Ohio
Child Abuse & Neglect Reporting

Who do I contact to report an incident in Ohio?
A person who knows or has reasonable cause to suspect based on facts that would cause a reasonable person in a similar position to suspect, that a child under eighteen years of age, or a person under twenty-one years of age with a developmental disability or physical impairment, has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the child shall report immediately to the public children services agency or a peace officer in the county in which the child resides or in which the abuse or neglect is occurring or has occurred.

Call – 1-855-O-H-CHILD (855-642-4453), an automated directory will link you directly to a child welfare or law enforcement office.

If you think someone is being hurt or is in danger right now, call 911 immediately.

How much time do I have to report an incident?
Reports shall be made immediately.
Ohio Rev. Code § 2151.421(A)(1)(a).

Who is an "abused child" in Ohio?
Includes any child who (A) Is the victim of 'sexual activity' as defined under Chapter 2907[1] of the Revised Code, where such activity would constitute an offense under that chapter, except that the court need not find that any person has been convicted of the offense in order to find that the child is an abused child; (B) Is the victim of disseminating, obtaining, or displaying 'materials' or performances' that are 'harmful to juveniles' as defined under Chapter 2907[2] of the Revised Code, where such activity would constitute an offense under that chapter, except that the court need not find that any person has been convicted of the offense in order to find that the child is an abused child; (C) Is endangered as defined in section 2919.22[3] of the Revised Code, except that the court need not find that any person has been convicted under that section in order to find that the child is an abused child; (D) Exhibits evidence of any physical or mental injury or death, inflicted other than by accidental means, or an injury or death which is at variance with the history given of it. Except as provided in division (E) of this section, a child exhibiting evidence of corporal punishment or other physical disciplinary measure by a parent, guardian, caretaker, person having custody or control, or person in loco parentis of a child is not an abused child under this division if the measure is not prohibited under section 2919.22[4] of the Revised Code.(E) Because of the acts of the child's parents, guardian, or caretaker, suffers physical or mental injury that harms or threatens to harm the child's health or welfare. (F) Is subjected to out-of-home care child abuse.
Ohio Rev. Code § 2151.031

Who is a "neglected child" in Ohio?
Includes any child: (1) Who is abandoned by the child's parents, guardian, or custodian; (2) Who lacks adequate parental care because of the faults or habits of the child's parents, guardian, or custodian; (3) Whose parents, guardian, or custodian neglects the child or refuses to provide

[1] See https://codes.ohio.gov/ohio-revised-code/chapter-2907 for details.
[2] See https://codes.ohio.gov/ohio-revised-code/chapter-2907 for details.
[3] See https://codes.ohio.gov/ohio-revised-code/section-2919.22 for details.
[4] See https://codes.ohio.gov/ohio-revised-code/section-2919.22 for details.

proper or necessary subsistence, education, medical or surgical care or treatment, or other care necessary for the child's health, morals, or well being; (4) Whose parents, guardian, or custodian neglects the child or refuses to provide the special care made necessary by the child's mental condition; (5) Whose parents, legal guardian, or custodian have placed or attempted to place the child in violation of sections 5103.16[5] and 5103.17[6] of the Revised Code; (6) Who, because of the omission of the child's parents, guardian, or custodian, suffers physical or mental injury that harms or threatens to harm the child's health or welfare; (7) Who is subjected to out-of-home care child neglect.
Ohio Rev. Code § 2151.03

Who is a mandated reporter in Ohio?
An attorney; health care professional; practitioner of a limited branch of medicine as specified in section 4731.15[7] of the Revised Code; licensed school psychologist; independent marriage and family therapist or marriage and family therapist; coroner; administrator or employee of a child 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[8]of the Revised Code; employee of an entity that provides homemaker services; employee of a qualified organization as defined in section 2151.90[9] of the Revised Code; a host family as defined in section 2151.90[10] of the Revised Code; foster caregiver; a person performing the duties of an assessor pursuant to Chapter 3107[11]. or 5103[12]. 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.
Ohio Rev. Code § 2151.421(A)(1)(b).

Are Clergy mandatory reporters in Ohio?
Yes.
Ohio Rev. Code § 2151.421(A)(4)(a).

