

**Clermont County Memorandum of Understanding
Concerning Child Abuse, Neglect, and Dependency Investigations
Pursuant to R.C. 2151.4220**

7-9 2025

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Mission Statement:

To set forth the roles and responsibilities for handling emergency and non-emergency cases of child abuse, neglect and dependency. To establish standards and procedures used in handling and coordinating investigations and interviews of children involved in reported cases of child abuse and neglect.

I. Introduction

A. Defined Terms

“**ACV**” – **alleged child victim**: means a child suspected of being, or at risk of becoming, abused and/or neglected

“**AP**” – **alleged perpetrator**: the individual suspected of being responsible for the abuse or neglect of a child

“**CCCPS**”: Clermont County Children’s Protective Services and its employees

“**CAC**”: child advocacy center – means an accredited center providing functions and activities and services regarding reports of alleged sexual or physical abuse of a child.

“**emergency situations**”: means a situation where there is reason to believe that a child is threatened or alleged to be abused, neglected or dependent to an extent that the child is in immediate danger of physical or emotional harm.

“**forensic**” : used herein in the context “forensic interview”, is intended to reference the questioning of the ACV, or any witness, about the specific facts concerning and underlying the allegations of abuse, neglect, or dependency.

Forensic questions are distinguished from generalized questions that officers may ask upon arriving on scene, or those preliminary questions CCCPS workers may ask to assess the safety of the ACV and all others present on scene.

“**MOU**” or “**Memorandum**” – refers to this document in its entirety.

“**referral**”: means an allegation of child abuse, neglect, or dependency; or information regarding a family in need of services made orally or in writing. It includes, but is not limited to, allegations involves individuals, families, and out-of-home care settings.

Applies to any referrals involving a child under eighteen years of age, or a person under twenty-one years of age with a developmental disability or physical impairment.

As used in this MOU- “referral” refers to allegations made in person or via telephone. A party making a referral may follow up their initial disclosure with a written statement, or written report, to CCCPS or law enforcement upon request, but for this MOU “referral” refers to the initial in-person, electronic, or telephone disclosure.

B. Purpose

In Clermont County and across the State of Ohio, the handling of alleged child abuse, neglect, and dependency situations is a process that involves children, families, the Ohio Department of Children and Youth, 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 in the best interest of the child.

The primary purpose of reporting suspected child abuse, neglect, or dependency is protecting the child who is the subject of the report and who was allegedly abused or neglected.

C. Background

1. Legal Authority

This Child Abuse and Neglect Memorandum of is required by Section 2151.4220 of the Ohio Revised Code (ORC) and 5180:2-33-26 of the Ohio Administrative Code (OAC). The Memorandum sets forth the normal operating procedures for all concerned officials of Clermont County and participating agencies 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 “Interference with custody”; AND
- 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 referrals made pursuant to ORC 2151.421 (A) or (B).
- b. Eliminating multiple interviews of the ACV, by conducting only one interview of children who are the subject of a referral made pursuant to ORC 2151.421 (A) or (B). Any interview of a child by CCCPS or law enforcement will only occur: 1) after any medical or forensic interview and 2) after consultation with the Prosecutor’s Office.
- c. The timely cross-referrals between agencies of referrals containing allegations or indications of criminal conduct, in-home abuse or neglect, dependency, out-of-home child abuse or neglect, missing children and emergency referrals of alleged abuse or neglect.

- d. All parties will provide notice of this MOU and training on the procedures set forth in the MOU to their employees involved in the investigation of reports or referrals of suspected child abuse, neglect, or dependency, or the investigation into missing children.
- e. All agencies party to this MOU will work cooperatively in any criminal investigation of allegations of physical or sexual abuse of a child, or allegations of neglect of a child.
- f. The most expedient response possible to referrals involving alleged child abuse, neglect, or to the imminent threat of danger to any child.
- g. The most expedient response possible to referrals of any imminent threats 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 Clermont County Common Pleas Court, Juvenile Division; Clermont County Sheriff; all chief municipal and township peace officers within Clermont County; Clermont County Prosecuting Attorney; the Director of the Clermont County Department of Job & Family Services (CCDJFS) and Clermont County Children Protective Services (CCCPS); Cincinnati Children's Hospital Medical Center (CCHMC) and the Mayerson Center for Safe and Healthy Children (Mayerson Center).

3. Statement of Exception

The failure to conduct an investigation in accordance with this MOU regarding allegations of child abuse, neglect, or dependency is not grounds for, and shall not result in, the dismissal of any charges or complaint arising from the report nor 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

Upon the signature by all Mandatory Subscribers and following the approval of the Clermont County Board of County Commissioners ("BCC"), this MOU shall be forwarded to the Ohio Department of Children and Youth ("DCY") for compliance review per R.C. 2151.4230. Pursuant to R.C. 2151.4234, once approved by DCY this MOU shall be posted on the Clermont County website.

b) New Subscribers

If a mandated subscriber is replaced through election or appointment, the Director of CCDJFS, or his/her designee, shall provide the new representative with a copy of the current MOU. The CCDJFS Director or designee will seek the signed endorsement of any new representative. Should any mandated participant refuse to endorse the MOU, a letter of explanation shall be attached to and filed with the MOU.

c) Biennial Review and Amendment - R.C. 2151.4222

The Mandatory Subscribers shall biennially review this MOU, pursuant to R.C. 2151.4222, to review, evaluate, and update the procedures set forth herein. The MOU was first adopted pursuant to this procedure in 2023. Once the Mandatory Subscribers have completed their review, the MOU shall be forwarded to the BCC for approval pursuant to R.C. 2151.4225, and then shall be forwarded to DCY for compliance review, pursuant to R.C. 2151.4230.

II. Roles and Responsibilities of Mandated Subscribers

A. Clermont County Prosecutor Role and Responsibilities

1. If a referral of suspected child abuse, neglect or dependency occurring in this County is received by the Clermont County Prosecutor's Office ("Prosecutor") directly, the Prosecutor will forward it immediately, either in person or by phone, to CCCPS and to the appropriate law enforcement agency. The Prosecutor will follow up this report in writing or by email as soon as practicable.
2. The Prosecutor shall review any recommendations brought to its attention by CCCPS deemed to be necessary by the agency to protect such children.
3. Review reports by law enforcement agencies and determine whether to prosecute criminal child abuse or neglect cases.
4. Provide legal advice to CCCPS and/or any law enforcement agency represented by the Prosecutor regarding child abuse, neglect, or dependency cases pertaining to this section.
5. When permitted by law, will represent CCCPS 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 complaint or law enforcement has filed criminal complaints.
6. Prepare and file pleadings including motions, actions and/or complaints necessary to protect children and prosecute criminal defendants.
 - a Includes drafting Complaints and representing CCCPS in emergency actions before Juvenile Court when law enforcement refuses to remove a child pursuant to Juv.R. 6.
 - b Includes drafting Petitions for Access under R.C. 2151.25 to Juvenile Court and representing CCCPS when a parent or guardian refuses to allow CCCPS access to conduct an investigation, or refuses to consent to a Mayerson or CAC interview.
7. Respond to requests for assistance by CCCPS in the event the agency is refused access to a child alleged to be abused, neglected or dependent, or is refused any records needed for an assessment or investigation to determine if the child is, or at risk of becoming, an abused, neglected, or dependent child.
 - a Includes providing assistance to CCCPS in drafting and representing CCCPS in Petitions to Juvenile Court for Orders under R.C. 2151.25.
8. 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 CCCPS 24 hours per day, 7 days per week.
2. To refer all reports or referrals of known or suspected child abuse or neglect to CCCPS upon receipt.
3. To determine, based upon the allegations of abuse and/or neglect present, whether there is criminal culpability which should be charged.
4. To consult with the prosecutor's office upon making such a determination to initiate criminal prosecution.
5. In cases involving a non-related, non-household, perpetrator, law enforcement shall be solely responsible for interviewing the alleged perpetrator.
6. In cases involving a related or household perpetrator, law enforcement shall provide immediate verbal notice to CCCPS concerning its intent to be the sole interviewer of the alleged perpetrator.
7. All initial interviews of alleged child victims shall occur at the Mayerson Center, CCHMC, or another accredited CAC (child advocacy center) as the circumstances require.
 - a. Upon request of the Prosecutor, either law enforcement or CCCPS will conduct a subsequent interview. This is to occur with the goal of eliminating all unnecessary interviews of children and 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.
 - b. Law enforcement shall attend the Mayerson or CAC appointment for the ACV, or shall respond to CCHMC Emergency Department to be present during the assessment.
 - c. **Note:** The Mayerson Center / CAC Interview requirement does not prohibit law enforcement responding to the scene from assessing the situation and asking questions to ensure the safety of the child prior to the Mayerson or CCHMC Emergency Department or CAC visit. Officers shall, however, refrain from conducting a detailed, forensic questioning of the ACV concerning the allegations.
8. Shall contact the Prosecutor and CCCPS prior to conducting an interview and/or audio or video recording an interview of an ACV or other of children involved in reports of alleged child abuse and/or neglect.
9. To consult, as soon as possible, with CCCPS and the Prosecutor concerning the interviewing of other potential child witnesses, siblings, and family members as it relates to the allegations of child abuse or neglect.
10. To inform CCCPS of law enforcement's investigative status and dispositions so that CCCPS can comply with Ohio Administrative Code and Statewide Automated

Child Welfare Information System (SACWIS) reporting requirements in cases active with CCCPS. Law enforcement should consult with CCCPS as soon as possible, so that CCCPS can comply with their screening and investigative requirements.

