation, as the agency requests.

20. To consult with PCJFS prior to conducting interviews and/or videotaping interviews of children involved in reports of alleged child abuse and/or neglect.

21. When it is necessary for an alleged child victim to be interviewed by both law enforcement and PCJFS, law enforcement will coordinate with the PCJFS Social Services Worker for a joint interview with the goal of elimination of all unnecessary interviews of children, and when feasible, providing for only one interview of children who are the subjects 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.

C. Portage County Job and Family Services Role and Responsibilities

1. To report suspected cases of child abuse and neglect to the Child Protective Services Division and appropriate law enforcement when applicable.
2. Assist families in caring for the children at risk of abuse and neglect that receive protective services and to assure service coordination for families already involved with the Child Protective Services Division.
3. To promote ongoing communication between the divisions of the agency regarding mutual clients including minor parents.
4. To assist the Child Protective Services Division upon request in obtaining case or assistance group information regarding a family when the Child Protective Services Division is assessing Title IV-E eligibility or completing an assessment/investigation of a child at risk or alleged to be abused.

D. Child Protective Services Division of Portage County Job and Family Services

1. To receive and respond to reports of child abuse or neglect 24 hours per day, 7 days per week.
2. To conduct investigations in accordance with the Ohio Revised Code and the Ohio Administrative Code.
3. To initiate proceedings, whenever appropriate, to bring a child to the attention of the Portage County Court of Common Pleas Juvenile Division and arrange for any needed social or rehabilitative services for the child and his/her family.
4. To meet with law enforcement staff to provide information regarding PCJFS services and how law enforcement can access PCJFS assistance.
5. To report criminal behavior or activity to the county prosecutor as necessary to protect children.

6. To provide community education and training regarding child abuse and neglect.
7. To take possession of a deserted child who is 72 hours old or younger.
8. To refer reporters of missing children to law enforcement; and share with law enforcement available information which is relevant to their investigation of a missing child report.
9. To share investigative findings and observations with appropriate law enforcement agencies as requested;
10. To refer and work cooperatively with the Portage County Sheriff Department and/or the local law enforcement agency or another public children service agency in "third party" investigations regarding alleged abuse and neglect of children when the allegation involved:
 - a) Any institution, facility or family foster home which is licensed, approved, or certified by ODJFS and operated or supervised by PCJFS;
 - b) Any ODJFS or PCJFS staff;
 - c) Any authorized person representing ODJFS or PCJFS and who is providing services for payment or as a volunteer;
 - 1) Foster caregiver, pre-finalized adoptive parent, adoptive parent, relative, or kinship caregiver who was recommend, approved or supervised by Portage County Division of Children Services;
 - 2) Type B family daycare home;
 - 3) Anytime it is determined that a conflict of interest may exist.
11. To coordinate investigation and assessment activities with the appropriate law enforcement agency, any other children services agency, and mandated participants in the Memorandum with the goal of elimination of all unnecessary interviews of children, and when feasible, providing for only one interview of children who are the subjects of reports of child abuse or neglect. When it is necessary for an alleged child victim to be interviewed by both law enforcement and PCJFS, the PCJFS Social Services Worker will coordinate with law enforcement for a joint interview in order to achieve the goal of elimination of all unnecessary interviews of children. Interviews of children will be conducted in appropriate settings, using age appropriate interviewing techniques. Interviewers will be trained on conducting interviews of children.

E. Voluntary Subscribers Role and Responsibilities

1. To make their staff aware of the duty to report suspected child abuse and neglect to PCJFS or municipal or county law enforcement.
2. To make known to parents expressing fear that they are losing control and may hurt their children, that they can call PCJFS for information and referral services, using the CARES line (330-296-2273) or our reception line (330-297-3690).

3. To periodically arrange for PCJFS and/or the local law enforcement agency to meet with the staff of the voluntary subscribers to give information about the function, facilities, and services of their respective agencies.

