

A resolution authorizing the approval of a Memorandum of Understanding by and between Fairfield County Job & Family Services, Protective Services Division, The Fairfield County Sheriff's Office, The Lancaster Police Department, The Pickerington Police Department, The Fairfield County Juvenile Court, The Fairfield County Prosecutor's Office, The Fairfield Area Humane Society, The Harcum House, and The Fairfield County Coroner's Office.

WHEREAS, Fairfield County Job & Family Services, Child Protective Services is requesting the Board of Commissioners approval of a Memorandum of Understanding with The Fairfield County Sheriff's Office, The Lancaster Police Department, The Pickerington Police Department, The Fairfield County Juvenile Court, The Fairfield County Prosecutor's Office, The Fairfield Area Humane Society, The Harcum House, and The Fairfield County Coroner's Office; and

WHEREAS, the purpose of this service agreement among Fairfield County Job and Family Services - Protective Services and community partners that delineates roles and responsibilities for referring, reporting, investigating, and prosecuting child abuse and neglect cases. The MOU also identifies procedures for collaborative service provisions needed to ensure child safety, 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 134 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; and

WHEREAS, this agreement shall be effective November 1st, 2023 through October 31st, 2025; and

WHEREAS, a purchase order is not needed due to this agreement being non-monetary; and

WHEREAS, the Prosecuting Attorney has approved the agreement as to form.

A resolution authorizing the approval of a Memorandum of Understanding by and between Fairfield County Job & Family Services, Protective Services Division, The Fairfield County Sheriff's Office, The Lancaster Police Department, The Pickerington Police Department, The Fairfield County Juvenile Court, The Fairfield County Prosecutor's Office, The Fairfield Area Humane Society, The Harcum House, and The Fairfield County Coroner's Office.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, COUNTY OF FAIRFIELD, AND STATE OF OHIO:

Section 1. That the Fairfield County Board of Commissioners hereby approves the attached Memorandum of Understanding by and between Fairfield County Job & Family Services, Protective Services Division, The Fairfield County Sheriff's Office, The Lancaster Police Department, The Pickerington Police Department, The Fairfield County Juvenile Court, The Fairfield County Prosecutor's Office, The Fairfield Area Humane Society, The Harcum House, and The Fairfield County Coroner's Office .

Prepared by: Brandi Downhour
cc: JFS / Budget Manager

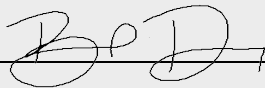
ROUTING FORM FOR CONTRACTS

The undersigned designee of the County affirms that he/she has reviewed the attached contract to ensure that it complies with County's needs and previous negotiations. The undersigned designee further affirms that the County has complied with the competitive selection process, as prescribed by the Ohio Revised Code, by selecting one of the boxes below.

- A. ☐ Goods and/or Services in excess of \$50,000.00—competitively selected via an Invitation to Bid, pursuant to R.C. 307.86-307.92
- B. ☐ Goods and/or Services in excess of \$50,000.00—competitively selected via a Request for Proposals, pursuant to R.C. 307.862
- C. ☐ Public Improvement contracts—competitively selected pursuant to R.C. 153.08-153.12
- D. ☐ Architect/Engineer design services for public improvements—selected through the Request for Qualifications process pursuant to R.C. 153.65-153.72
- E. ☐ County Road Improvement/Construction—competitively selected pursuant to R.C. 5555.61
- F. ☐ The subject matter was exempt from competitive selection for the following reason(s):
1. ☐ Under \$50,000
 2. ☐ State Term #: _____ (copy of State Term Contract must be attached)
 3. ☐ ODOT Term #: _____ (See R.C. 5513.01)
 4. ☐ Professional Services (See R.C. 307.86)
 5. ☐ Emergency (Follow procedure under ORC 307.86(A))
 6. ☐ Sole Source (attach documentation as to why contract is sole source)
 7. ☐ Other: _____ (cite to authority or explain why matter is exempt from competitive bidding)
- G. ☐ Agreement not subject to Sections A-F (explain): _____
- H. ☐ Compliance with Fairfield County Board of Commissioners Procurement Guidelines
1. ☐ No County employee, employee's family member, or employee's business associate has an interest in this contract OR such interest has been disclosed and reviewed by the Prosecutor's Office
 2. ☐ No Finding for Recovery against Vendor as required under R.C. 9.24 (search via "Certified Search" on <http://ffr.ohioauditor.gov/>)
 3. ☐ Obtained 3 quotes for purchases under \$50,000
 4. ☐ Purchase Order is included with Agreement

Signed this _____ day of _____, 20_____.