11. Upon request, to provide local police record checks for CCCPS staff concerning individuals who are under investigation for alleged child abuse or neglect, or for individuals who are involved in a CCCPS case, who:
 - a. Pose a threat of physical harm to a CCCPS employee or a member of the employees' 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 guardians or parents.
 - g. Are called to the scene of an investigation to take temporary custody of children involved, in order to ensure that the children are safely placed.
12. In every situation involving an ACV, criminal activity in a home with child(ren), or the potential removal of a child(ren), law enforcement shall contact CCCPS immediately to notify CCCPS of the situation.
 - a. Law Enforcement shall immediately consult with CCCPS whenever there are other children in the home, besides the ACV, so that CCCPS may respond and assess the safety of those other children.
 - b. Law Enforcement shall immediately consult with CCCPS, except when in an emergency and it is necessary to protect the child, prior to taking any action towards removal of an ACV from the home as provided for in ORC 2151.421(F), 2151.31 or Juv.R. 6, , so that CCCPS may respond to 1) assist in obtaining shelter for the child and 2) assess the safety of any remaining children in the home.
 - c. If the immediate removal of the child is necessary in an emergency situation, the officer shall contact CCCPS immediately afterwards to notify CCCPS of the situation and to seek assistance in obtaining shelter for the child and for assistance in notifying the child's parents, guardians, or custodians.
 - d. Law Enforcement shall contact CCCPS prior to allowing any other family member or friend to remove the child(ren) from the scene so that CCCPS ensure there are no safety issues with the proposed caregiver.

- e These situations include investigations or responses to: allegations of abuse, neglect, dependency, criminal activity in the household, or the death of a child.
13. Handle and coordinate investigations involving the death of a child, which may have resulted from abuse or neglect.
 14. Accompany and assist CCCPS workers in situations where the provision of services or the investigation into child abuse, neglect, or dependency allegations is interfered with, or the safety of the CCCPS worker is placed in jeopardy.
 - a Law Enforcement shall provide assistance to CCCPS workers in conducting investigations as authorized by Juvenile Court Orders pursuant to R.C. 2151.25, including enforcing Orders directing law enforcement to enter the home with the caseworker and remove the child to the place designated in the court Order for the interview and examination of the child. R.C. 2151.25(D)(2).
 15. To receive and respond to reports/referrals 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
 - a In responding to such reports/referrals, to consult with CCCPS immediately to determine and insure the safety of the subject child's placement.
 16. To assist CCCPS in investigating allegations of child abuse or neglect in accordance with the law, including those in an out-of-home care setting; and to investigate alleged child abuse or neglect reports requiring "third-party" investigations.
 17. Receive and keep on file all reports of investigations completed by CCCPS in accordance with the cross referral system provided for in this MOU.
 18. Upon request, law enforcement will provide CCCPS information regarding open child abuse or neglect cases. Such information may be disclosed verbally, but must be followed either in writing or by electronic mail. Law enforcement's duty to disclose information is limited to information that's dissemination is not proscribed by other local, state, or federal law.
 - a Once CCCPS has initiated such a request, law enforcement has an ongoing duty to update CCCPS on new information.
 19. To keep all child abuse, neglect, and dependency reports confidential and not produce such reports in response to public records requests or otherwise allow the public release of such reports (ORC 2151.421, 5101.131, 5153.17 and OAC 5180:2-33-21). This includes information, either verbal, electronic, or written that was obtained from CCCPS, as part of the criminal investigation into allegations of child abuse and/or neglect.

- a Whenever law enforcement receives a public records request concerning reports of alleged child abuse or neglect, law enforcement shall immediately notify the Prosecutor's Office of the request.
 - b Law enforcement shall redact, or otherwise not include, any information obtained from CPS in responses to public records requests. This includes redacting any information obtained from CPS from offense reports, run reports, and/or incident reports prior to their release.
20. When disseminating any materials as required by this MOU, the disclosure must contain the following disclaimer, pursuant to OAC 5180:2-33-21(B): "1) The information is confidential and is not subject to disclosure pursuant to section 149.43 or 1347.08 of the Revised Code by the agency to whom the information was disclosed; 2) Unauthorized dissemination of the contents of the information is in violation of section 2151.421 of the Revised Code; and 3) Anyone who permits or encourages unauthorized dissemination of the contents of the information violates section 2151.99 of the Revised Code and such a violation is a misdemeanor of the fourth degree."

C. Clermont County Department of Job and Family Services Role and Responsibilities

For all CCDJFS employees who are not members of CCCPS

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

D. CCCPS Role and Responsibilities

- 1. To receive and respond to referrals of child abuse or neglect 24 hours per day, 7 days per week. This includes referrals of abuse or neglect involving persons under 21 years of age when that person has a developmental disability.
- 2. To conduct investigations and to aide law enforcement in their investigations in accordance with the Ohio Revised Code and the Ohio Administrative Code, and in a manner that is in furtherance of protection of the ACV.
- 3. CCCPS shall assist law enforcement with placement of children removed from their home pursuant to Juvenile Rule 6, ORC 2151.421(F), and 2151.31, including assisting the officer with obtaining shelter for the child and with the notification of the child's parents, guardians, or custodian.

4. To initiate proceedings, whenever appropriate, to bring a child to the attention of the Clermont County Court of Common Pleas, Juvenile Division and arrange for any needed social or rehabilitative services for the child and his/her family.
 - a. Should CCCPS be denied access to investigate referrals of abuse, neglect, or dependency, or denied access to records for such an investigation, CCCPS shall first contact the Prosecutor before initiating proceedings for Court ordered access pursuant to R.C. 2151.25.
5. To meet with law enforcement staff to provide information regarding Clermont County Children's Protective Services and how law enforcement can access Clermont County Children's Protective Services assistance.
6. To report criminal behavior or activity to law enforcement.
7. To provide community education regarding child abuse or neglect.
8. To take possession of any deserted or abandoned child.
9. Pursuant to R.C. 2151.423, CCCPS shall disclose confidential information discovered during an investigation conducted pursuant to R.C. 2151.421 or R.C. 2151.422 to any federal, state, or local government entity, ***or any agency providing prevention services***, that needs the information to carry out its responsibilities to protect children from abuse or neglect.
 - a. The information may be disclosed verbally, but must be followed up in writing or via electronic mail, and the disclosure must include the disclaimer outlined in OAC 5180:2-33-21(B).
 - b. CCCPS has a continuing duty of disclosure in such cases, and shall provide updates of new information to the corresponding governmental entity or agency providing prevention services.
10. To refer referents/reporters of missing/abused/neglected children to law enforcement; and share with law enforcement available information which is relevant to their investigation.
 - a. Pursuant to O.A.C. 5180:2-33-21(G)(1), CCCPS shall make all relevant information available to law enforcement investigating a missing/abused/neglected child, whether or not the child currently being investigated is the same child who serves the basis of the CCCPS records.
11. To refer to law enforcement referrals or reports 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.
 - a. To respond to requests for assistance from law enforcement in assuring the safe placement of a child who is the subject of an investigation into allegations of interference with custody.
12. To refer and work cooperatively with the local law enforcement agency or another public children service agency in "third party" and out-of-home investigations

regarding alleged abuse, neglect, or dependency of children when the allegation involved:

