



RESOLUTION 2024-14

A RESOLUTION AUTHORIZING THE POWELL POLICE DEPARTMENT TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH DELAWARE COUNTY BOARD OF DEVELOPMENTAL DISABILITIES.

WHEREAS, Delaware County Board of Developmental Disabilities and the Powell Police Department are statutorily required to enter into a memorandum of understanding to address concerning the handling and coordination of abuse, neglect, and exploitation cases; and

WHEREAS, The Police Department will have the following responsibility for:

- To receive and accept complaints regarding abuse, neglect, or exploitation from any source (Ohio R.C. § 5123.61 or in the case of a child Ohio R.C. § 2151.421); and
- To share reports of known or suspected child abuse and neglect with Delaware County Children Services upon receipt (Ohio R.C. § 2151.421). To investigate cases of abuse, neglect, or exploitation involving an adult in cooperation with the Delaware County Board of DD (Ohio R.C. § 5123.61), or Delaware County Children Services in the case of a child (Ohio R.C. § 2151.421). When criminal activity is suspected, and when practicable, joint interviews of Individuals with developmental disabilities will be planned and conducted with Delaware County Board of DD and law enforcement. To further reduce the possibility of unnecessary interviews, written investigative reports or statements from collaterals and perpetrators resulting from independently conducted interviews by either the Delaware County Board of DD, Children Services, or Law Enforcement will be shared with the other entities; and
- To conduct and coordinate investigations involving the death of an Individual, which may have resulted from abuse or neglect; and
- Notification of the death of any Individual, regardless of the circumstances, shall be made immediately to the Delaware County Coroner. Such notification must include the time, place, manner, and circumstances of death; and
- To assist Delaware County Board of DD staff in hazardous situations where the provision of protective services or the investigation of abuse, neglect, or exploitation is impeded; and
- To assist the Delaware County Board of DD in investigating allegations of abuse, neglect, and exploitation in out-of-home care settings within the city and county (when the facility is not under the jurisdiction of another investigative agency).

City Council
Tom Counts, Mayor

Leif Carlson David Lester Christina Drummond Heather Karr Ferzan Ahmed Tyler Herrmann

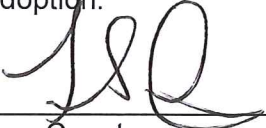
WHEREAS, Council has similarly determined that it is beneficial for the City of Powell to participate in such an agreement.

NOW THEREFORE BE IT RESOLVED BY THE CITY OF POWELL, COUNTY OF DELAWARE, STATE OF OHIO, AS FOLLOWS:

Section 1: The Council of the City of Powell hereby authorizes the Chief of Police to execute an agreement, which agreement shall be in substantially similar form to the agreement attached hereto as Exhibit "A" and incorporated herein by reference.

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of Council and any of the decision-making bodies of the City of Powell, which resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Powell, Delaware County, Ohio.


Section 3: This Resolution shall be in full force and effect immediately upon adoption.



Tom Counts
Mayor

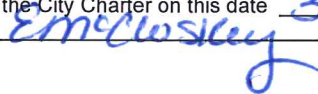
3/5/24

Date



Elaine McCloskey
City Clerk

EFFECTIVE DATE: March 5, 2024

This legislation has been posted in accordance with the City Charter on this date 3/6/24


City Clerk



Delaware County Board of Developmental Disabilities

Memorandum of Understanding

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Delaware County Board of Developmental Disabilities
Abuse, Neglect, and Exploitation Memorandum of Understanding

Introduction

This Delaware County Memorandum of Understanding was developed in accordance with the statutory authority located in section 5126.058 of the Ohio Revised Code, which calls for legal professionals and organizations to enter into a Memorandum of Understanding concerning the handling and coordination of abuse, neglect, and exploitation cases.

1. Purpose

Abuse, neglect, and exploitation involving individuals with developmental disabilities are recognized as unacceptable in Delaware County. The purpose of this Memorandum of Understanding (hereafter referred to as "the Plan") is to define and establish a system by which there is a countywide commitment to respond to reports of abuse, neglect, and exploitation. The Plan will define a system of intervention services and coordinated procedures established to protect individuals with developmental disabilities.