Is there an exception for penitential communication in Ohio?
Ohio has a complex layered set of statutes regarding clergy and mandatory reporting. Generally, clergy are mandatory reporters. An exception exists for communications a cleric receives from a

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[5] See https://codes.ohio.gov/ohio-revised-code/section-5103.16 for further details.
[6] See https://codes.ohio.gov/ohio-revised-code/section-5103.17 for further details.
[7] See https://codes.ohio.gov/ohio-revised-code/section-4731.15 for further details.
[8] See https://codes.ohio.gov/ohio-revised-code/section-5123.171 for further details.
[9] See https://codes.ohio.gov/ohio-revised-code/section-2151.90 for further details.
[10] See https://codes.ohio.gov/ohio-revised-code/section-2151.90 for further details.
[11] See https://codes.ohio.gov/ohio-revised-code/chapter-3107 for further details.
[12] See https://codes.ohio.gov/ohio-revised-code/chapter-5103 for further details.

penitent in a cleric-penitent relationship. Within this exception, another exception is carved out, thus requiring a report upon the following because a child is deemed to have waived any testimonial privilege:

(i) The penitent, at the time of the communication is a child under 18 years of age or is a person under twenty-one years of age with a developmental disability or physical impairment.

(ii) The cleric knows or has reasonable cause to believe based on facts that would cause a reasonable person in a similar position to believe, as a result of the communication or any observations made during that communication, the penitent has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the penitent.

(iii) The abuse or neglect does not arise out of the penitent's attempt to have an abortion performed upon a child under eighteen years of age or upon a person under twenty-one years of age with a developmental disability or physical impairment without the notification of her parents, guardian, or custodian in accordance with section 2151.85 of the Revised Code.

Communications given in sacred trust to the cleric do not have to reported by the cleric.[13] However, this privileged exception does not apply if the cleric becomes aware of abuse or neglect outside of the communication provided in sacred trust.
Ohio Rev. Code § 2151.421(A)(4)(a)-(e).

How is sacred trust defined? Sacred trust means a confession or confidential communication made to a cleric in the cleric's ecclesiastical capacity in the course of discipline enjoined by the church to which the cleric belongs, including, but not limited to the Catholic Church, if both of the following apply:

(i) The confession or confidential communication was made directly to the cleric.

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[13] The full section of code is provided here –
"Except as provided in division (A)(4)(c) of this section, a cleric is not required to make a report pursuant to division (A)(4)(a) of this section concerning any communication the cleric receives from a penitent in a cleric-penitent relationship, if, in accordance with division (C) of Section 2317.02 of the Revised Code, the cleric could not testify with respect to that communication in a civil or criminal proceeding.
(c) The penitent in a cleric-penitent relationship described in (A)(4)(b) of this section is deemed to have waived any testimonial privilege under division (C) of section 2317.02 of the Revised Code with respect to any communication the cleric receives from the penitent in that cleric-penitent relationship, and the cleric shall make a report pursuant to division (A)(4)(a) of this section with respect to that communication, if all of the following apply:
(i) The penitent, at the time of the communication, is a child under 18 years of age or is a person under 21 years of age with a developmental disability or physical impairment. (ii) The cleric knows, or has reasonable cause to believe based on facts that cause a reasonable person in a similar position to believe, as a result of the communication or any observations made during that communication, the penitent has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature the reasonably indicates abuse or neglect of the penitent. (iii) The abuse or neglect does not arise out of the penitent's attempt to have an abortion performed upon a child under 18 years of age or upon a person under 21 years of age with a developmental disability or physical impairment without the notification of her parents, guardian, or custodian in accordance with section 2151.85 of the Revised Code. (d) Divisions (A)(4)(a) and (c) of this section do not apply in a cleric-penitent relationship when the disclosure of any communication the cleric receives from the penitent is in violation of the sacred trust."

(ii) The confession or confidential communication was made in the manner and context that places the cleric specifically and strictly under a level of confidentiality that is considered inviolate by canon law or church doctrine.

Ohio Rev. Code § 2317.02(C)(1)(2)(b)

Where can I find more resources on Ohio law on child abuse and neglect?

- https://jfs.ohio.gov/child-and-adult-protection-foster-and-adoption/report-child-or-adult-abuse-neglect/report-child-abuse-and-neglect

- https://codes.ohio.gov/ohio-revised-code/chapter-2151