Name and Title



Budget Manager

*** Please note that this checklist only addresses County and statutory requirements. If a contract is paid for with state and/or federal funds, please consult with the appropriate state and/or federal agency to ensure your department is complying with any additional requirements. By submitting a request for approval, you are certifying you have addressed County, statutory, and grant requirements.***

Ohio Department of Job and Family Services
FAIRFIELD COUNTY JOB AND FAMILY SERVICES – PROTECTIVE 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 section 5101:2-33-26 of the Ohio Administrative Code. It is an agreement among Fairfield County Job and Family Services – Protective Services and community partners that delineates roles and responsibilities for referring, reporting, investigating, and prosecuting child abuse and neglect cases. The MOU also identifies procedures for collaborative service provisions needed to ensure child safety, 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 County Department of Job and Family Services (CDJFS)/Public Children Services Agency (PCSA) 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 forty-five (45) working days with the option of a fifteen (15) day extension for extenuating

circumstances as prescribed in the Ohio Administrative Code; 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 Fairfield County Job and Family Services – Protective Services is the lead agency for the investigation of child abuse, neglect, or dependency in Fairfield County. The Fairfield County Job and Family Services – Protective Services will coordinate and facilitate meetings, establish standards and protocol for joint assessment/investigation with the cross-referrals, collection of forensic evidence, confidentiality, and training of signatories as required by statute. Child Protective Services staff and management will also participate in meetings and training as deemed appropriate at the discretion of the Director.

B. LAW ENFORCEMENT

The County Sheriff and each Chief of the local political subdivisions will have responsibility for: taking referrals/reports alleging child abuse and neglect from any source within their respective jurisdiction; Referring reports to Fairfield County Job and Family Services – Protective Services as soon as possible for investigation of the circumstances; Determining whether allegations of abuse or neglect rise to the level of criminal conduct; Cooperating with Fairfield County Job and Family Services – Protective Services in a joint and thorough investigation when the information contained in the report lends itself to allege a present danger; Assisting Fairfield County Job and Family Services – Protective Services in hazardous situations where the provision of protective services or the investigation of child abuse or neglect is impeded; Coordinating with Fairfield County Job and Family Services – Protective Services on interviews with principals of the case when there are serious criminal implications; Notifying Fairfield County Job and Family Services – Protective Services of any legal action involving an alleged perpetrator of child abuse or neglect; Responding to

Fairfield County Job and Family Services – Protective Services' requests for information regarding the status of the legal action; Providing police record checks for Fairfield County Job and Family Services – Protective Services as necessary or requested as permitted by law; Consulting with Fairfield County Job and Family Services – Protective 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 shall ensure that due process of law is achieved; Hear evidence and issue findings of fact and conclusions of law as to any abused, neglected, or dependent child; Order timely and safe permanency 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 shall report suspected cases of child abuse and neglect to Fairfield County Job and Family Services – Protective Services or appropriate law enforcement agency. The County Prosecutor shall represent Fairfield County Job and Family Services – Protective Services in legal actions to protect a child from further harm resulting from child abuse or neglect unless the Prosecutor has granted consent for the appointment of an In-house PCSA Attorney pursuant to Ohio Revised Code chapters 309 and 305.

The prosecuting attorney may inquire into the commission of crimes within the county. The prosecuting attorney shall prosecute, on behalf of the state, all complaints, suits, and controversies in which the state is a party, except for those required to be prosecuted by a special prosecutor or by the attorney general. The County Prosecutor is to determine, based upon the facts, whether criminal culpability exists and if enough evidence exists for a matter to be prosecuted. The prosecutor will be available to law enforcement and Fairfield County Job and Family Services – Protective 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 Fairfield County Job and Family Services – Protective 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 **[Enter the name of the CDJFS here]** is a separate agency from **[Enter the name of the PCSA here]**, employees within the county agency are expected to report suspected cases of child abuse and neglect to **[Enter the name of the PCSA here]** or appropriate law enforcement agency upon receipt; Collaborate with **[Enter the name of the PCSA here]** 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 **[Enter the name of the PCSA here]**; Promote ongoing communication between **[Enter the name of the CDJFS here]** and **[Enter the name of the PCSA here]** regarding mutual clients, including minors under the protective supervision or in the custody of the Agency and/or minor parents; Assist **[Enter the name of the PCSA here]** upon request in obtaining case or assistance group information regarding a family when the **[Enter the name of the PCSA here]** is assessing Title IV-E eligibility or completing an assessment/investigation of a child at risk or alleged to be abused; Assist **[Enter the name of the PCSA here]** in obtaining addresses and attempts to locate parents whose whereabouts are unknown, pursuant to OAC 5101:2-33-28; And where applicable and permitted assist **[Enter the name of the PCSA here]** 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 Fairfield County Job and Family Services – Protective Services or local law enforcement. The local animal cruelty reporting agencies are to utilize the Humane Agents authorization to remove children under emergency circumstances, if necessary. In those circumstances, they are to coordinate efforts with Fairfield County Job and Family Services – Protective Services and local law enforcement as soon as possible.

G. CHILDREN'S ADVOCACY CENTER

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

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

H. CLERK OF COUNTY COMMON PLEAS COURT (Optional per statute, but benefits to inclusion should be considered per county)

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

The Clerk of County Common Pleas Court will collaborate with Fairfield County Job and Family Services – Protective Services, County Prosecutor, and local law enforcement to establish standards and processes for the filing and acceptance of abuse, neglect, and dependency pleadings; Notice to the necessary parties; 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 Fairfield County Job and Family Services – Protective Services 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, shall immediately report knowledge or reasonable cause to suspect the abuse or neglect of a child in accordance with that section. Reports shall be made to Fairfield County Job and Family Services – Protective Services or a law enforcement officer.