The participants of the Plan agree to work cooperatively to achieve the following goals:

- a. Define the responsibilities and interrelationships among agencies participating in this agreement with regard to coordinating and conducting investigations into reports of alleged/suspected abuse, neglect, and exploitation;
- b. Ensure the prompt and proper reporting of incidents of alleged/suspected or actual abuse, neglect and exploitation;
- c. Conduct timely and thorough investigations into reports of alleged/suspected abuse, neglect, and exploitation in order to protect individuals with developmental disabilities and facilitate appropriate interventions and prosecution;
- d. Eliminate all unnecessary interviews. When feasible, provide only one interview of an Individual who is the subject of any report.

2. Definitions

- a. "Abuse" means the following:
 - i. "Physical Abuse" means the use of physical force that can reasonably be expected to result in physical harm or serious physical harm;
 - ii. "Sexual Abuse" means unlawful conduct or sexual contact;
 - iii. "Verbal Abuse" means using words to threaten, coerce, intimidate, harass, or humiliate an Individual. "Verbal Abuse" also means using gestures to threaten, coerce, intimidate, harass, or humiliate an individual.
- b. "Agency", means the Delaware County Department of Job and Family Services.
- c. "Delaware County Board of DD", means the Delaware County Board of Developmental Disabilities.
- d. "Department", means the Ohio Department of Developmental Disabilities (DODD).
- e. "Individual", means a person with developmental disabilities, who has been determined eligible for services by the Delaware County Board of DD.
- f. "Law Enforcement", means the local posts of the state highway patrol and the police department of any political subdivision in Delaware County as well as the Delaware County Sheriff's Office.
- g. "Exploitation" means depriving, defrauding, or otherwise obtaining the real or personal property of an Individual by any means prohibited by the Ohio Revised Code.
- h. "Neglect" means, (when there is a duty to do so) failing to provide an Individual with any treatment, care, goods, supervision, or services that are necessary to maintain the health and safety of the Individual.
- i. "Prosecutor", means the Delaware County prosecuting attorney and/or any assistant prosecutor designated to assist the county prosecuting attorney.

3. Required Parties to the Memorandum of Understanding

Pursuant to ORC, 5126.058 the mandated subscribers to the Memorandum of Understanding include the following:

- a. The Delaware County Probate Court Judge;
- b. Delaware County Sheriff's Office;
- c. All Delaware County Chief Municipal Peace Officers;
- d. Other law enforcement officers handling abuse, neglect, and theft involving persons with developmental disabilities;
- e. The Delaware County Prosecuting Attorney;
- f. The Delaware County Department of Job & Family Services, Division of Children Services; and
- g. The Delaware County Coroner's Office.

4. Optional Parties to the Memorandum of Understanding

- a. Victim advocates;
- b. Delaware County Municipal Court Judges;
- c. Delaware County Department of Job & Family Services, Division of Adult Protective Services;
- d. Delaware County Domestic Relations Courts;
- e. Delaware County Family Children First Council;
- f. Delaware County Guardianship Services Board;
- g. Delaware-Morrow Mental Health & Recovery Services Board;

- h. Ohio State Patrol; and
- i. Any other person whose participation furthers the goals of the MOU.

5. Failure to Follow MOU

Failure of any mandated subscriber to follow the procedure set forth in, or to conduct an investigation in accordance with, this Memorandum is not grounds for, and shall not result in, the dismissal of any charge or complaint arising from any reported case of abuse, neglect, or exploitation or the suppression of any evidence obtained as a result of any reported abuse, neglect or exploitation and does not give, and shall not be construed as giving, any rights or grounds for appeal or post-conviction relief to any person [Ohio R.C § 5126.058(B)].

6. Confidentiality

Anyone having reason to believe that an Individual with developmental disabilities is a potential victim of abuse or neglect should contact either the Delaware County Board of DD or local law enforcement officials.

Each report of suspected abuse, neglect, or exploitation is confidential, and shall not be released without the consent of the source. The information shared with the subscribers of this MOU is made available only for the purposes of investigation, treatment, or case management of suspected abuse, neglect or exploitation regarding an Individual with developmental disabilities.

The information provided in a report and the names of the person(s) 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 as evidence in accordance with the Rules of Evidence and is subject to discovery in accordance with the Rules of Criminal Procedure.

