



# GENERAL POLICE ORDER CLEVELAND DIVISION OF POLICE



EFFECTIVE DATE: <b>MARCH 1, 2002</b>	REVISED DATE:	NO. PAGES: <b>1 of 2</b>	NUMBER: <b>3.4.02</b>
SUBJECT: <b>FAILURE TO COMPLY WITH ORDER OR SIGNAL OF A POLICE OFFICER</b>			
ASSOCIATED MANUAL:		RELATED ORDERS:	
CHIEF OF POLICE: <p style="text-align: center;"><i>Edward F. Lohn, Chief</i></p>			

**PURPOSE:** To prohibit issuing Uniform Traffic Tickets (UTTs) for violations of Section 2921.331 of the Ohio Revised Code (ORC), “ Failure to Comply with Order or Signal of a Police Officer”. To provide guidelines for Record Management System (RMS) reports of felony violations under this section.

**POLICY:** The Cleveland Division of Police shall ensure the prosecution of persons suspected of committing felony violations.

**PROCEDURES:**

- I. Compliance with Lawful Order of a Police Officer; Fleeing, CCO 403.02
  - A. A person who fails to comply with a lawful order or direction of a police officer directing traffic, shall be cited on a UTT under section 403.02(A) of the City Traffic Code. A violation of section 403.02(A) is a minor misdemeanor.
  - B. A motorist who refuses a police officer’s signal to stop a motor vehicle, flees or eludes a police officer and fails to comply with the officer’s signal to stop shall be cited on a UTT section 403.02(B), City Traffic Code, a misdemeanor of the first degree.
  - C. Officers who arrest violators of City Ordinance 403.02(B) shall not attend prosecutor review.
  
- II. Failure to Comply with Order or Signal of a Police Officer, ORC 2921.331
  - A. Officers engaged in the pursuit of a suspect, with probable cause to believe a felony offense, under Section 2921.331(B) of the ORC has been committed, shall complete the preliminary investigation and necessary preliminary

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reports subsequent to such pursuit. “Failure to Comply with Order or Signal of a Police Officer” is a Title 29 Criminal Offense; therefore, UTTs shall not be issued for violations of ORC 2921.331.

- B. The arresting officer shall include the facts, to show the suspect committed a felony violation of section 2921.331(B) in the narrative of the RMS report.
- C. Sector supervisors shall determine if a felony violation of 2921.331 has been committed.