The penalty for the failure of a person required to report any suspected case of child abuse and/or neglect pursuant to ORC section 2151.421 shall be a misdemeanor of the fourth degree. The penalty is a misdemeanor of the first degree if the child who is the subject of the required report that the offender fails to make suffers or faces the threat of suffering the physical or mental wound, injury, disability or condition that would be the basis of the required report when the child is under the direct care or supervision of the

offender who is then acting in the offender's official or professional capacity or when the child is under the direct care or supervision of another person over whom the offender, while acting in the offender's official or professional capacity, has supervisory control. Failure to report suspected child abuse and/or neglect may also result in civil liability in the form of compensatory or exemplary damages. Fairfield County Job and Family Services – Protective Services will consult with agency legal counsel through the County Prosecutor if aware of any situation a mandated reporter fails to report suspected or known child abuse or neglect to provide notification and determine next steps. Next steps may include forwarding notification on to local City Prosecutor.

B. System for receiving reports

Reports of child abuse or neglect shall be made to Fairfield County Job and Family Services – Protective Services or any law enforcement officer with jurisdiction in Fairfield County. Fairfield County Job and Family Services – Protective Services receives all after-hours calls directly or through the Fairfield County Sheriff's Office. If Fairfield County Job and Family Services – Protective Services should contract with an outside source to receive after-hour calls, a copy of the signed agreement shall 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.

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

When Fairfield County Job and Family Services – Protective Services screens in a report of child abuse, Fairfield County Job and Family Services – Protective Services shall 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 Fairfield County Job and Family Services – Protective Services screens in a report of child neglect, and an active safety threat is identified within the first seven days of the assessment/investigation, Fairfield County Job and Family Services – Protective Services shall 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 Fairfield County Job and Family Services – Protective Services receives a referral from a mandated reporter who provides their name and contact information, Fairfield County Job and Family Services – Protective Services shall 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 shall 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 Fairfield County Job and Family Services – Protective Services closes an investigation/assessment reported by a mandated reporter, Fairfield County Job and Family Services – Protective Services shall forward an outcome mandated reporter notification to the referent. The notification will be provided in accordance with the mandated reporter's preference. Information shared with the mandated reporter shall be 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 and non-emergency cases of child abuse, neglect, and dependency

1. PCSA's Response Procedure

When Fairfield County Job and Family Services – Protective Services determines that a report is emergent, Fairfield County Job and Family Services – Protective Services shall 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.

When Fairfield County Job and Family Services – Protective Services determines that a report is non-emergent, Fairfield County Job and Family Services – Protective Services shall attempt a face-to-face contact or complete a telephone contact within twenty-four hours from the time the referral was screened in, with a principal of the report or collateral source who has knowledge of the alleged child victim's current condition and can provide current information about the child's safety. Fairfield County Job and Family Services – Protective Services will then complete all necessary activities identified in OAC 5101:2-36.

If Fairfield County Job and Family Services – Protective Services identifies an active safety threat at any point during the assessment/investigation, the caseworker or supervisor shall implement a safety response.

Fairfield County Job and Family Services – Protective Services will implement voluntary safety plans in accordance to section 5101:2-37-02 of the OAC and voluntary agreements of temporary custody through section 5101:2-42-06. Fairfield County Job and Family Services – Protective Services will coordinate with responding peace officer for officer acceptance removals in accordance with Fairfield County Job and Family Services – Protective Services' Officer Acceptance Policy (Addendum A). All other safety plans will be implemented by requesting court orders for temporary custody.

2. Law Enforcement and Other Agencies Response Procedure

Law enforcement and other agencies can report emergent and non-emergent concerns for child abuse, neglect, or dependency to Fairfield County Job and Family Services – Protective Services. For any child in imminent danger due to child abuse, neglect, or dependency and immediate assistance is needed to ensure safety of the children, law enforcement and other agencies will contact Fairfield County Job and Family Services – Protective Services by telephone through the agency main line or on-call contact.

If there is an identified need to execute an officer acceptance removal, peace officers such as law enforcement or humane agents will contact Fairfield County Job and Family Services – Protective Services as outlined in Fairfield County Job and Family Services – Protective Services’ Officer Acceptance Policy (Addendum A).