- a. Any institution, facility or family foster home which is licensed, approved, or certified by the DCY and operated or supervised by CCCPS;
 - b. Any DCY or CCCPS staff;
 - c. Any authorized person representing DCY or CCCPS, 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 recommended, approved or supervised by CCCPS or CCDJFS;
 - 2) Type B family daycare home;
 - 3) Anytime it is determined that a conflict of interest may exist.
13. All initial forensic interviews of alleged child victims shall occur at the Mayerson Center, CCHMC, or another accredited CAC (child advocacy center) as the circumstances require.
- a. Upon request of the Prosecutor, either law enforcement or CCCPS will conduct a subsequent interview. This is to occur with the goal of elimination of all unnecessary interviews of children, providing for only one interview of the child(ren) 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.
 - b. The CCCPS investigator shall attend the Mayerson or CAC appointment for the ACV, or shall respond to CCHMC Emergency Department to be present during the assessment.
 - c. **Note:** This forensic interview requirement does not prohibit CCCPS investigators from assessing the situation and asking questions to ensure the health and safety of the child prior to the Mayerson, other CAC, or CCHMC Emergency Department visit. CCCPS investigators shall, however, refrain from conducting a detailed, forensic questioning of the ACV concerning the specifics of the allegation. CCCPS' contact with the AP and other household members is outlined elsewhere in this MOU.
 - d. CCCPS shall immediately notify law enforcement of the date and time of the Mayerson Center / CAC appointment so that law enforcement can also attend. If CCCPS sends the ACV to CCHMC Emergency Department, CCCPS shall immediately notify law enforcement of that fact.
14. In situations involving sexual assault allegations or in emergency situations, CCCPS shall not contact and interview any family members, guardians, custodians, siblings, or other child witnesses without first contacting law enforcement or the Prosecutor.
15. In non-emergency and non-sexual abuse situations, if a referral causes CCCPS to contact law enforcement, CCCPS shall contact law enforcement prior to contacting

and interviewing any family members, guardians, custodians, siblings, or other child witnesses, in order to coordinate their investigations.

16. To keep all child abuse/neglect referrals confidential and not produce such referrals or reports in response to public records requests or otherwise allow the public release of such information (ORC 2151.421, 5101.131, 5153.17 and OAC 5180:2-33-21). This includes information, both verbal, electronic, and written, obtained from law enforcement as part of CCCPS' investigation into allegations of child abuse and/or neglect. R.C. 2151.4221(B)(7).
 - a. Whenever CCCPS receives a public records request concerning reports of alleged child abuse or neglect, CCCPS shall immediately notify the Prosecutor's Office of the request.
17. When disseminating any materials as required by this MOU, the disclosure must contain the following disclaimer, pursuant to OAC 5180:2-33-21(B): "1) The information is confidential and is not subject to disclosure pursuant to section 149.43 or 1347.08 of the Revised Code by the agency to whom the information was disclosed; 2) Unauthorized dissemination of the contents of the information is in violation of section 2151.421 of the Revised Code; and 3) Anyone who permits or encourages unauthorized dissemination of the contents of the information violates section 2151.99 of the Revised Code and such a violation is a misdemeanor of the fourth degree."
18. Upon receipt of a request for information necessary for the evaluation and treatment of the ACV by personnel of the Mayerson Center, a separate CAC, CCHMC, or any other hospital emergency department, CCCPS shall share the requested information with the requesting individual.
 - a. Pursuant to this MOU, all requests in such instances shall be deemed to constitute "good cause" for dissemination purposes of R.C. 5153.17 by the Director of the CCDJFS and CCCPS.
 - b. Any information disseminated to the requesting individual remains confidential and privileged, and further dissemination by the recipient is prohibited unless otherwise permitted by R.C. 5153.17, 2151.421, and 2151.423.
 - c. CCCPS is only required to share information concerning the ACV to the extent required for the treatment and evaluation of the child. CCCPS shall share information on the AP only to the extent necessary for the treatment and evaluation of the ACV. CCCPS is not required to share information gathered through its investigation concerning other family members, past referrals, etc.

E. The Mayerson Center at Cincinnati Children's Medical Center

1. The Mayerson Center for Safe and Healthy Children is hospital-based child advocacy center striving to evaluate child victims of abuse or neglect in a way that minimizes trauma to the child and maximizes positive outcomes for the child victim and his or her family.

2. The Mayerson Center hosts a weekly team meeting where cases are discussed in order to ensure proper identification and referral of cases to mandated agencies as well as to provide problem solving, support and education to the multidisciplinary team.
3. Emergency Evaluations of child abuse or neglect can be referred to the Cincinnati Children's Hospital Emergency Department. The referent can notify the Emergency Department social worker by paging 513-736-4410 or by calling the main hospital at 513-636-4200 and asking for the Emergency Department Social Worker.
4. Non-emergency evaluations can be scheduled by calling 513-636-7233, Monday through Friday, 8:30-5 pm.

III. Procedure for Reporting Child Abuse/Neglect

A. Mandated Reporters

1. Suspected child abuse or neglect must be immediately reported by any attorney; health care professional; practitioner of a limited branch of medicine as specified in section 4731.15 of the Revised Code; licensed school psychologist; independent marriage and family therapist or marriage and family therapist; coroner; administrator or employee of a child day-care center; administrator or employee of a residential camp, child day camp, or private, nonprofit therapeutic wilderness camp; administrator or employee of a certified child care agency or other public or private children services agency; school teacher; school employee; school authority; peace officer; humane society agent; dog warden, deputy dog warden, or other person appointed to act as an animal control officer for a municipal corporation or township in accordance with state law, an ordinance, or a resolution; person, other than a cleric, rendering spiritual treatment through prayer in accordance with the tenets of a well-recognized religion; employee of a county department of job and family services who is a professional and who works with children and families; superintendent or regional administrator employed by the department of youth services; superintendent, board member, or employee of a county board of developmental disabilities; investigative agent contracted with by a county board of developmental disabilities; employee of the department of developmental disabilities; employee of a facility or home that provides respite care in accordance with section 5123.171 of the Revised Code; employee of an entity that provides homemaker services; employee of a qualified organization as defined in section 2151.90 of the Revised Code; a host family as defined in section 2151.90 of the Revised Code; foster caregiver; a person performing the duties of an assessor pursuant to Chapter 3107. or 5103. of the Revised Code; third party employed by a public children services agency to assist in providing child or family related services; court appointed special advocate; or guardian ad litem.
2. Suspected child abuse or neglect shall be reported to Clermont County Children's Protective Services through its 24 hour child abuse hotline (513)732-STOP, or electronically to clermontcpsintake@jfs.ohio.gov, 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, not listed in subsection A above, 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 CCCPS.
2. Suspected child abuse or neglect shall be reported to CCCPS through its 24 hour child abuse hotline (513)732-STOP, or electronically to clermontcpsintake@jfs.ohio.gov, or to a municipal, township, 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)].

C. Making Reports of Child Abuse or neglect

1. Reports and Referrals of child abuse or neglect shall be made by phone, in person, or electronically to CCCPS or to any law enforcement officer in Clermont County. R.C. 2151.421(C).
2. The CCCPS Child Abuse Hot Line number is **(513)732-STOP**, available 24 hours per day, 7 days per week. Anyone reporting a child suspected of being abused, neglected or dependent may call collect. The hotline 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 social media pages, public buses or billboards.
3. A follow-up written report may be made in person, by email, or by regular mail to CCCPS between the hours of 8:00 AM to 4:15 PM, Monday through Friday.

clermontcpsintake@jfs.ohio.gov

OR

Clermont County Children's Protective Services
2400 Clermont Center Drive
Suite 204B
Batavia, Ohio 45103

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 CCCPS at (513)732-STOP, 24-hours per day 7 days per week. A copy of the report may be faxed by the law enforcement agency to CCCPS at (513) 732-7349 or emailed to clermontcpsintake@jfs.ohio.gov.
5. Pursuant to O.R.C. 2151.421(I), the information contained within a referral or report of child abuse/neglect/exploitation is **confidential**, as is the name of the person making the referral/report.

D. Penalty for Failure to Report

1. CCCPS shall notify the 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 Prosecutor by the Director or designee of the CCCPS.
2. Failure to report may result in civil liability to the child who would have been the subject of the report not made. Liability may include compensatory and exemplary damages. [O.R.C. 2151.421(M)].

E. Immunity in Reporting Cases of Alleged Child Abuse or 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. [R.C. 2151.421 (H)].

F. Confidentiality ORC 2151.421(I)

1. Any report or referral 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.
2. CCCPS shall notify the Prosecutor when it becomes aware of any potential unauthorized dissemination of confidential information. This notification shall be submitted in writing to the Prosecutor by the Director of CCCPS or the Designee of the Director of the CCDJFS [see also: R.C. 5153.17, O.A.C. 5180:2-33-21]

G. Responding to Mandated Reporters ORC 2151.421(K)

1. When CCCPS receives a referral from a mandated reporter, CCCPS shall provide the mandated reporter with the following information upon request from the mandated reporter:
 - a. Whether the agency has initiated an investigation of the report;
 - b. Whether the agency or center is continuing to investigate the report;
 - c. Whether the agency is otherwise involved with the child who is the subject of the report;
 - d. The general status of the health and safety of the child who is the subject of the report;

- e. Whether the report has resulted in the filing of a complaint in Juvenile Court or of criminal charges in another court.