Reports made are not public records as defined in Section 149.43 of the Revised Code. However, information contained in these reports shall be made available upon request to the person who is the subject of the report, to the person's legal counsel, to agencies authorized to receive information by the Department or the Delaware County Board of DD (5123.61 ORC).

It is the current position of the Department that if a person who would normally receive information contained in such a report is the alleged

perpetrator, they shall not receive information contained in these reports.

7. Responsibilities of Prosecutors and City Law Directors/Solicitors and Village Solicitors

- a. To report suspected cases of abuse, neglect, and exploitation to the Delaware County Board of DD (Ohio R.C. § 5123.61), or the appropriate local law enforcement agencies upon receipt.
- b. To take legal actions to protect Individuals with developmental disabilities from further harm resulting from abuse or neglect.
- c. To review investigations and criminally prosecute perpetrators of abuse (physical, sexual, or verbal), neglect, and exploitation, when feasible.
- d. To be available to local law enforcement and Delaware County Board of DD staff for questions or assistance in the investigation of abuse, neglect, and exploitation cases. Also to provide assistance or recommendations in situations involving an Individual or family who refuses to cooperate in an investigation.
- e. Whenever feasible, in order to minimize trauma to victims, the Prosecutor's office may allow for direct presentment to the Grand Jury, thereby eliminating the need for testimony at the Municipal Court levels.
- f. The provision of community education and training regarding abuse, neglect, and exploitation, as appropriate.

8. Responsibilities of Law Enforcement Agencies

- a. To receive and accept complaints regarding abuse, neglect, or exploitation from any source (Ohio R.C. § 5123.61 or in the case of a child Ohio R.C. § 2151.421).
- b. To share reports of known or suspected child abuse and neglect with Delaware County Children Services upon receipt (Ohio R.C. § 2151.421).
- c. To investigate cases of abuse, neglect, or exploitation involving an adult in cooperation with the Delaware County Board of DD (Ohio R.C. § 5123.61), or Delaware County Children Services in the case of a child

(Ohio R.C. § 2151.421). When criminal activity is suspected, and when practicable, joint interviews of Individuals with developmental disabilities will be planned and conducted with Delaware County Board of DD and law enforcement. To further reduce the possibility of unnecessary interviews, written investigative reports or statements from collaterals and perpetrators resulting from independently conducted interviews by either the Delaware County Board of DD, Children Services, or Law Enforcement will be shared with the other entities.

- d. To consult with the Delaware County Board of DD, when feasible, prior to taking any action towards the removal of an Individual eligible for Delaware County Board of DD services from his or her home. An exception is made in emergency cases where a reporting physician and a peace officer determine removal to be essential to the protection of the Individual.
 - e. To conduct and coordinate investigations involving the death of an Individual, which may have resulted from abuse or neglect.
 - i. Notification of the death of any Individual, regardless of the circumstances, shall be made immediately to the Delaware County Coroner. Such notification must include the time, place, manner, and circumstances of death.
 - f. To assist Delaware County Board of DD staff in hazardous situations where the provision of protective services or the investigation of abuse, neglect, or exploitation is impeded.
 - g. To assist the Delaware County Board of DD in investigating allegations of abuse, neglect, and exploitation in out-of-home care settings within the city and county (when the facility is not under the jurisdiction of another investigative agency).
9. Responsibilities of Delaware County Children Services – as it relates to children with developmental disabilities
- a. Allegations of withholding medically indicated treatment from disabled infants with life-threatening conditions
 - i. Delaware County Department of Job and Family Services follows the procedures described in section 5101:2-36-07 of the OAC for responding to these reports.

- ii. 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.
- iii. 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.
- iv. 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).

b. Investigations of Alleged Withholding of Medically Indicated Treatment from a Disabled Infant With Life-Threatening Conditions

- i. When a referral of alleged withholding of medically indicated treatment from a disabled infant is received, Delaware County Department of Job and Family Services is required to comply with the requirements set forth in 5101:2-36-07 of the Ohio Administrative Code.
- ii. A child will be taken to any health care facility as determined by proximity or need.