3. Children in Need of Medical Attention Special Response Procedures

For children in need of medical attention, Fairfield County Protective Services – Job and Family Services will prioritize the use of the following facilities:

- Fairfield Medical Center Emergency Room
401 N Ewing St.
Lancaster, OH 43130
740-687-8100
- Mount Carmel Diley Ridge Medical Center Emergency Room
7911 Diley Rd.
Canal Winchester, OH 43110
614-838-7311
- OhioHealth Pickerington Medical Campus Emergency Care
1010 Refugee Rd.
Pickerington, OH 43147
614-788-4100
- Nationwide Children’s Center Emergency Department
630 Children’s Dr.
Columbus, OH 43205
614-722-2000

Fairfield County Protective Services – Job and Family Services will prioritize the use of the following child advocacy centers when necessary:

- Harcum House Child Advocacy Center
1147 E Main St.
Lancaster, OH 43110
740-652-9604
- Center for Family Safety and Healing
Nationwide Children’s Hospital
655 E Livingston Ave.
Columbus, OH 43204
614-722-8200

E. Standards and procedures to be used in handling and coordinating investigations of reported cases of child abuse and/or neglect

Methods to be used in interviewing the child who is the subject of the report and who allegedly was abused and/or neglected, alleged perpetrators, and other family members and witnesses/collaterals will be discussed and agreed upon in advance by the Fairfield County Job and Family Services – Protective 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 Fairfield County Job and Family Services – Protective 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. Fairfield County Job and Family Services – Protective Services agrees to be the lead agency in scheduling the time, place, and location of joint interviews as well as notifying all participants.

Before starting the interview, the 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 Fairfield County Job and Family Services – Protective Services is not present, the interviews conducted by law enforcement or the prosecutor's office may be used by Fairfield County Job and Family Services – Protective 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 Fairfield County Job and Family Services – Protective Services upon request.

The Fairfield County Job and Family Services – Protective Services agrees not to proceed without the advice and consent of the prosecutor's office when a criminal investigation is being conducted concurrently. Fairfield County Job and Family Services – Protective 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.

Fairfield County Job and Family Services – Protective Services shall follow up with law enforcement to ensure timely assistance and to complete mandated assessment/investigation activities within the forty-five-day timeframe. The timeframe can be extended in special circumstances to a maximum of sixty days if law enforcement needs additional time, however, Fairfield County Job and Family Services – Protective Services must make a disposition 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 Fairfield County Job and Family Services – Protective Services
- Law enforcement personnel
- County or city prosecuting attorneys, assistant prosecuting attorneys, in-house JFS legal counsel if applicable, and their investigative staff
- Harcum House Child Advocacy Center or alternatively the Center for Family Safety and Healing at Nationwide Children's Hospital

G. Standards and procedures for Fairfield County Job and Family Services – Protective Services requests for law enforcement assistance

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

- An exigent circumstance exists.
- Fairfield County Job and Family Services – Protective Services has reason to believe that the child is in immediate danger of serious harm.
- Fairfield County Job and Family Services – Protective Services has reason to believe that the worker is, or will be, in danger of harm.
- Fairfield County Job and Family Services – Protective Services has reason to believe that a crime is being committed, or has been committed, against a child.
- Fairfield County Job and Family Services – Protective Services worker must conduct a home visit after regular Fairfield County Job and Family Services – Protective Services business hours and a law enforcement escort is requested as a standard operating procedure.

- Fairfield County Job and Family Services – Protective 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 Fairfield County Job and Family Services – Protective Services has reason to believe the family will challenge the removal.
- Fairfield County Job and Family Services – Protective 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.
- Fairfield County Job and Family Services – Protective 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 Fairfield County Job and Family Services – Protective Services and the law enforcement agency of jurisdiction.

1. Out-of-Home Care

Fairfield County Job and Family Services – Protective 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 5101:2-1-01 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 his/her employment by or affiliation to an organization as defined in section 2151.011 of the Revised Code.
- Has access to the alleged child victim through placement in an out-of-home care setting.

Fairfield County Job and Family Services – Protective Services follows the procedures for conducting out-of-home care investigations as described in section 5101:2-36-04 of the OAC.

2. Third-Party Investigations

In accordance with section 5101:2-36-08 of the OAC, Fairfield County Job and Family Services – Protective Services shall request a third-party investigation be conducted by a local law enforcement agency or a PCSA in a contiguous county when there is potential for a conflict of interest because one of the following parties is a principal of the report:

- Any employee of an organization or facility that is licensed or certified by the Ohio Department of Job and Family Services (ODJFS) or another state agency and supervised by the PCSA.
- A foster caregiver, pre-finalized adoptive parent, adoptive parent, relative, or kinship caregiver who is recommended, approved, or supervised by the PCSA.
- A type B family childcare home or type A family childcare home licensed by ODJFS when the CDJFS has assumed the powers and duties of the county children services function defined in Chapter 5153. of the Revised Code.
- Any employee, or agent of ODJFS or the PCSA as defined in Chapter 5153. of the Revised Code.
- Any authorized person representing ODJFS or the PCSA who provides services for payment or as a volunteer.
- A foster caregiver or an employee of an organization or facility licensed or certified by ODJFS and the alleged child victim is in the custody of, or receiving services from, the PCSA that accepted the report.
- Any time a PCSA determines that a conflict of interest exists. The PCSA shall document in the case record if a conflict of interest is identified.