F. Children's Advocacy Center of Portage County Role and Responsibilities

1. To reduce the trauma to victims of child abuse/sexual abuse by meeting the child's needs for safety and protection.
2. To reduce duplication of services and to ensure that all needs of the child abuse victim are met through comprehensive and coordinated services.
3. To ensure that all disciplines are focused on the well-being of our young clients and their families, while meeting and maintaining respect for the needs and responsibilities of each individual agency.
4. To expedite the investigation and prosecution processes by conducting joint interviews and improving the evidence collection process in order to increase the success of prosecution of offenders.
5. To provide a system of case tracking which ensures that no child victim of abuse or non-offending family member will "fall through the cracks" and to ensure the accountability of convicted and alleged offenders.
6. To establish a process that provides for the continuity of core team members over time.
7. To share team member expertise among fellow team members, community leaders, mandated reporters, and the community.
8. To ensure regular continuing education opportunities for core team members and agencies.
9. To provide for ongoing assessment of community needs with a commitment to expansion of services as needed.
10. To regularly evaluate the team's performance, and to implement ways to improve performance.

III. Procedure for Reporting Child Abuse/Neglect

A. Mandated Reporters

1. Suspected child abuse and neglect must be immediately reported by any attorney, physician {except as provided for under ORC 2151.421 (A) (1)}, including a hospital intern or resident, dentist, podiatrist, practitioner of a limited branch of medicine or surgery, registered or licensed practical nurse, visiting nurse, or other health care professional, licensed psychologist, licensed school psychologist, independent marriage and family therapist or marriage and family therapist;

speech pathologist or audiologist, coroner, administrator or employee of a child day care center, administrator or employee of a residential camp or child day camp; administrator or employee of a certified child care agency or other public or private children services agency, school teacher, school employee, or school authority, person engaged in social work or the practice of professional counseling; agent of a county humane society; or a person rendering spiritual treatment through prayer in accordance with the tenets of a well-recognized religion. Suspected child abuse or neglect shall be reported to PCJFS through its 24 hour child abuse hotline, the CARES line [330-296-CARE (2273)] or to a municipal or county peace officer in the county in which the child resides or in the county in which the abuse or neglect is occurring. [R.C. 2151.421(A) (1) (a) & (b)].

B. Voluntary Reporter

1. Any person who knows or suspects that a child under eighteen years of age or a mentally retarded, developmentally disabled, or physically impaired person under twenty-one years of age has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or other condition of a nature that reasonably indicates abuse or neglect of a child, may report or cause reports to be made of that knowledge or suspicion to PCJFS through its 24-hour child abuse hotline, the CARES line [330-296-CARE (2273)] or to a municipal or county peace officer in the county in which the child resides or in the county in which the abuse or neglect is occurring. (R.C. 2141.421(B)).

C. Making Reports of Child Abuse and Neglect

1. Reports of child abuse and neglect shall be made to the PCJFS or to any law enforcement officer in Portage County. The PCJFS Child Abuse Hot Line number is 330-296-CARES (330-296-2273), 24 hours per day, 7 days per week. Anyone reporting a child suspected of being abused and/ or neglected may call collect.

2. A written or in-person report may be made to PCJFS between the hours of 8:00 AM to 5:30 PM Monday through Thursday, and on Friday between the hours of 8:00 AM to 4:30 PM. Portage County has a contract with Coleman Professional Services to receive and document calls of child or adult abuse and neglect. The hours they receive the calls are from 5:00 PM to 8:00 AM Monday through Thursday and from 4:00 PM on Friday to 8:00 AM on Monday, as well as the following holidays: (see Exhibit A for specific holidays). PCJFS also has a Social Service Worker III and Public Children Services Agency (PCSA) Supervisor on-call with Coleman Professional Services. When a referral meets the

“emergency” criteria, the on-call supervisor will be contacted to determine if it is a report of Child Abuse/Neglect (CA/N), Dependence or Family In Need of Service (FINS). The PCJFS supervisor will determine if a worker will be sent out to investigate the referral.

Portage County Job & Family Services
Children’s Services Division
Portage County Administration Building-
466 S. Chestnut Street
Ravenna, Ohio 44266

3. The general telephone number of the Agency (330-297-3690) and the telephone number for each of the Children Services Division supervisors shall have a message instructing the caller to report suspected child abuse or neglect to the CARES line telephone number.

