



Public Children Services Association of Ohio

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December 12, 2003

LEADS AND CHILD WELFARE

Public Children Services Agencies can now have immediate access to criminal history data when considering emergency placement of a child with an unlicensed relative or non-relative caregiver.

In a letter dated September 25, 2003, Ohio received FBI permission to allow access to LEADS criminal history information for the purpose of accessing criminal background checks of potential caregivers at the time of an emergency placement decision. The State Highway Patrol, managing entity for LEADS (Law Enforcement Automated Data System), has instructed all LEADS users of their authority to release this data to PCSAs. All PCSAs will soon receive a copy of the October, 2003 issue of *The Leading News*, which is the recognized communications update that must be signed off on by all LEADS users. Its cover item "Emergency Child Placement Purpose Code X", announces this new authority.

LEADS is a collaborative of criminal history MIS systems including FBI, BCI&I, and local law enforcement items. PCSA use of this new authority will be limited to immediate/emergency placement of children in exigent circumstances; current criminal history webcheck procedures are still required for all employment, foster caregiver and adoptive parent checks.

The LEADS check is based on identifying information (such as a Social Security or Ohio Driver's License #), and will result in immediate information regarding an individual's criminal history. This information will provide critical data for making child safety decisions. Webcheck or BCI fingerprint cards must be submitted within 15 days of the LEADS request. Upon receipt of the LEADS data, the child welfare professional will be required to sign off as having received it, shred / destroy the information, and realize personal responsibility regarding improper access or use of the data.

The State Highway Patrol and ODJFS, along with PCSAO, is putting in place immediate implementation procedures:

1. PCSAs can contact law enforcement entities NOW, referencing the October 2003 Leading News article, and information should be shared.
2. All PCSAs must apply for an OAI (Originating Agency Identifier), and agree to pay a non-terminal user fee to Ohio LEADS – agreed upon as a flat \$20.00 fee/month or \$240.00/year). ODJFS will be mailing out the OAI applications and billing agreements.

3. The PCSA will then receive a distinct OAI number, ending with the letter "T", which will be well cognized by all LEADS users (inclusive of all law enforcement entities and county prosecutors). This identifier will ease the access process.

Additionally, the following items are in progress:

1. LEADS Trainer Sergeant Donald Grimwood will give PCSAO Executive Membership an overview of the procedures and responsibilities of PCSAs, at our Feb. 26 Membership Meeting at the Adam's Mark Hotel.
2. Sergeant Grimwood will also offer a video-conference training for all 88 PCSAs, sometime in February, 2004, so your casework and on-call staff can understand the procedures. Dates are being coordinated with the Office for Children and Families, and will be announced soon. We also hope to have an in-person training session at the Ohio LEADS site in Columbus at some point, for OCWTP trainers and any PCSA staff that is interested in traveling to Columbus for this.
3. The State Highway Patrol, as the LEADS Administrator, is drafting an Ohio Administrative Code rule to clarify this process. ODJFS and PCSAO is partnering with them to assure the rule fits for PCSAs as well as LEADS users. Adoption of such a rule by JCARR must happen no later than September 30, 2004, in order to maintain FBI permission for sharing of this LEADS info to PCSAs. (It now appears ORC statute change will not be required.)
4. PCSAO is anxious to highlight this new child safety mechanism within the public and media, and is working with State Senator Steve Stivers, Ohio Attorney General Jim Petro, Major Steven Raubenolt of the State Highway Patrol, and ODJFS as key partners to make this effort a reality.