H. False Reporting [2151.421(I)(3)]

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. [R.C. 2921.14]

IV. Procedure for Requesting Law Enforcement Presence

- A. CCCPS *shall* request immediate assistance from law enforcement on scene when one or more of the following situations exists:

1. CCCPS has reason to believe that the child is in immediate, or threatened, danger of physical or emotional harm; or that a crime is or has been committed toward a child.
2. CCCPS has reason to believe that a crime is being committed at the location;
3. An exigent circumstance affecting the health and safety of the child exists.
4. The Juvenile Court has issued an Order pursuant to R.C. 2151.25 that authorizes CCCPS to enter the home of the ACV to conduct their investigation and/or assessment for services.

- B. CCCPS *may* request assistance from law enforcement on scene when one or more of the following situations exist:

1. CCCPS has reason to believe that the worker is, or will be, in danger of harm;
2. The assistance of law enforcement needs to be invoked in accordance with this Memorandum;
3. The CCCPS worker must conduct a home visit after regular business hours and a law enforcement escort is requested by the caseworker;
4. CCCPS is removing a child from his/her family via an order of the court and the assistance of law enforcement is needed as the CCCPS has reason to believe the family will challenge the removal;
5. CCCPS must conduct an assessment investigation at a known drug house and a law enforcement escort is needed to ensure the safety of all involved;
6. CCCPS 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;
7. CCCPS is working with a family that has historically threatened to do harm to CCCPS staff.

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

A. Reports or Referrals of Abuse, Neglect, Dependency, or Family in Need of Services-
note: The General Investigative Procedures outlined in subsection 5, below, apply to all of the other subsections under Section V.

1. Allegations of sexual abuse (*Follow these steps in Order*)

a. If first reported to law enforcement, follow these steps in order:

- i Proceed with immediate intervention and investigation as needed to end the imminent threat of physical harm to the child.
- ii Notify CCCPS **by phone** as soon as practicable, to make report of suspected abuse and to consult concerning services
 - a If situation involves a related alleged perpetrator (AP), and law enforcement deems it necessary, law enforcement shall provide immediate verbal notice to CCCPS of their intent to be the sole interviewer of the AP.
- iii Law enforcement shall not conduct a forensic interview of the ACV, but shall instead refer the ACV to the Mayerson Center or to CCHMC Emergency Department as the situation demands.
- iv Patrol Officers are not prohibited from obtaining sufficient specifics on the scene to make proper dispositions of the initial police report and to ensure the health and safety of the ACV.
- v Consult with the Prosecutor as necessary

b. If first referred to CCCPS, follow these steps in order:

- i CCCPS shall contact local law enforcement immediately upon receipt of the referral, prior to initiating its own investigation or screening process.
- ii If CCCPS determines from the referral that a child is threatened or alleged to be sexually abused and there is imminent risk to life, physical or mental health or safety, an investigation shall begin within an hour of receipt of the referral.
- iii CCCPS shall not conduct a forensic interview of the ACV at the scene, but will instead refer the ACV to the Mayerson Center, CCHMC Emergency Department, or to another CAC, as the situation demands.
 - a If an immediate appointment at Mayerson Center, another CAC, or CCHMC is not available, CCCPS may conduct an assessment of the current safety and welfare of the ACV but shall refrain from forensic questioning concerning the allegations.

- b CCCPS shall not ask any questions of the ACV or any other potential witness in the presence of the AP.
 - iv Contact the Prosecutor within 24 hours to inform of the allegations and investigation.
- c. Securing a Medical Examination/Evaluation
 - i For immediate treatment of injuries, or need for sexual assault examination, the ACV should be sent to the Emergency Department of CCHMC. The ACV shall not be forensically interviewed prior to the CCHMC visit.
 - a Prior to sending the ACV to the CCHMC Emergency Department, referent shall contact the Mayerson Center for assistance in determining where to send the ACV to ensure the ACV is evaluated as soon as possible.
 - b If the report concerns past abuse, Children should be sent to the Emergency Department if the sexual contact occurred in the last 72 hours, or 96 hours for pubertal females, and there is a need for evidence collection.
 - c If the ACV is in CCCPS' custody but resides in another part of the state, CCCPS shall contact the closest hospital (capable of conducting sexual assault evaluations) or the local CAC to arrange a forensic interview; CCCPS shall refrain from conducting a forensic interview prior to that Appointment.
 - ii The initial interviews of ACV's, in situations *not* requiring the immediate treatment injuries or sexual assault evidence collection, shall occur at the Mayerson Center or the closest CAC. [see ¶ 14, Sec. II(B)]. An appointment at Mayerson can be scheduled by calling 513-636-7233.
 - iii Law enforcement and the CCCPS investigator shall attend the visit at Mayerson Center / CCHMC Emergency Department.
 - a. If the forensic interview is being conducted in a CAC in another part of the State, CCCPS should make attempts to attend the interview if possible.
 - iv If CCCPS investigator sends an ACV to the Mayerson Center, CCHMC, or another CAC, the CCCPS investigator shall immediately notify law enforcement by phone of the date and time of the appointment so that law enforcement may attend.
 - v If the Mayerson Center, or other CAC, refuses to complete the forensic evaluation of the ACV, CCCPS shall immediately contact the Prosecutor and law enforcement to coordinate the initial interview of the ACV.

- vi A medical examination/evaluation of the ACV can be secured with consent of the child, parent, guardian, or custodian; or with a court order. If a parent, guardian, or custodian refuses to consent to a forensic interview, the Prosecutor shall be contacted immediately.
- vii If the parent/guardian/custodian is unavailable, or refuses to speak with either CCCPS or law enforcement, then the requesting party shall immediately contact the Prosecutor to petition the Court for an Order directing the evaluation pursuant to R.C. 2151.25.
- d. CCCPS shall not inform the AP of the allegations against him/her, or have any contact with the AP, if law enforcement has indicated that it will be the sole interviewer of the AP. *See* 5180:2-36-03(O) and (P).
 - a. If law enforcement, after receiving CPS' referral, does not initiate an investigation, law enforcement shall immediately contact CCCPS to allow CCCPS to contact the AP.
 - b. *See Section V(A)(6)(g), pgs 24-25*
- e. CCCPS shall not conduct any interviews of family members, guardians, custodians, siblings, or other child witnesses without first contacting law enforcement or the Clermont County Prosecutor's Office.

2. Emergency Situations (*follow these steps in order*) –

- a. If first reported to law enforcement, follow these steps in order:
 - i Proceed with immediate intervention and investigation
 - ii Notify CCCPS **by phone** as soon as practicable, to make report of suspected abuse and to consult concerning services
 - a If the situation involves a related alleged perpetrator (AP), and law enforcement deems it necessary, law enforcement shall provide immediate verbal notice to CCCPS of their intent to be the sole interviewer of the AP.
 - iii Law enforcement shall not interview the ACV about the allegations- as mentioned elsewhere in this Memorandum, the initial forensic interviews of alleged child victims shall occur at the Mayerson Center, another CAC, or CCHMC [see ¶ 14, Sec. II(B)]
 - iv Patrol Officers are not prohibited from obtaining sufficient specifics on the scene to make proper dispositions of the initial police report and to ensure the health and safety of the ACV.
 - v Consult with Prosecutor's Office as necessary
- b. If first referred to CCCPS, follow these steps in order
 - i CCCPS shall contact local law enforcement immediately upon receipt of the referral, prior to conducting the investigation or screening process.