Fairfield County Job and Family Services – Protective Services shall request that law enforcement serve as the third party when a report alleges a criminal offense. Fairfield County Job and Family Services – Protective Services must request the assistance of a third party within 24 hours of identifying that a conflict of interest exists.

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

Fairfield County Job and Family Services – Protective Services is governed by ORC section 307.622 and must have a child fatality review board.

4. Child Fatality- Death of a child in the custody of Fairfield County Job and Family Services – Protective Services

Fairfield County Job and Family Services – Protective Services follows section 5101:2-42-89 of the OAC following the death of a child in its custody.

In the event of a child death for whom Fairfield County Protective Services holds custody of, Fairfield County Protective Services and the Fairfield County Coroner will collaborate in the following ways:

1. When the Fairfield County Coroner arrives on the scene of the deceased child, the Fairfield County Coroner will inquire as to the custody status of the deceased child. If the deceased child is in the current custody of Fairfield County Protective Services, and Fairfield County Protective Services has not already been notified by law enforcement or other emergency personnel, the coroner will contact Fairfield County Protective Services or request another emergency response agency who is on scene to perform this notification.
2. Once Fairfield County Protective Services receives notification of the child death, Fairfield County Protective Services will assist in providing the Fairfield County Coroner demographic information concerning the deceased child as well as next of kin information as available to Fairfield County Protective Services staff.
3. Fairfield County Protective Services and the Fairfield County Coroner will work collaboratively to notify the biological parents or previous legal custodian of the deceased child.
 - a. If notification to the biological parents or previous legal custodian can be made within 1 hour, face to face notification will be done collaboratively between both parties.
 - i. If notification is agreed upon by both parties to be completed in person, the Fairfield County Coroner will take the lead role providing information to the next of kin.
 - b. If notification to the biological parents or previous legal custodian cannot be made within 1 hour, Fairfield County Protective Services must notify the biological parents or previous legal custodian by phone per OAC 5101:2-42-89. This phone call can be made in collaboration with the Fairfield County Coroner if they so choose.
 - i. If contact information for the biological parents or previous legal custodian is unknown or unable to be located within the above-mentioned timeframes, notification of the previous mentioned parties will take place immediately once the information has been obtained.

4. Fairfield County Protective Services acknowledges the Fairfield County Coroner has jurisdiction over the deceased child. To assist the Fairfield County Coroner with their investigation, Fairfield County Protective Services will work collaboratively with the Fairfield County Coroner and provide all necessary information requested which will assist in the investigation or notification of next of kin.
5. Upon completion of the investigation of a deceased child in the custody of Fairfield County Protective Services, the Fairfield County Coroner agrees to contact the Fairfield County Protective Services Deputy Director, or designee, to provide post investigation information regarding the cause of death of the deceased child.

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

Fairfield County Job and Family Services – Protective Services will maintain a list of the medical facilities in Fairfield County and their contact information. This list includes information regarding the contact person from each facility for allegations of withholding medically indicated treatment from disabled infants with life-threatening conditions and chairperson of the appropriate health care facility review committee, if available. Fairfield County Job and Family Services – Protective Services will complete an annual review and update of this list.

Fairfield County Job and Family Services – Protective Services follows the procedures described in section 5101:2-36-07 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 5101:2-36-07(A)(3)(a-d).

Fairfield County Job and Family Services – Protective Services will gather the required information outlined in OAC 5101:2-36-07 to document in the following areas:

- Provider profile within the State Automated Child Welfare Information System (SACWIS)
- If available at the time of the referral, documented within the narrative of the referral.
- If gathered during the assessment/investigation, documented within an activity log.

Fairfield County Job and Family Services – Protective Services determination for intervening will be determined by consultation with Deputy Director of Protective Services or designee.

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

Fairfield County Job and Family Services – Protective Services will ensure a referral is made to the appropriate law enforcement jurisdiction. Fairfield County Job and Family Services – Protective Services identifies any law enforcement agency investigating a crime as the lead for the investigation and will provide information and collaborative support as needed. All efforts will be made to coordinate contacts together. When contacts cannot be coordinated, Fairfield County Job and Family Services – Protective Services will provide immediate notification to law enforcement of all actions needed to assure safety of child. If law enforcement is identifying these actions would impact a criminal investigation, Fairfield County Job and Family Services – Protective Services will consult with legal counsel through the County Prosecutor.

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 delinquent child

Fairfield County Job and Family Services – Protective Services will accept, and document all reports of concerns involving children. Fairfield County Job and Family Services – Protective Services will determine response in accordance to ORC 2151.03, 2151.031, and 2151304, and 2151.05.

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

Fairfield County Job and Family Services – Protective Services will accept, and document all reports of concerns involving children. Fairfield County Job and Family Services – Protective Services will determine response to these reports in accordance with ORC 2151.03, 2151.031, and 2151304, and 2151.05.

9. Receiving and responding to reports of missing children

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

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

Upon request of law enforcement, Fairfield County Job and Family Services – Protective Services shall provide assistance and cooperation in the investigation of a missing child, including the immediate provision of any information possessed by Fairfield County Job and Family Services – Protective Services which may be relevant in the investigation.