4. When any law enforcement agency receives a report concerning the possible abuse or neglect of a child or the possible threat of abuse or neglect of a child, upon receipt of the report, the law enforcement agency shall refer the report to PCJFS at 330-296-CARE (2273), 24-hours per day 7 days per week. The CARES line telephone number will be posted in county offices, listed in the telephone directory, and periodically advertised in the local newspaper and county newsletters, on the county’s Facebook page, public buses and billboards. A copy of the report may be faxed by the law enforcement agency to PCJFS at (330) 297-3738.

5. A copy of the agreement entered into between PCJFS and Coleman Professional Services for receiving after-hours and weekend/holiday reports of child abuse and neglect is attached hereto as Exhibit “B”.

6. A copy of the Memorandum regarding the participation in the operation of the Portage County Children’s Advocacy Center located at Robinson Memorial Hospital is attached hereto as Exhibit “C” and its contents are incorporated herein. R.C. 2141.421(D) & (J) (4); R.C.2151.426.

D. Penalty for Failure to Report

1. PCJFS 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 Portage County Prosecutor by the Executive Director or designee of the PCJFS.

E. Immunity in Reporting Cases of Alleged Child Abuse and Neglect

1. Anyone acting in his/her professional capacity, or any person or any hospital, institution, school, health department, or agency that participates in good faith in making reports of known or suspected child abuse or neglect under Division (A) or (B) of ORC 2151.421, or anyone who participates in good faith in a judicial proceeding resulting from the reports, shall be immune from any civil or criminal liability for injury, death, or loss to person or property that might otherwise be incurred or imposed as a result of making the reports or participation in the judicial proceedings.

F. Confidentiality ORC 2151.42(H)

1. Any report made under this section of Ohio Revised Code is confidential. The information provided in a

report made pursuant to this section and the name of the person who made the report shall not be released for use, and shall not be used, as evidence in any civil action or proceeding brought against the person who made the report. In a criminal proceeding, the report is admissible in evidence in accordance with the Rules of Evidence and is subject to Discovery in accordance with Rules of Criminal Procedure. PCJFS shall notify the County Prosecutor when it becomes aware of any unauthorized dissemination of confidential information. This notification shall be submitted in writing to the Portage County Prosecutor by the Executive Director of the Designee of the Executive Director of the PCJFS.

G. Responding to Mandated Reporters ORC 2151.421(K)

1. When PCJFS receives a referral from a professional reporting source, PCJFS shall forward an initial response form to the referent upon request.
2. The response form shall include the names and telephone numbers of the Social Services Worker in the Intake Department assigned to investigate the referral and the Social Services Worker's supervisor.
3. The parties further agree that information shared with the professional reporting source shall be limited to that permitted by ORC 2151.421. The following can be shared with a mandated reporter:
 - a) Whether the agency has initiated an investigation of the report;
 - b) Whether the agency is otherwise involved with the child who is the subject of the report;
 - c) The general status of the health and safety of the child who is the subject of the report;
 - d) Whether the report has resulted in the filing of a complaint in Juvenile Court or of criminal charges in another court.

H. False Reporting

1. No person shall knowingly make or cause another person to make a false report alleging that any person has committed an act or omission that resulted in a child being abused or neglected. Anyone who does so is guilty of making or causing a false report of child abuse or neglect, a misdemeanor of the first degree.

IV. Standards and procedures for removing and placing children

Emergency

1. 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.
2. 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.
3. Juv. R 6 orders 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.

4. 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 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 must 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 must be set for a shelter care hearing within ten days from the filing date.

5. When removing the child, the assigned Social Service Worker shall arrange to be assisted by a member of law enforcement, another Social Service Worker and/or a supervisor. The Social Service Worker shall provide written notification of the removal to both parents or guardians. The written notification shall include the worker's contact information, the date and time of the emergency custody hearing, and the reason for the emergency removal. If the parents or guardians are not available in person, the worker may provide this information verbally and follow up with written notification within 24 hours of the removal.