- ii If CCCPS determines from the referral 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 referral.
 - iii CCCPS shall not conduct a forensic interview of the ACV at the scene, but will instead refer the ACV to Mayerson Center, another CAC, or CCHMC Emergency Department as the situation demands.
 - a If an immediate appointment at Mayerson Center, another CAC, or CCHMC is not available, CCCPS may conduct an assessment of the safety and welfare of the ACV but shall refrain from questioning concerning the allegations.
 - b CCCPS shall not ask any questions of the ACV or any other potential witness in the presence of the AP.
 - iv Consult with the Prosecutor's office as necessary.
- c. Securing a Medical Examination/Evaluation
- i For the immediate treatment of injuries the ACV should be sent to the Emergency Department of CCHMC. The ACV shall not be forensically interviewed prior to the CCHMC visit.
 - a An appointment can be secured by calling the Mayerson Center at 513-636-7233, or by calling the CCHMC Emergency Department and paging the social worker 513-736-4410.
 - b If the ACV is in CCCPS' custody but resides in another part of the state, CCCPS shall contact the closest hospital and local CAC to arrange a forensic interview; CCCPS shall refrain from conducting a forensic interview prior to that Appointment.
 - ii The initial interviews of ACV's, in situations not requiring the immediate treatment injuries or sexual assault evidence collection, shall occur at the Mayerson Center or the closest CAC. [see ¶ 14, Sec. II(B)]. An appointment can be scheduled by calling 513-636-7233.
 - i. If appointment at Mayerson or another CAC is scheduled, CCCPS shall notify law enforcement, by phone, of the date and time of the interview so that law enforcement may attend.
 - iii Law enforcement and the CCCPS investigator shall attend the visit at Mayerson Center / CCHMC Emergency Department.
 - i. If the forensic interview is being conducted in a CAC in another part of the State, CCCPS should make attempts to attend the interview if possible.

- iv A medical examination/evaluation of the ACV can be secured with consent of the child, parent, guardian, or custodian; or with a court order.
 - v If the parent/guardian/custodian is unavailable, or refuses to speak with either CCCPS or law enforcement, then the requesting party shall immediately contact the Prosecutor's office to petition the Court for an Order directing the evaluation.
- d. CCCPS shall not inform the AP of the allegations against him/her, or have any contact with the AP, if law enforcement has indicated that it will be the sole interviewer of the AP. *See* 5180:2-36-03(O) and (P).
- i If law enforcement, after receiving CPS' referral, does not initiate an investigation, law enforcement shall immediately contact CCCPS to allow CCCPS to contact the AP.
 - ii *See Section V(A)(6)(g), pgs 24-25*
- e. CCCPS shall contact law enforcement prior to conducting any interviews of family members, guardians, custodians, siblings, or other children in the home to coordinate the investigation.
3. Non-emergency Situations – including all other referrals of child abuse, neglect, dependency, or family in need of services (*Follow these steps in order*):
- a. Upon receipt of a referral, CCCPS shall determine if the concerns referred constitute child abuse or neglect, and shall make an immediate referral to law enforcement if found. *See* 5180:2-36-01(F)(1)
 - b. If CCCPS determines the referral constitutes a situation of dependency or of a family in need of services, CCCPS may refer to law enforcement. *See* 5180:2-36-01(F)(2) & (F)(3).
 - c. CCCPS shall make an immediate cross-referral to law enforcement if the referral alleges a criminal offense is occurring or has occurred.
 - i IF referral is made to law enforcement, CCCPS shall contact law enforcement:
 - a Prior to interviewing the ACV
 - b Prior to conducting an interview of the AP
 - c Prior to informing the AP of the allegations against him/her
 - ii If a referral is made to law enforcement, CCCPS shall contact law enforcement prior to conducting any interviews of family members, guardians, custodians, siblings, or other children in the home.
 - d. If CCCPS initiates an investigation under this section, and during that investigation learns additional facts that suggest there are reasonable grounds to believe there is an immediate, or threatened, risk of physical or

emotional harm to the ACV, CCCPS shall immediately contact law enforcement to address the risk and to consult on the investigation.

- e. If first reported to local law enforcement, law enforcement should make a referral by phone, to CCCPS as soon as possible to report the alleged abuse/neglect/dependency, and to consult concerning the investigation.
 - i The law enforcement agency should immediately inform CCCPS if the agency intends to be the sole interviewer of the alleged perpetrator when the alleged perpetrator is a family member
 - ii Law enforcement should immediately consult with CCCPS concerning the interviewing of non-perpetrator parents/custodians, siblings, and other family members pursuant to the investigation
 - f. If a medical exam is deemed necessary after coordinating with CCCPS and the Prosecutor's Office, non-urgent medical exams shall be obtained through the Mayerson Center, another CAC, or the child's primary care physician. Consultation regarding the most appropriate place to receive medical evaluation can be obtained by calling the Mayerson Center at 513-636-7233, or after hours by calling the CCHMC Emergency Department social worker by paging 513-736-4410.
 - i Law enforcement and the CCCPS investigator shall attend the visit at the Mayerson Center or the CAC
 - ii If CCCPS investigator sends an ACV to Mayerson Center, another CAC, or CCHMC, the CCCPS investigator shall immediately notify law enforcement by phone of the date and time of the appointment so that law enforcement may attend.
 - g. Law enforcement shall handle all 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. CCCPS shall make such referrals when they become aware of the situation, and shall assist law enforcement in coordinating the safe placement of the minor subject to the report.
4. Investigations of criminal activity in a home where children are present
- a. If law enforcement conducts an investigation into criminal activity in a home in which a child, or children, are present and the child, or children, are at risk, law enforcement shall immediately contact CCCPS to report the situation.
 - b. If law enforcement conducts an investigation into criminal activity in a home in which a child, or children, are present and the parent/guardian/custodian is placed under arrest, law enforcement shall contact CCCPS immediately for assistance in safely placing the child/children.

- i Law enforcement shall contact CCCPS prior to allowing the child/children to leave the scene with a family member / friend / neighbor.

5. Investigations involving the death of a child

- a. Law Enforcement shall handle and take the lead on coordinating investigations involving the death of a child which may have resulted from abuse or neglect.
 - i Law enforcement shall immediately consult with the Prosecutor's Office in such situations
 - ii If the deceased is a person under 21 years of age with a developmental disability, law enforcement shall notify the Clermont County Coroner, no matter the circumstances of death, as required under R.C. 313.12.
 - iii If there are other children present in the home, law enforcement shall contact CCCPS immediately to ensure the safety of the other children, or to ensure the other children are safely placed.
 - a CCCPS must be contacted before allowing these other children in the home to leave with family members and/or friends.
- b. CCCPS shall coordinate its investigation to follow law enforcement's lead and shall provide information to law enforcement as requested.
 - i Upon receipt of a request for information for the evaluation of the ACV from CCHMC, or any other hospital emergency department, CCCPS shall share the requested information with the requesting individual.
 - a Specifically, the requests for information must be tailored to the treatment or evaluation of the ACV, including, but not limited to, the origin, diagnosis, and treatment of the ACV's injuries.
 - b Pursuant to this MOU, all requests in such instances shall be deemed to constitute "good cause" for dissemination purposes of R.C. 5153.17 by the Director of the Clermont County Department of Job and Family Services.
 - c Any information disseminated to the requesting individual remains confidential and privileged, and further dissemination by the recipient is prohibited unless otherwise permitted by R.C. 5153.17, 2151.421, and 2151.423.
 - d This section pertains to requests in any form, whether verbal or written.

- c. CCCPS shall not interview any family members or potential witnesses unless approved by the Prosecutor's Office and law enforcement.
 - i If other children are present in the home of the deceased child, CCCPS shall contact law enforcement before conducting an investigation into the health and safety of those other children.
- d. If the deceased child is in CCCPS custody pursuant to O.A.C. 5180:2-42-89, CCCPS shall immediately notify law enforcement and law enforcement shall lead the investigation after consultation with the Prosecutor's Office. O.A.C. 5180:2-33-26(E)(5)(f).

6. **General Investigative Procedures**

- a. Situations which, in the judgment of law enforcement officers, or officials of agencies or organizations, require children services intervention, can be reported to CCCPS by telephone, 24 hours per day at (513)732-STOP.
- b. CCCPS staff are available 24 hours per day to respond to referred concerns of abuse/neglect (OAC 5180:2-33-26(E)(2))
- c. **CCCPS and law enforcement SHALL contact one another concerning information gathered from their investigations** in determining the existence of child abuse or neglect.
 - i **As provided elsewhere in the Memorandum**, all information disseminated from CCCPS to law enforcement or to Mayerson Center/CCHMC, as well as information gathered from law enforcement by CCCPS in the course of their investigation, is **confidential and must not be further disseminated except as provided by law.**
- d. When this Memorandum requires CCCPS to "contact" law enforcement prior to taking an action, it is required that the CCCPS caseworker shall have actual communication with a member of the appropriate law enforcement agency. Leaving a voicemail or message for law enforcement is not sufficient to comply with the terms and intent of this Memorandum.
- e. When requested, CCCPS will 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.
- f. **Consent of Parent/Guardian/Custodian of ACV**
 - i As mentioned elsewhere in this memorandum, consent for an interview at Mayerson Center or CCHMC Emergency Department can be secured with consent of the child, parent, guardian, or custodian; or with a court order.
 - ii **CCCPS – R.C. 2151.421** does not contain language that requires investigators to obtain a parent's/guardian's/custodian's consent or permission prior to speaking with an ACV. The OAC does, as listed

below, but note that there **are exceptions to the parental consent requirement:**