c. Interviews

- i. Child safety and risk to the alleged child victim should ultimately determine the sequence of the timing of interviews. However, Delaware County Department of Job and Family Services has mandated timeframes it must adhere to. It should be noted that the sequencing of the interview process may change if the details or specifics of a certain allegation/case warrant these changes.
- ii. Delaware County Department of Job and Family Services in conjunction with law enforcement (if necessary) will interview and complete a written

report of the interview with:

1. The non-offending parent or caretaker to assess their knowledge of the allegations;
 2. The alleged perpetrator;
 3. Collateral sources or potential witnesses to the abuse or neglect; and
 4. Family members that reside in the home with the ACV.
- iii. All interviews, whether conducted jointly or separately, shall be documented by each entity involved. Delaware County Department of Job and Family Services will document its contact with the family. Other subscribers to this Memorandum of Understanding will also complete reports of their findings. By signing this Memorandum of Understanding it is understood and agreed that all involved parties will share copies of these written reports with each investigative entity, as requested and if appropriate.
- iv. 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 Delaware County Department of Job and Family Services and the corresponding law enforcement agency.
- v. 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. Delaware County Department of Job and Family Services agrees to be the lead agency in scheduling the time, place, and location of joint interviews as well as notifying all participants.

d. Conflict Resolution

- i. 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.
- ii. As the mandated agency responsible for the provisions of child protective services, the ultimate decision on how to handle abuse, neglect

investigations lie with Delaware County Department of Job and Family Services. Every effort will be made to take in to account other subscribers' requests and concerns relating to services.

- iii. Criminal investigations and prosecution remain the responsibility of the prosecuting attorney and appropriate law enforcement agencies. Delaware County Department of Job and Family Services will assist these agencies, but in no way, interfere or jeopardize a criminal investigation or prosecution.
- iv. For cases which come before the court as it relates to decisions and orders, the Juvenile Judge's rulings are final.

e. Confidentiality Statement

- i. 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.
- ii. 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.
- iii. ORC section 2151.423 requires Delaware County Department of Job and Family Services to disclose confidential information discovered during an investigation conducted pursuant to section 2151.421 or 2151.422 of the Ohio Revised Code to any federal, state, or local government entity that needs the information to carry out its responsibilities to protect children from abuse or neglect. Likewise, law enforcement, the Delaware County Board of Developmental Disabilities, and other entities are expected to release information to Delaware County Department of Job and Family Services for the purpose of carrying out its responsibility of protecting children from abuse and/or neglect.
- iv. The information received in a report of alleged child abuse or neglect is highly sensitive and should be maintained in confidence. When any person commits, causes, permits or encourages the unauthorized dissemination of information, Delaware County Department of Job and Family Services shall give written notification of such unauthorized dissemination to the Delaware County Prosecuting Attorney. The reporter's identity is confidential and cannot be confirmed or denied. The confidentiality provisions of this MOU will survive the expiration or

termination of this agreement.

- v. 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 5101:2-36-12 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.
- vi. In the event of unauthorized dissemination of information, the party who learns of the breach of confidentiality will notify the Director of Delaware County Department of Job and Family Services as soon as possible. The notification will be sent to the Director in writing describing the circumstances surrounding the breach. The notification will specify the confidential information released, who is responsible for disseminating the confidential information, how it was disseminated, and the parties who have access to the information without authorization. The Director of Delaware County Department of Job and Family Services shall then refer this information to the prosecutor at their discretion.
- vii. Each report of suspected child abuse and neglect is confidential. The information shared with the subscribers of the memorandum of understanding is made available only for the purposes of investigation, treatment or case management of suspected child abuse and neglect (or otherwise deemed to be in the best interest of the child victim or the family).
- viii. The information provided in a report 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 as evidence in accordance with the Rules of Evidence and is subject to discovery in accordance with the Rules of Criminal Procedure.
- ix. No person shall permit or encourage unauthorized dissemination of the contents of any report made pursuant to the ORC 2151.421 and/or this Memorandum of Understanding. The identity of the referral source shall be considered a part of the report. Delaware County Department of Job and Family Services shall not release or affirm the identity of any party without the referral source's consent, except for the purpose of judicial testimony, if court intervention is deemed necessary to protect the child. Delaware County Department of Job and Family Services will work with the prosecuting attorney to protect the identity of all reporters of child abuse and/or neglect whenever possible.