Law enforcement shall notify Fairfield County Job and Family Services – Protective Services upon learning that a minor child who is alleged to be in the child 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 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.

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.

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.

2. Non-emergency

Upon receiving a report alleging child abuse, neglect, and/or dependency, Fairfield County Job and Family Services – 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, Fairfield County Job and Family Services – 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.

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.

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.

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 Fairfield County Job and Family Services – 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 Fairfield County Job and Family Services – 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.

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 Fairfield County Job and Family Services – Protective 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 county partners, the effect is often broader than the individuals directly involved in the dispute. As disputes are often inevitable this MOU must set forth the local process by which disputes will be resolved so as not to disrupt program effectiveness.

As the mandated agency responsible for the provisions of child protective services, the ultimate decision on how to handle abuse, neglect investigations lie with Fairfield County Job and Family Services – Protective Services. Every effort will be made to take in to account other subscribers' requests and concerns relating to services.

Criminal investigations and prosecution remain the responsibility of the prosecuting attorney and appropriate law enforcement agencies. Fairfield County Job and Family Services – Protective Services will assist these agencies, but in no way, interfere or jeopardize a criminal investigation or prosecution.

For cases which come before the court as it relates to decisions and orders, the Juvenile Judge's rulings are final.

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

VI. CONFIDENTIALITY STATEMENT

Any report made in accordance with ORC section 2151.421 is confidential. Both the information and the name of the person who made the report under section 2151.421 shall not be released to the public for use and shall not be used as evidence in any civil action or proceeding brought against the person who made the report.

Children 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 Fairfield County Job and Family Services – Protective 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 that needs the information to carry out its responsibilities to protect children from abuse or neglect. Likewise, law enforcement and other entities are expected to release information to Fairfield County Job and Family Services – Protective 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 5101:2-33-21 and in accordance with the procedures outlined in OAC section 5101:2-33-21. 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 Fairfield County Job and Family Services – Protective 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 Fairfield County Job and Family Services – Protective Services shall then refer this information to the prosecutor at their discretion. Fairfield County Job and Family Services – Protective Services will consult with agency legal counsel through the County Prosecutor if aware of any situation where there is unauthorized dissemination of confidential information to provide notification and determine next steps. Next steps may include forwarding notification on to local City Prosecutor.

VII. TERMS AND CONDITIONS AND STATUTORY REQUIREMENTS

This MOU must be retained for a period of at least seven years per the state of Ohio records retention schedule. Please refer to Fairfield County Job and Family Services – Protective 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 will be done in person, whenever practicable. When an in-person meeting is not possible 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 Fairfield County Job and Family Services – Protective Services is seeking consultation with a signer of this memorandum regarding an active referral of child abuse and/or neglect and has met in person or spoken with another signer, Fairfield County Job and Family Services – Protective Services make written contact with the appropriate agency by the next working day to request the needed information and make the referral in writing.

The required members shall review and evaluate the terms and conditions of the MOU every biennium. All required members to the MOU will sign the new or updated agreement. Fairfield County Job and Family Services – Protective 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 shall not result in, the dismissal of any charges or complaint arising from any reported case of abuse or neglect or the suppression of any evidence obtained as a result of reported child abuse or child neglect and does not give, and shall not be construed as giving, any rights or any grounds for appeal or post-conviction relief to any person.

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


VIII. SIGNATURES OF EACH PARTICIPATING AGENCY: *The number of required signatures will vary widely by county. It will be helpful to have the signatures take up the entirety of 1 page so counties can copy it to use for as many signature pages as needed."*

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.

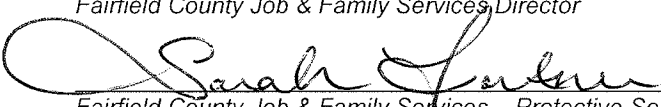
If any individual serving as a signatory changes mid-term, Fairfield County Job and Family Services – Protective Services is to provide the new required member with the current memorandum. The new member remains bound by the most

recently approved version of the memorandum. Their signature is to be obtained and submitted on or before the next biennial review.

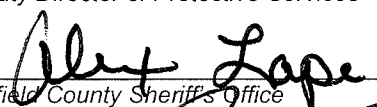
A required member to this agreement may terminate their involvement in the MOU for good cause upon giving reasonable written notice to the other required members in this MOU.