Non-emergency

1. Upon receiving a report alleging child abuse, neglect, and/or dependency, PCJFS Child Protective 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, PCJFS Child Protective Services shall 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.

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

3. 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 subject of abuse, neglect, or dependency proceedings. A separate guardian ad litem may be appointed to minor parents or parents who appear mentally incompetent.

4. The judicial fact-finder must 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 PCJFS Child Protective 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 PCJFS Child Protective 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.

V. Child Deaths/Fatalities

1. Death of a child who is in the custody of Portage County Job and Family Services – When this information becomes known to the agency, an emergency staffing will be scheduled with the Director, Division Administrator, assigned Social Service Worker and Supervisor, JFS Legal Counsel and any other community partner deemed necessary to attend and discuss the situation. Portage County Job and Family Services will provide support to the family and caregivers and will be responsible for all costs associated with the burial, if no other funds are available.

When there is suspicion that the cause of death is abuse or neglect - Portage County Job and Family Services is governed by ORC section 307.622 and must have a child fatality review board. The Social Service Worker investigating of suspected child abuse and neglect shall immediately notify the appropriate law enforcement agency with cases involving a death of a child from alleged abuse or neglect.

VI. Procedure for Requesting Law Enforcement

1. PCJFS may request assistance from law enforcement when one or more of the following situations exists:
 - a. PCJFS believes that the child is in immediate danger or serious harm;
 - b. PCJFS has reason to believe that the worker is, or will be, in danger of harm;
 - c. PCJFS has reason to believe that a crime is being committed or has been committed against a child;
 - d. The assistance of law enforcement needs to be invoked in accordance with this Memorandum;
 - e. The PCJFS worker must conduct a home visit after regular business hours and a law enforcement escort is requested as a standard operating procedure;
 - f. The PCJFS is removing a child from his/her family via an order of the court and the assistance of law enforcement is needed as the PCJFS has reason to believe the family will challenge the removal;
 - g. The PCJFS must conduct an assessment investigation at a known drug house and a law enforcement escort is needed;
 - h. The PCJFS 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;
 - i. The PCJFS is working with a family that has historically threatened to do harm to PCJFS staff.

VII. Procedure for Responding to and Investigating Reports of Child Abuse or Neglect Including Human Trafficking

1. PCJFS staff are available 24 hours per day to respond to reported concerns of abuse/neglect (OAC 5101:2-3Y-32)
2. Situations which, in the judgment of law enforcement officers, or officials of agencies or organizations, require children services intervention, can be reported to PCJFS by telephone, 24 hours per day at 330-296-CARE(2273).
3. After regular business hours (8:00 AM – 5:30 PM Monday through Thursday and Friday 8:00 AM – 4:30 PM)

PM) and holidays, an after-hours Social Services Worker and PCSA Supervisor are available to handle incoming emergency calls. The lines are transferred to Coleman Professional Services to be answered by counselors who will contact the on-call supervisor.

4. When requested, the PCJFS supervisor may require the on-call worker to meet law enforcement at any pre-designated site to accompany law enforcement officers to a residence or other place where children are in need of protection.
5. Upon receipt of a referral PCJFS shall utilize the Ohio screening guideline tool to assist in determine if the concerns reported meet the appropriate criteria to become a report of child abuse and neglect.
6. If PCJFS determines from the report of suspected child abuse or neglect that a child is threatened or alleged to be abused or neglected to an extent that there is imminent risk to life, physical or mental health or safety, an investigation shall begin within an hour of receipt of the report.
7. PCJFS will make cross-referral of reports of child abuse and/or neglect in accordance with the interagency agreement with The Children's Advocacy Center of Portage County.
8. PCJFS will conduct a face-to-face interview with alleged child victim, the parents or caretaker of the child, and the alleged perpetrator, unless law enforcement or the county prosecutor request otherwise [OAC 5101:2-24-32(H)].
9. PCJFS will determine, based through utilizing the CAPMIS Safety Assessment and Family Assessment, a child's health and well-being if PCJFS will secure assistance from appropriate law enforcement agencies to discuss the need for emergency removal.
10. PCJFS with the assistance of the Portage County Prosecutor's Office will initiate proceedings, whenever appropriate, to bring a child to the attention of Portage County Court of Common Pleas Juvenile Division and arrange for any needed social or rehabilitative services for the child and his/her family.
11. PCJFS will refer and work cooperatively in "third party" investigations regarding alleged abuse and neglect of children; to request that the Portage County Sheriff Department, local law enforcement agency or another Public Children Service Agency investigate when the allegation involves:
 - a. Any institution, facility, or family foster home which is licensed, approved, or certified by ODJFS and operated or supervised by PCJFS;
 - b. Type B family daycare home;
 - c. Foster caregivers pre-finalized adoptive parent, adoptive parent, relative or kinship caregiver that PCJFS recommended, approved, or supervised;
 - d. Any authorized person who is representing ODJFS or PCJFS and who is providing services for payment or as a volunteer;
 - e. Provide law enforcement with additional information regarding an open criminal investigation. Provide assistance to law enforcement in an investigation as law enforcement requests to the extent permitted by R.C. 2151-421 (H)(1).