x. Anyone or any organization participating in good faith in the making of reports of possible child abuse or neglect, and anyone participating in good faith in a judicial proceeding resulting from the report, shall be immune from any civil or criminal liability for injury, death or loss to person or property that otherwise might be incurred or imposed as a result of the making of the reports or the participation in the judicial proceeding.

f. Other concerns

i. Refer to the state-mandated Ohio Department of Job and Family Services Delaware County Memorandum of Understanding to Address Child Abuse and Neglect

10. Responsibilities of the Delaware County Board of DD

- a. To receive and respond to allegations of abuse, neglect, and exploitation from any source 24 hours per day, seven days per week.
- b. To share reports of known or suspected child abuse and neglect involving children with developmental disabilities with Delaware County Children Services upon receipt (Ohio R.C. § 2151.421), or local law enforcement (Ohio A.C. Chapter 5123-2-17-02).
- c. At the request of Delaware County Children Services, to assist in the investigation of alleged/suspected abuse or neglect involving children with developmental disabilities. To help reduce unnecessary interviews, written investigative reports, or written statements from witnesses or alleged perpetrators resulting from independently conducted interviews will be shared between the agencies.
- d. To assess the Individual's safety when an allegation of abuse or neglect occurs in order to provide appropriate services (Ohio R.C. § 5123.61)
- e. To gather the necessary information in order to file a Major Unusual Incident report with the case with the Department.
- f. To request a court order for the removal of an adult with developmental disabilities, when deemed necessary and the Individual is not willing to leave the situation, in order to provide the services necessary to protect their health and safety.
- g. To share investigative findings and observations with the appropriate local law enforcement agencies, as requested.

- h. To share findings with appropriate parties. Such parties may include the individual, provider, family member(s), and legal guardian.(Ohio A.C. Chapter 5123-2-17-02).
- i. To provide information to the Delaware County Prosecutor when appropriate.
- j. To notify the Delaware County Coroner's Office in the case of a death of an Individual with developmental disabilities, and request an autopsy if circumstances warrant. (Ohio R.C. § 2108.521).

11. Standards and Methods for Minimizing Trauma to Victims

- a. Investigative interviews of Individuals who are the subject of reports of abuse, neglect, and exploitation where criminal activity is suspected, will be cooperatively planned by the Delaware County Board of DD or Delaware County Children Services in the case of a child, and the respective law enforcement agency to the extent practical.
- b. Written investigative reports, statements, and staff consultation regarding interviews of principals involved in abuse, neglect, and exploitation cases will be available to subscribers of the Plan in order to eliminate the need for unnecessary interviews of individuals.
- c. Categories of personnel who may conduct investigative interviews of Individuals who are subjects of reports of alleged abuse, neglect, and exploitation will be limited to the following: Casework and Supervisory Staff of Delaware County Children Services, Law Enforcement Officers, Delaware County Prosecutor's Office, and Investigative Agents that are employed by the Delaware County Board of DD.
- d. The Prosecutor's Office Victim Witness Program will provide courtroom preparation for victims who may testify in court.

12. Procedures for Responding to Abuse, Neglect, and Exploitation Reports

The purpose of this section is to assist in defining cooperative roles while recognizing that Law Enforcement and Delaware County Children Services have independent statutory obligations to investigate child abuse and neglect. Law enforcement's investigation will typically focus on determinations of criminal culpability and prosecution. Delaware County Children Services investigations will assess risk to children with developmental disabilities; referrals for appropriate services; and supply mandated information to Ohio's Child Abuse Central Registry.

The following sections of the Plan will list the procedures to be followed by the mandatory subscribers in responding to various types of child abuse and neglect

reports:

- a. Reports of an emergency nature;
- b. Reports of a non-emergency nature;
- c. Reports involving a licensed facility, institution or foster home licensed or certified by Delaware County Children Services and/or Children Services staff members;
- d. Reports involving out-of-home care
- e. Cases of missing child(ren)
- f. The death of a child that may have resulted from child abuse or neglect;
- g. Alleged withholding of appropriate nutrition, hydration, medication, or medically indicated treatment from disabled infants with life-threatening conditions.