Fairfield County Job & Family Services
Corey B. Clark
Fairfield County Job & Family Services Director

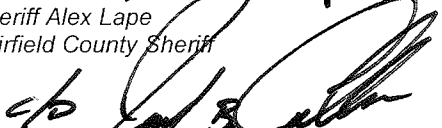
11/7/23
Date


Fairfield County Job & Family Services – Protective Services
Sarah Fortner
Deputy Director of Protective Services


11-7-2023
Date


Fairfield County Sheriff's Office
Sheriff Alex Lape
Fairfield County Sheriff

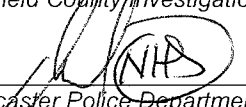
11/1/2023
Date


Fairfield County Sheriff's Office
Chief Deputy Jared Collins
Fairfield County Chief Deputy of Law Enforcement Operations

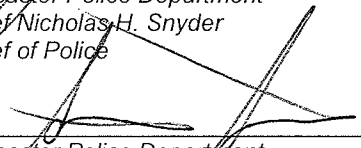
11/8/2023
Date


Fairfield County Sheriff's Office
Sergeant Jeffrey S. Reed II
Fairfield County Investigation Bureau Commander

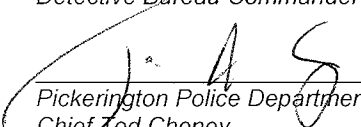
11-7-23
Date


Lancaster Police Department
Chief Nicholas H. Snyder
Chief of Police

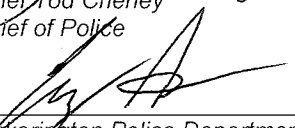
11-7-23
Date


Lancaster Police Department
Lieutenant Matthew Poffenbarger
Detective Bureau Commander

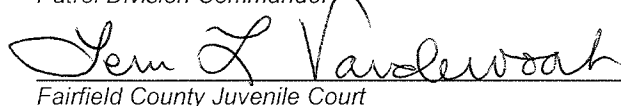
11-7-23
Date


Pickerington Police Department
Chief Tod Cheney
Chief of Police

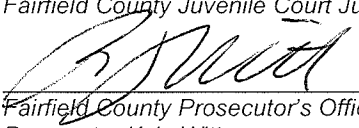
11/7/2023
Date


Pickerington Police Department
Commander Greg Annis
Patrol Division Commander


11/7/2023
Date


Fairfield County Juvenile Court
Judge Terre L. Vandervoort
Fairfield County Juvenile Court Judge


11/7/2023
Date


Fairfield County Prosecutor's Office
Prosecutor Kyle Witt
Prosecuting Attorney for Fairfield County

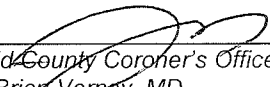
11/7/23
Date


Fairfield Area Humane Society
Corey Schoonover
Executive Director

11/7/23
Date


Harcum House Child Advocacy Center
Cody Tatum, MSW, LSW

11-7-23
Date


Fairfield County Coroner's Office
Dr. L. Brian Varney, MD
Fairfield County Coroner

11-7-23
Date

IX. Refusal to Sign ☐

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

The Fairfield County Job and Family Services – Protective Services attests they attempted to obtain the signature of all required participating agencies as set forth in Section II of this memorandum 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:

X. Board of County Commissioners

The Fairfield County Job and Family Services – Protective Services shall submit the MOU signed by all participating agencies, to the Fairfield County Board of County Commissioners. The participating agencies will ensure there is adequate time for both the County Board of Commissioners and ODJFS review and approval process along with any returns for correction prior to the end of the contractual period.

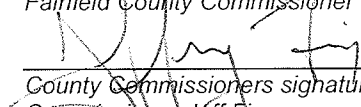

County Commissioners signature and date/Resolution/Vote
Commissioner Steve Davis
Fairfield County Commissioner

Date



County Commissioners signature and date/Resolution/Vote
Commissioner David L. Levacy
Fairfield County Commissioner

11-7-23
Date



County Commissioners signature and date/Resolution/Vote
Commissioner Jeff Fix
Fairfield County Commissioner

10-7-23
Date

The Board of Fairfield County County Commissioners hereby review and approve the Fairfield County Job and Family Services – Protective Services Memorandum of Understanding.

ATTACHMENTS

Addendum A

Fairfield County Job and Family Services – Protective Services Officer Acceptance Policy

Fairfield County Protective Services Policy & Procedure

Procedure Name:	Program Area:
Officer Acceptance Policy	Protective Services – Court Program

I. PROCEDURE SUMMARY

Ohio Revised Code ([ORC](#)) [2151.31](#) allows for law enforcement or duly authorized officer of the court to take child into custody in certain instances. This includes all law enforcement agency officers and humane officers in Fairfield County. This is done in collaboration with Fairfield County Protective Services. When responding law enforcement, or humane officer, and Protective Services (PS) assess a child to be in imminent danger, they will consult to determine next steps. PS will follow the below procedures when the consultation results in the need for the removal of a child to secure safety. A National Incident Based Reporting System (NIBRS) report is utilized by law enforcement to document activities that law enforcement officers conduct in the field. A NIBRS report will document demographic information, arrest information, and the situation regarding the officer's involvement. A law enforcement or humane officer can complete a NIBRS report by the authority of the below captioned ORC section granting PS custody of a child for safekeeping purposes—this is referred to as a custody status of officer acceptance.