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B. Reports of Missing Children

1. Upon receiving a report that a minor person, under eighteen years of age, has either run away from or is otherwise missing from the home of, or the care, custody, and control of his parents, custodial parent, guardian, legal custodian or person having responsibility for the minor, PCJFS shall;
 - a. Immediately refer the report to the law enforcement agency of appropriate jurisdiction.
 - b. Upon the request of the law enforcement agency, provide assistance and cooperation in the case and/or access to all information possessed by the agency that may be relevant in investigating a report of a missing

child.

C. Reports of Withholding of Medically indicated treatment from Disabled Infants with Life-Threatening Conditions as described in 5101:2-36-07. 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 5101:2-36- 07(A)(3)(a-d).

1. PCJFS:

- a. It shall be the responsibility of PCJFS to receive and investigate any such referrals though the Children Services Division on a 24-hour basis.
- b. The Social Service Worker will receive and record the referral alleging this condition and immediately refer it to his/her supervisor. Additional steps will include Gathering and maintaining current information regarding the name, address, and telephone number of each appropriate health care facility within its jurisdiction.
Identifying and maintaining the current name, title, and telephone number of each facility's contact person for allegations involving withholding of medically indicated treatment from disabled infants with life-threatening conditions. Identifying and maintaining the name and chairperson of the appropriate health care facility's review committee, if such a committee exists.
- c. The supervisor will instruct the Social Services Worker to conduct the investigation according to the PCJFS policy on this subject in accordance with OAC 5101:2-35-77. D
- d. In the event that consent is not obtained from parents of a child determined to be neglected under t his section, PCJFS shall request assistance from the County Prosecutor to obtain an emergency court order authorizing medical care and treatment.
- e. Assist law enforcement as may become necessary and as is permitted by statute.

VIII. How PCJFS Plans to Maintain Operations, including but not limited to, Receiving and Investigating Child Abuse and/or Neglect in the Event of a Disaster

A. Receiving and Investigation Child Abuse and/or Neglect Reports and Performing Essential Job Functions During a Disaster

1. In case of a disaster, the agency staff will refer to and follow the Continuity Of Operations Plan (COOP). The COOP is designed for responding to emergencies within Portage County Job and Family Services.
2. The PCJFS Director or their designee will activate the PCJFS (COOP) after consulting with the Portage County Board of Commissioners or their designee about a disaster that may be eminent. Once the Director activates the PCJFS COOP, each manager will notify their supervisors. The supervisors will notify their employees of the activation of the COOP and the reason for the activation. The plan identifies essential functions, people responsible and the use of alternate facilities.
3. The Agency will utilize all types of media available to communicate to the public in regard to accessing services in an emergency. If the disaster is such that all forms of communication are down, the appropriate law enforcement agency should be contacted. The agency will notify law enforcement of the essential personnel and where they will be located (see attached Portage County Disaster Preparedness Plan).

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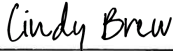
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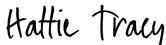
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