- a “OAC 5180:2-36-03 (I) The PCSA shall not interview the alleged child victim or his or her siblings without parental consent, unless one of the following exigent circumstances exists:
 - b (1) There is credible information indicating the child is in immediate danger of serious harm.
 - c (2) There is credible information indicating that the child will be in immediate danger of serious harm upon return home from school or other locations away from his or her home.
 - d (3) There is credible information indicating that the child may be intimidated from discussing the alleged abuse or neglect in his or her home.
 - e (4) The child requests to be interviewed at school or another location due to one of the circumstances listed in this paragraph.”
- iii If a parent/guardian/custodian refuses to permit CCCPS to conduct an investigation, refuses to respond to CCCPS’ attempts to obtain permission, or is otherwise unavailable to respond to such requests for more than 24 hours, CCCPS shall immediately:
 - a Contact the Prosecutor for assistance in obtaining a Court Order to authorize the investigation under R.C. 2151.25.
 - b Begin gathering information for affidavit to Court in support of Petition for Access under R.C. 2151.25.
 - c The caseworker familiar with the circumstances shall be available to appear in court as necessary in support of the Petition.
- g. **Contact with the alleged perpetrator**
 - i **In sexual assault and emergency cases, or in cases alleging criminal conduct:**
 - a **If the AP is not related, or is a non-household member -** law enforcement will be the sole interviewer of the alleged perpetrator. CCCPS shall not contact the AP.
 - i If law enforcement reviews CCCPS’ referral and determines a criminal investigation is not warranted, law enforcement shall notify CCCPS so that CCCPS’ investigation may proceed.

- b **If the alleged perpetrator is a household member, or is the sole caregiver for the child** – CCCPS shall not contact the AP without first contacting and coordinating on the interview with law enforcement.
 - i If law enforcement reviews CCCPS’ referral and determines a criminal investigation is not warranted, law enforcement shall notify CCCPS so that CCCPS’ investigation may proceed.
 - ii CCCPS’ contact with the AP in situations to investigate the ACV’s immediate safety and wellbeing shall occur ***after contacting and coordinating with*** the appropriate law enforcement agency. Specific details of the allegation should not be relayed to reduce the opportunity of an alleged perpetrator to prepare a response or alibi.
 - iii CCCPS shall only inform the AP that “allegations of abuse/neglect/dependency have been raised against you” without providing specific names, parties, or acts alleged so as to not taint the criminal investigation.
- ii **In other abuse, neglect, and dependency cases**, CCCPS may contact the AP as required by the O.A.C. and CCCPS’ policies and procedures.
- iii If law enforcement determines that law enforcement will interview the alleged perpetrator, law enforcement will submit a written report of the interview within 45 days of the CCCPS’ case opening, or 45 days of the notification of law enforcement, whichever occurred later. If no report is received within 45 days of the notification of law enforcement, CCCPS will conduct the interview.
- h. **Contact with other family members, guardians, adult relatives, siblings, and/or child witnesses** - In conjunction with aforementioned terms of this MOU:
 - i In cases of sexual assault or emergency allegations, if the AP is not a family member nor member of the household, CCCPS shall contact law enforcement prior to interviewing the ACV’s guardians, family members, adult relatives, and siblings as required by the O.A.C. CCCPS may contact these individuals as directed by the O.A.C. to conduct safety assessments, but shall not *interview* them concerning the allegations without first contacting law enforcement. CCCPS shall share information gathered with the investigating law enforcement agency.
 - ii In cases of sexual assault or emergency allegations, if the AP is a family member or member of the household, CCCPS shall not

contact or interview parents, guardians, custodians, other family members, child siblings, or other child witnesses without first contacting law enforcement or the Prosecutor's Office. See O.A.C. § 5180:2-36-03(P).

- iii In non-emergency situations, CCCPS shall conduct its investigation as directed by the O.A.C. and CCCPS' adopted policy. CCCPS shall contact law enforcement as directed by the terms of this MOU. (Section IV(1)(a) and IV(1)(b))
- iv If CCCPS learns of information concerning an immediate threat to the safety, wellbeing and health of a different child in the home, CCCPS shall immediately contact law enforcement prior to conducting any further investigation.
 - a If an *ex parte* Order is received, the requesting law enforcement officer or CCCPS investigator must attend the probable cause hearing heard the following business day.
 - b The requesting party shall notify the Prosecutor's Office immediately upon receipt of the *ex parte* Order.
- i. Removal of Child under 2151.31, 2151.421(F) and Juvenile R. 6
 - i Law enforcement and CCCPS will cooperate when a law enforcement officer determines that removal is necessary as provided for in R.C. 2151.31, 2151.421(F) and Juvenile Rule 6. Those provisions are set forth more fully below in Section VII.
 - 1 If there is another child, or children, in the home besides the ACV, law enforcement shall immediately contact CCCPS, prior to leaving the scene, to assess the safety of the other child(ren).
 - ii **CCCPS** - If CCCPS deems removal of child(ren) is needed pursuant to Juv.R.6 or 2151.31, CCCPS shall contact law enforcement immediately.
 - 1 If law enforcement refuses to initiate removal under Juv.R. 6, CCCPS shall immediately contact the Prosecutor to request that a Motion for ex-parte temporary orders be filed with the Court.
 - 2 Begin gathering information to support Court filings.
 - iii. ***Ex-Parte Motions with Juvenile Court*** – pursuant to Juvenile Rule 6(A)(3)(g) or (A)(4), either law enforcement or CCCPS may contact the Juvenile Court for an *ex parte* shelter care order, over the telephone, when the best interest and welfare of the child require the immediate issuance of a shelter care order. If law enforcement or CCCPS so contacts the Court, that party shall immediately notify the Prosecutor of the contact.

- j. **Coordination between Law Enforcement, CCHMC, the Mayerson Center, & CCCPS**
 - i In conjunction with aforementioned terms of this MOU, CCCPS and local law enforcement will **NOT** conduct a face-to-face forensic interview with the ACV per the terms this MOU. The ACV should be sent to either CCHMC Emergency Department, or an appointment at the Mayerson Center or another CAC should be scheduled.
 - ii All parties to this MOU shall coordinate and share information to the fullest extent allowed by statute and to the extent dictated by this MOU in furtherance of the best interests and safety of the child.
 - iii As outlined elsewhere in this MOU, upon receipt of a request for information for the treatment and evaluation of the ACV from personnel of the Mayerson Center, CCHMC, any other hospital emergency department or any other CAC, CCCPS shall share the requested information with the requesting individual.
 - a Specifically, the requests for information must be tailored to the treatment and evaluation of the ACV, including, but not limited to, the origin, diagnosis, or treatment of the ACV's injuries.
 - b Pursuant to this MOU, all requests in such instances shall be deemed to constitute "good cause" for dissemination purposes of R.C. 5153.17 by the Director of the Clermont County Department of Job and Family Services.
 - c Any information disseminated to the requesting individual remains confidential and privileged, and further dissemination by the recipient is prohibited unless otherwise permitted by R.C. 5153.17, 2151.421, and 2151.423.
 - d This section pertains to requests in any form, whether verbal or written.
- k. CCCPS will assess the health and well-being of a child utilizing the CAPMIS Safety Assessment and Family Assessment, and will secure assistance if the need for emergency removal arises.
- l. CCCPS will refer and work cooperatively in "third party" and out-of-home investigations regarding alleged abuse or neglect of children; to request that the Clermont County Sheriff's Office, local law enforcement agency or another Public Children Service Agency investigate when the allegation involves:
 - i Any institution, facility, or family foster home which is licensed, approved, or certified by ODJFS and operated or supervised by CCCPS;
 - ii A Type B family daycare home;

- iii Foster caregivers, pre-finalized adoptive parents, adoptive parents, relatives, or kinship caregivers that CCCPS recommended, approved, or supervised;
- iv Any authorized person who is representing DCY or CCCPS and who is providing services for payment or as a volunteer;
- v Provide law enforcement with additional information regarding an open criminal investigation as law enforcement requests to the extent permitted by R.C. 2151.423.

B. Reports of Missing Children

1. Upon receiving a referral 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, CCCPS shall;
 - a. Immediately forward the referral 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.
2. Pursuant to 5180:2-33-21(G)(1), CCCPS is to provide all relevant information to law enforcement, regardless of whether or not the child being investigated is the same child that serves as the basis for the CCCPS case file.