II. PROCEDURE STEPS

Steps to follow in order to obtain officer acceptance:

1. There must **ALWAYS** be a consultation between law enforcement and/or humane officer and PS.
 - a. The consultation with PS should always include a member of leadership.
 - b. **AFTER** the consultation between law enforcement and/or humane officer and PS results in a decision that a child is unsafe and needs an emergency removal, a decision will be made by the PS employee as to what the next steps will be. Dependent on the information provided/obtained, the following decisions can be made by PS:
 - i. PS may assess that the information does not meet statutory requirements for officer acceptance.
 - ii. PS may feel that officer acceptance is needed and may request:
 1. Law enforcement and/or humane officer remains at the scene and a worker will meet them at the scene.
 2. Law enforcement and/or humane officer assistance in the field and request that an officer meet PS at the scene.
 3. The child(ren) be transported to the agency (JFS Building) or other agreed upon location.
 4. The child(ren) be transported to the hospital.
2. When a NIBRS report is warranted, the PS employee will:

- a. Request law enforcement and/or humane officer provide a physical copy of the NIBRS report within 1 working day.
- b. Obtain the names and badge numbers for all officers involved in the situation. This information should be located on the NIBRS report. If it is not, please document this information in an Activity Log.
3. PS employees will consider the following as needed:
 - a. If a child is injured or in need of immediate medical care, request law enforcement utilizes the hospital emergency department before accepting the NIBRS report. In addition, if the child is intoxicated, under the influence of drugs, homicidal, and/or suicidal, request law enforcement takes the child to the hospital.
 - b. If a consultation between PS and law enforcement results in the need for a NIBRS report, with an agreed upon decision for law enforcement to transport the child to the hospital, a PS representative will meet law enforcement at the hospital to be with the child after the transport and to collaborate with hospital personnel.
4. After the officer acceptance has been granted, PS employees will:
 - a. Complete the Emergency Removal Form and check "*with a law enforcement officer*" on the form as the reason the child has been removed.
 - b. Secure an appropriate option to address the unsafe Safety Assessment response.
 - c. Begin planning for the expiration of the officer acceptance legal status to expire in 24 hours or by the next business day. The following should be considered:
 - i. No longer an unsafe safety response and return child to parent/guardian.
 - ii. Unsafe safety response remains but less restrictive option arises to secure a voluntary in-home or out-of-home Safety Plan.
 - iii. Unsafe safety response remains and shelter hearing for emergency custody is necessary.
 - d. Provide a copy of the Emergency Removal Form and NIBRS report to the Court Program Manager (or designee) when a shelter hearing is determined to be necessary (a copy of both will be processed with the complaint).
 - e. Send an email to the Finance Team advising the legal status data entry for officer acceptance so it can be documented in SACWIS.
 - f. Scan the appropriate documents to Traverse.

III. RESPONSIBILITIES

Consultation Guidelines

Emergency removals of children require the probable cause standard that the child is in immediate danger of "serious" harm. OAC 5101:2-1-01 reflects this serious harm standard.

"Serious harm" means the actual or threatened consequence of an active safety threat that may be significantly affected by a child's degree of vulnerability and includes one or more of the following:

- a. Is life-threatening.
- b. Substantively retards the child's mental health or development.
- c. Produces substantial physical suffering, disfigurement or disability, whether temporary or permanent.

V. ASSOCIATED INFORMATION/FORMS

1. ORC: 2151.31, 5103.03, 5103.15, 5153.16
2. OAC: 5101:2-39-01, 5101:2-42-04, 5101:2-42-06, 5101:2-1-01

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Fairfield County Protective Services Director	Date Approved
	<hr/>
	Revised Date
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	Review Date

Prosecutor's Approval Page

Resolution No.

A resolution authorizing the approval of a Memorandum of Understanding by and between Fairfield County Job & Family Services, Protective Services Division, The Fairfield County Sheriff's Office, The Lancaster Police Department, The Pickerington Police Department, The Fairfield County Juvenile Court, The Fairfield County Prosecutor's Office, The Fairfield Area Humane Society, The Harcum House, and The Fairfield County Coroner's Office.

(Fairfield County Job and Family Services)

Approved as to form on 11/17/2023 8:47:18 AM by Steven Darnell,

Signature Page

Resolution No. 2023-11.28.u

A resolution authorizing the approval of a Memorandum of Understanding by and between Fairfield County Job & Family Services, Protective Services Division, The Fairfield County Sheriff's Office, The Lancaster Police Department, The Pickerington Police Department, The Fairfield County Juvenile Court, The Fairfield County Prosecutor's Office, The Fairfield Area Humane Society, The Harcum House, and The Fairfield County Coroner's Office.

(Fairfield County Job and Family Services)

Upon the motion of Commissioner Jeffrey M. Fix, seconded by Commissioner David L. Levacy, this resolution has been Adopted:

Voting:

Steven A. Davis, President	Aye
David L. Levacy, Vice President	Aye
Jeffrey M. Fix	Aye

Board of County Commissioners
Fairfield County, Ohio

CERTIFICATE OF CLERK

It is hereby certified that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Fairfield County, Ohio on the date noted above.



Rochelle Menningen
Board of County Commissioners
Fairfield County, Ohio