13. Others Mandated to Report Suspected Abuse and Neglect/Format for Reporting

The following professionals are mandated to file an immediate report with the Delaware County Board of DD or a local law enforcement agency if they have reason to believe an adult with a disability has suffered any wound, injury, disability, or condition of such nature as to reasonably indicate abuse or neglect (5123.61 ORC). Reports involving children should also be made to the Delaware County Children Services.

- a. Attorney (exception in some instances of attorney/client privilege as outlined in 5123.61 ORC)
- b. Physician, including a hospital intern or resident (exception in some instances as outlined in 5123.61 ORC)
- c. Dentist
- d. Podiatrist
- e. Chiropractor
- f. Registered nurse, licensed practical nurse, visiting nurse
- g. Other healthcare professionals as defined in 4731.15 ORC
- h. Employee of ambulatory health facility as defined in 5101.61 ORC
- i. Employee of home health agency
- j. Employee of community mental health facility
- k. Employee of adult care facility licensed under Chapter 5119.70 ORC
- l. Licensed psychologist
- m. School teacher or school authority
- n. Resident's right advocate as defined in 3721.10 ORC
- o. Peace officer

- p. Coroner
- q. Superintendent, board member, or employee of the Delaware County Board of DD (5123.61 ORC).
- r. An administrator, board member, or employee of a residential facility licensed under section 5123.19 of the ORC
- s. A member of a citizen's advisory council established at an institution of the Department of DD under section 5123.092 of the ORC.
- t. A clergy employed in a position that includes providing specialized services to an individual with DD, while acting in an official or professional capacity in that position, or a person who is employed in a position that includes providing specialized services to an individual with DD and who, while acting in an official or professional capacity renders spiritual treatment through prayer in accordance with the tenets of an organized religion.

14. Failure to Report

Failure to Report is a criminal act under ORC 5123.99(B). ORC 5123.99 states: *"Whoever violates division (C), (E), or (G)(3) of section 5123.61 of the Ohio Revised Code is guilty of a misdemeanor of the fourth degree, or if the abuse or neglect constitutes a felony, a misdemeanor of the second degree."*

Any DD employee as defined in 5123.50 ORC who fails to report abuse, neglect, or exploitation is additionally eligible to be included in the abuser registry established under 5123.61 (B) ORC.

When a mandated reporter violates section 5123.61 (B) ORC, they are guilty of a misdemeanor of the second degree and subject to a \$1,000 fine. (5123.99 ORC)

15. Format for Reports

Reports may be made by telephone or in person and shall be followed up in writing, if requested. The reports shall contain the following information (5123.61 ORC):

- a. The name, age, and address of the individual.
- b. Any other information which might be helpful in establishing the cause of the injury, abuse, or neglect.

And should contain:

- c. The nature of the individual's injuries, abuse, or neglect (including any evidence of previous injuries, abuse or neglect): or known or suspected threats of injury, abuse, or neglect, including history of domestic violence.

Any person or mandated reporter shall be immune from civil or criminal liability that might otherwise be incurred or imposed provided that the person or governmental entity has not acted in bad faith, or with malicious purpose. (5123.61 ORC).

16. Where to Report

Reports may be filed with any local law enforcement agency or with the Delaware County Board of DD at 7991 Columbus Pike, Lewis Center, OH 43035.

Regular Hours: 8:00 a.m. - 4:30 p.m. Monday through Friday
Telephone Number: 740.201.3600

After regular hours, on holidays, weekends, and during emergency office closings, contact may be made by calling Helpline at 740.369.3316

For reports involving children, please contact Delaware County Children Services.
Telephone Number: 740.833.2340

17. False Reporting

In accordance with section 2921.14 of the Ohio Revised Code, no person shall knowingly make or cause another person to make a false report alleging that any person has committed an act of 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, which is a misdemeanor of the first degree.

18. Information Sharing

The subscribers, by signing this document do hereby express a commitment to share information to facilitate the investigation, prosecution, treatment, and/or case management of suspected abuse, neglect or exploitation cases involving Individuals with developmental disabilities.

19. Amending the Memorandum

This memorandum may be amended by agreement of the mandated subscribers if significant changes are necessary prior to the next review. The next scheduled review is to take place in 2025.

Mandated Subscribers to the Memorandum of Understanding

Chief of Police - Powell Police Department

Date

Delaware County Board of Developmental Disabilities - Superintendent

Date