C. Referrals of Withholding of Appropriate Nutrition, Hydration, Medication Indicated Treatment from Disabled Infants with Life-Threatening Conditions

1. CCCPS:
 - a. It shall be the responsibility of CCCPS receive and investigate any such referrals on a 24-hour basis.
 - b. The CCCPS intake worker will receive and record the referral alleging this condition and immediately refer it to his/her supervisor.
 - c. The investigation will be conducted according to the CCCPS policy on this subject in accordance with OAC 5180:2-36-07.
 - d. In the event that consent is not obtained from parents of a child determined to be neglected under this section, CCCPS shall immediately contact the Prosecutor in an effort to file a Petition for Access pursuant to R.C. 2151.25, and CCCPS shall begin gathering information for the affidavit to the Court.
 - e. Assist law enforcement as may become necessary and as is permitted by statute.

VI. How CCCPS 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 Investigating 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 Business Continuity Plan. The Business Continuity Plan is designed for responding to emergencies within the Clermont County Department of Job and Family Services.
2. 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 Clermont County Disaster Preparedness Plan).

VII. Removal of a Child

A. R.C. 2151.31(A)(3)

R.C. 2151.31(A)(3) provides that a law enforcement officer or duly authorized officer of the court may remove a child from their place of residence when any of the following conditions are present:

- (a) There are reasonable grounds to believe that the child is suffering from illness or injury and is not receiving proper care, as described in section 2151.03 of the Revised Code, and the child's removal is necessary to prevent immediate or threatened physical or emotional harm;
- (b) There are reasonable grounds to believe that the child is in immediate danger from the child's surroundings and that the child's removal is necessary to prevent immediate or threatened physical or emotional harm;
- (c) There are reasonable grounds to believe that a parent, guardian, custodian, or other household member of the child's household has abused or neglected another child in the household and to believe that the child is in danger of immediate or threatened physical or emotional harm from that person.

B. R.C. 2151.421(F)

R.C. 2151.421(F) provides that when a report is made about a child from the child's parents, stepparents, or guardian or any other person having custody of the child, a peace officer may not remove that child without consulting with the public children services agency, unless, in the judgment of the officer, and, if the report was made by the physician, immediate removal is considered essential to protect the child from further abuse or neglect.

C. Rules of Juvenile Court: Rule 6

Rule 6 of the Rules of Juvenile Court Reads as follows:

- (A) A child may be taken into custody:
- (1) pursuant to an order of the court;
 - (2) pursuant to the law of arrest;

- (3) by a law enforcement officer or duly authorized officer of the court when any of the following conditions exist:
- (a) There are reasonable grounds to believe that the child is suffering from illness or injury and is not receiving proper care, and the child's removal is necessary to prevent immediate or threatened physical or emotional harm;
 - (b) There are reasonable grounds to believe that the child is in immediate danger from the child's surroundings and that the child's removal is necessary to prevent immediate or threatened physical or emotional harm;
 - (c) There are reasonable grounds to believe that a parent, guardian, custodian, or other household member of the child has abused or neglected another child in the household, and that the child is in danger of immediate or threatened physical or emotional harm;
 - (d) There are reasonable grounds to believe that the child has run away from the child's parents, guardian, or other custodian;
 - (e) There are reasonable grounds to believe that the conduct, conditions, or surroundings of the child are endangering the health, welfare, or safety of the child;
 - (f) During the pendency of court proceedings, there are reasonable grounds to believe that the child may abscond or be removed from the jurisdiction of the court or will not be brought to the court;
 - (g) A juvenile judge or designated magistrate has found that there is probable cause to believe any of the conditions set forth in division (A)(3)(a), (b), or (c) of this rule are present, has found that reasonable efforts have been made to notify the child's parents, guardian ad litem or custodian that the child may be placed into shelter care, except where notification would jeopardize the physical or emotional safety of the child or result in the child's removal from the court's jurisdiction, and has ordered ex parte, by telephone or otherwise, the taking of the child into custody.
- (4) By the judge or designated magistrate ex parte pending the outcome of the adjudicatory and dispositional hearing in an abuse, neglect, or dependency proceeding, where it appears to the court that the best interest and welfare of the child require the immediate issuance of a shelter care order.
- (B) Probable cause hearing. When a child is taken into custody pursuant to an ex parte emergency order pursuant to division (A)(3)(g) or (A)(4) of this rule, a probable cause hearing shall be held before the end of the next business day after the day on which the order is issued but not later than seventy-two hours after the issuance of the emergency order.

VIII. COMMITMENT BY SUBSCRIBERS

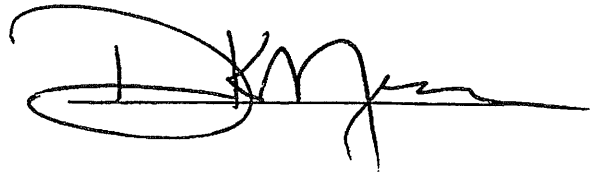
1. By signing this Memorandum of Understanding, each subscriber certifies and commits that a copy of this Memorandum will be provided to each current employee and will be provided to all new employees upon their hiring.
2. By signing this Memorandum, each subscriber certifies and commits that they will ensure that each employee reviews this memorandum, and further commits to the training of each employee on the procedures contained within this Memorandum.

3. By signing this Memorandum, each subscriber commits to ensuring that each employee tasked with the investigation of claims of child abuse or neglect is provided a copy of Exhibit A: Clermont County Procedures for Child Abuse/Neglect Claims, attached to this Memorandum.

IX. SIGNATURES *The signatures of the mandatory subscribers to this MOU are included in pages 30 through 48.*

I acknowledge that on this 18 day of June, 2025, I have reviewed the Clermont County Memorandum of Understanding Concerning Child Abuse, Neglect, and Dependency Investigations and hereby subscribe to the policies and procedures contained therein.

Dorothy Meier, Director
Clermont County Job and Family Services
2400 Clermont Center Drive
Batavia, OH 45103

A handwritten signature in black ink, appearing to read 'D Meier', written over a horizontal line.

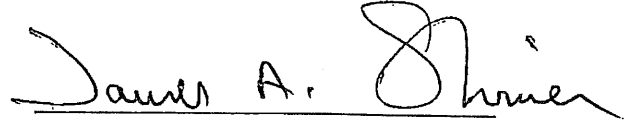
I acknowledge that on this 18th day of June, 2025, I have reviewed the Clermont County Memorandum of Understanding Concerning Child Abuse, Neglect, and Dependency Investigations and hereby subscribe to the policies and procedures contained therein.

Anne Gross, Director
Clermont County Children's Protective Services
2400 Clermont Center Drive
Batavia, OH 45103

A handwritten signature in black ink, appearing to read "Anne Gross", written over a horizontal line.

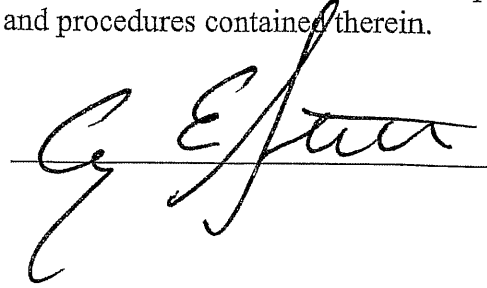
I acknowledge that on this 12th day of June, 2025, I have reviewed the Clermont County Memorandum of Understanding Concerning Child Abuse, Neglect, and Dependency Investigations and hereby subscribe to the policies and procedures contained therein.

James A. Shriver, Judge
Clermont County Juvenile Court
2340 Clermont Center Drive
Batavia, Ohio 45103

A handwritten signature in black ink that reads "James A. Shriver". The signature is written in a cursive style and is positioned to the right of the typed name.

I acknowledge that on this 18 day of June, 2025, I have reviewed the Clermont County Memorandum of Understanding Concerning Child Abuse, Neglect, and Dependency Investigations and hereby subscribe to the policies and procedures contained therein.

Christopher E. Stratton, Sheriff
Clermont County Sheriff's Office
4470 State Route 222
Batavia, Ohio 45103

A handwritten signature in cursive script, reading "C E Stratton", is written over a horizontal line.

I acknowledge that on this 18 day of June, 2025, I have reviewed the Clermont County Memorandum of Understanding Concerning Child Abuse, Neglect, and Dependency Investigations and hereby subscribe to the policies and procedures contained therein.

Mark Tekulve, Prosecutor
Clermont County Prosecutor Office
76 South Riverside Drive
Batavia, Ohio 45103

A handwritten signature in black ink, appearing to read 'Mark Tekulve', written over a horizontal line.

I acknowledge that on this 11 day of June, 2025, I have reviewed the Clermont County Memorandum of Understanding Concerning Child Abuse, Neglect, and Dependency Investigations and hereby subscribe to the policies and procedures contained therein.

Robert A. Shapiro, M.D.

Center Director

Cincinnati Children's Hospital Medical Center on behalf
of its Mayerson Center for Safe and Healthy Children

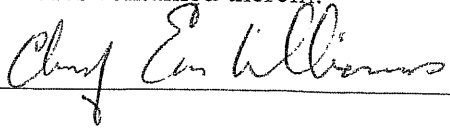
2800 Winslow Ave.

Cincinnati, Ohio, 45206

Robert A. Shapiro

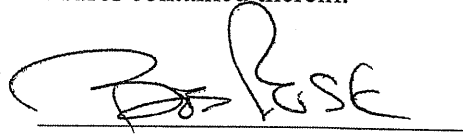
I acknowledge that on this 23rd day of June, 2025, I have reviewed the Clermont County Memorandum of Understanding Concerning Child Abuse, Neglect, and Dependency Investigations and hereby subscribe to the policies and procedures contained therein.

Eric Williams, Police Chief
Village of Batavia Police Department
389 East Main Street
Batavia, Ohio 45103



I acknowledge that on this 12th day of JUNE 2025, I have reviewed the Clermont County Memorandum of Understanding Concerning Child Abuse, Neglect, and Dependency Investigations and hereby subscribe to the policies and procedures contained therein.

Bob Rose, Police Chief
Goshen Township Police Department
6757 Goshen Road
Goshen, Ohio 45122

A handwritten signature in black ink, appearing to read "Bob Rose", is written over a horizontal line. The signature is stylized with a large, looping initial "B".

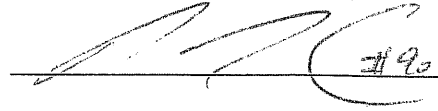
I acknowledge that on this 23 day of June, 2025, I have reviewed the Clermont County Memorandum of Understanding Concerning Child Abuse, Neglect, and Dependency Investigations and hereby subscribe to the policies and procedures contained therein.

Michael Gabrielson, Police Chief
Loveland Police Department
126 South Lebanon Road
Loveland, Ohio 45140

A handwritten signature in black ink, appearing to read "Michael Gabrielson", written over a horizontal line.

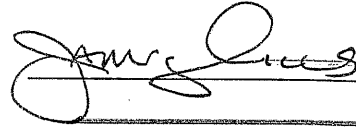
I acknowledge that on this 20th day of JUNE, 2025, I have reviewed the Clermont County Memorandum of Understanding Concerning Child Abuse, Neglect, and Dependency Investigations and hereby subscribe to the policies and procedures contained therein.

Robert Hirsch, Police Chief
Miami Township Police Department
5900 McPicken Drive
Milford, Ohio 45150

A handwritten signature in black ink, appearing to read "RH", is written over a horizontal line. To the right of the signature, the number "#90" is handwritten.

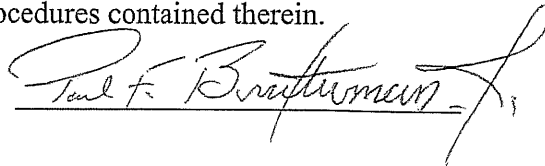
I acknowledge that on this 12 day of JUNE, 2025, I have reviewed the Clermont County Memorandum of Understanding Concerning Child Abuse, Neglect, and Dependency Investigations and hereby subscribe to the policies and procedures contained therein.

Jamey Mills, Police Chief
Milford Police Department
745 Center Street
Milford, Ohio 45150



I acknowledge that on this 11th day of June, 2025, I have reviewed the Clermont County Memorandum of Understanding Concerning Child Abuse, Neglect, and Dependency Investigations and hereby subscribe to the policies and procedures contained therein.

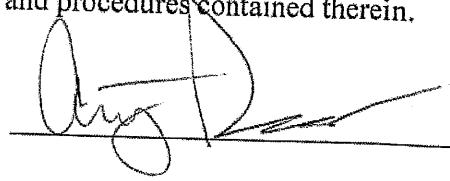
Paul Broxterman, Chief
Pierce Township Police Department
950 Locust Corner Road
Cincinnati, Ohio 45245



Paul F. Broxterman

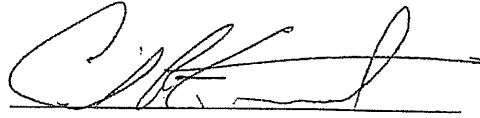
I acknowledge that on this 11TH day of JUNE, 2025, I have reviewed the Clermont County Memorandum of Understanding Concerning Child Abuse, Neglect, and Dependency Investigations and hereby subscribe to the policies and procedures contained therein.

Tony Rees, Police Chief
Union Township Police Department
4312 Gleneste Withamsville Road
Cincinnati, Ohio 45245

A handwritten signature in black ink, appearing to read "Tony Rees", is written over a horizontal line.

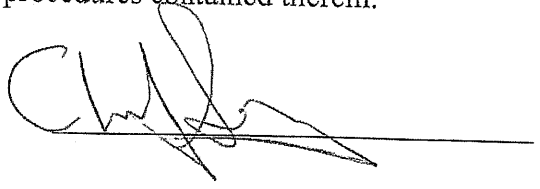
I acknowledge that on this 23rd day of JUNE, 2025, I have reviewed the Clermont County Memorandum of Understanding Concerning Child Abuse, Neglect, and Dependency Investigations and hereby subscribe to the policies and procedures contained therein.

Chad Essert, Police Chief
Village of Bethel
120 North Main Street
Bethel, Ohio 45106

A handwritten signature in black ink, appearing to read 'Chad Essert', is written over a horizontal line.

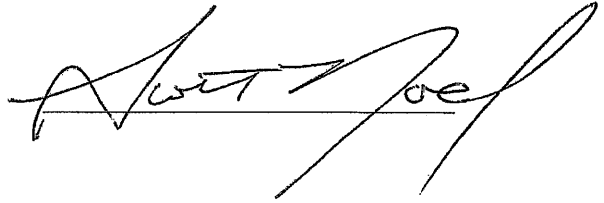
I acknowledge that on this 17 day of July, 2025, I have reviewed the Clermont County Memorandum of Understanding Concerning Child Abuse, Neglect, and Dependency Investigations and hereby subscribe to the policies and procedures contained therein.

Steve Seng, Police Chief
Village of Felicity
415 West Walnut Street
Felicity, Ohio 45120

A handwritten signature in black ink, appearing to read "Steve Seng", is written over a horizontal line. The signature is stylized and cursive.

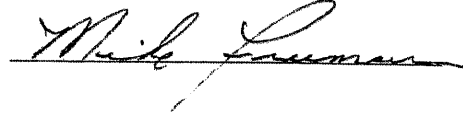
I acknowledge that on this 8th day of July, 2025, I have reviewed the Clermont County Memorandum of Understanding Concerning Child Abuse, Neglect, and Dependency Investigations and hereby subscribe to the policies and procedures contained therein.

Scott Noel, Police Chief
New Richmond Police Department
102 Willow Street
New Richmond, Ohio 45157

A handwritten signature in black ink, appearing to read "Scott Noel", written over a horizontal line.

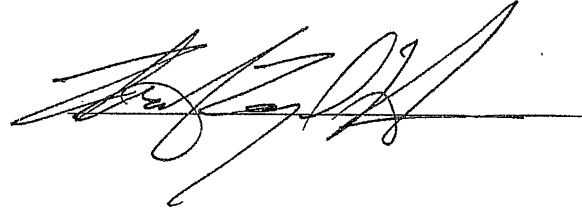
I acknowledge that on this 17th day of JUNE, 2025, I have reviewed the Clermont County Memorandum of Understanding Concerning Child Abuse, Neglect, and Dependency Investigations and hereby subscribe to the policies and procedures contained therein.

Mike Freeman, Police Chief
Village of Owensville
115 West Main Street
Owensville, Ohio 45160

A handwritten signature in cursive script, reading "Mike Freeman", written over a horizontal line.

I acknowledge that on this 12 day of June, 2025, I have reviewed the Clermont County Memorandum of Understanding Concerning Child Abuse, Neglect, and Dependency Investigations and hereby subscribe to the policies and procedures contained therein.

Corey Herren, Police Chief
Village of Williamsburg
107 West Main Street
Williamsburg, Ohio 45176

A handwritten signature in black ink, appearing to read 'Corey Herren', is written over a horizontal line. The signature is stylized and cursive.