CLEVELAND DIVISION OF POLICE

GENERAL POLICE ORDERS

EFFECTIVE DATE: 02/21/2020

THE CLEVELAND DIVISION OF POLICE GENERAL POLICE ORDER MANUAL IS UNDER REVISION.

THE REVISED MANUAL WILL INCLUDE A NEW DESIGN AND 5-DIGIT NUMBERING SYSTEM.

NEW ORDERS ARE REFERENCED IN THE CURRENT MANUAL AND POSTED INDIVIDUALLY ON THE CITY WEBSITE.

Cleveland Division of Police
General Police Orders
Table of Contents

February 21, 2020

CHAPTER 1 ORGANIZATION AND MANAGEMENT

SECTION 1.1 ADMINISTRATION

1.1.01	09/29/09	City of Cleveland Mission Statement
1.1.02	05/17/17	Cleveland Division of Police Mission Statement
1.1.03	03/01/02	Standards of Conduct and Courtesy
1.1.04	03/01/02	Written Directives System
1.1.05	02/10/10	Performance Evaluations (1.1.05 A-F)
1.1.06	06/10/14	Smoking Regulations
1.1.07	09/10/12	Sexual Harassment Policy
1.1.08	09/10/12	Violence in the Workplace
1.1.09	09/10/12	Equal Employment Opportunity
1.1.10	03/01/02	Firearms Requalification
1.1.11	11/12/19	Disciplinary Guidance *(Rescinded; see 1.07.06)*
1.1.12	08/05/13	Uniform and Clothing Regulations (1.1.12 A-I)
1.1.13	08/01/08	Duty Related Injuries (1.1.13 A B C D E)
1.1.14	05/09/03	Awards Recognition Program (1.1.14 A)
1.1.15	12/28/16	Alcohol and Drug Policy (1.1.15 A)
1.1.16	12/28/16	Random Alcohol/Drug Testing (Rescinded – See 1.1.15)
1.1.17	12/24/13	Travel and Training Requests (1.1.17 A B)
1.1.18	04/09/13	Police Recruit Training Standards
1.1.19	05/07/15	Body Armor
1.1.20	04/05/11	Early Intervention Program (EIP) (1.1.20 A)
1.1.21	09/10/12	Division Mail Service
1.1.22	03/22/13	Deadly Force Investigation Team, Use of (UDFIT)
1.1.23	03/01/02	Reporting Controversial Incidents to the Chief's Office
1.1.24	01/04/14	Field Training Program (1.1.24 A B)
1.1.25	06/29/10	Secondary Employment (1.1.25 A B)
1.1.26	09/16/15	Overtime Card
1.1.27	10/23/02	Request for Repairs and Improvements of Police Facilities
1.1.28	06/22/09	Grooming Standards
1.1.29	06/26/09	Health Insurance Portability/Accountability Act (HIPAA)
1.1.30	05/27/16	Inspecting, Servicing, and Repairing Division Vehicles
1.1.31	08/11/03	Mentoring Program
1.1.32	01/19/07	Wellness Program
1.1.33	06/11/15	Separating from the Cleveland Division of Police

1.1.34	09/09/15	Automated External Defibrillators
1.1.35	07/27/11	Police Officer Training Standards
1.1.36	06/15/06	Traffic Violations Incurred with City Vehicles
1.1.37	04/15/14	Business Cards
1.1.38	03/02/15	Post Traumatic Incident Protocol
1.1.39	01/29/07	OHLEG/OHLLEISN
1.1.40	11/24/15	Acting Out of Rank/Classification (1.1.40 A)
1.1.41	12/24/10	Employee Assistance and Support
1.1.42	01/12/12	Uniform Clothing Committee
1.1.43	09/16/13	DFACTS (Rescinded)
1.1.45	03/10/15	Return to Duty (1.1.45 A)

SECTION 1.2 **ORGANIZATION**

1.2.01	03/18/14	Organizational Structure (1.2.01 A)
1.2.02	11/06/13	District and Zone Boundaries (1.2.02 A B C D E F)
1.2.03	10/31/12	Cleveland Auxiliary Police Officer Program
1.2.04	03/15/18	Police Chaplain Program *(Rescinded; see 4.02.05)*

SECTION 1.3 **MANAGEMENT**

1.3.01	02/23/06	Media Relations and Disclosure of Information
1.3.02	12/28/16	Use of Cleveland Division Computers and Email
1.3.03	01/21/08	Police Ceremonies and Memorial Services (1.3.03 A)
1.3.04	08/19/15	Death and Funeral Procedures (1.3.04 A B)
1.3.05	03/19/12	Driver License and Identification Card Inspection (1.3.05 A)
1.3.06	03/14/13	Sick Leave Review (1.3.06 A)
1.3.07	12/15/09	Emergency Relief from Duty
1.3.08	03/01/02	Member Identification Cards
1.3.09	03/01/02	Military Courtesy and Formations
1.3.10	02/06/06	Ride - Along Policy (1.3.10 A B C)
1.3.11	08/07/15	Ammunition and Firearm Regulations (1.3.11 A B C)
1.3.12	07/25/05	Protocol with Outside Agencies
1.3.13	03/04/13	Foreign Nationals
1.3.14	10/24/13	Civil Lawsuits and Legal Advice
1.3.15	02/21/20	Investigations of Police Conduct (*Rescinded; see 1.07.04-05)*
1.3.16	02/21/20	Bureau of Integrity Control Call-Up (*Rescinded; see 1.07.04-05)*
1.3.17	03/01/02	Long Distance Telephone Call Log Books
1.3.18	07/06/09	Removing Badges from Circulation
1.3.19	03/19/03	Proper Disposal of Division Flags
1.3.20	04/06/11	Sick Time Bank (1.3.20 A)
1.3.21	03/23/12	Tuition Reimbursement Program (1.3.21 A)
1.3.22	07/25/05	Mutual Aid Agreement with the Cuyahoga Metropolitan Housing Authority Police Department
1.3.23	03/17/06	Officer Lunch Breaks

1.3.24	03/14/13	Sick Leave (1.3.24 A B)
1.3.25	03/14/13	Family Medical Leave Act (FMLA) (1.3.25 A B C)
1.3.26	06/11/14	Restricted Duty (1.3.26 A)
1.3.27	08/04/14	Disclosure of Information
1.3.28	02/03/10	Jail Policy and Procedure Manual (Rescinded)
1.3.29	04/03/07	Use of Mobile Data Computers (MDC) and Detective Tablets (DT) (1.3.29 A)
1.3.30	03/12/07	Protocol between the Cleveland Division of Police and Cleveland State University Police Department
1.3.31	12/31/07	Protocol between the Cleveland Division of Police and the Cleveland Municipal School District
1.3.32	12/31/07	Protocol between the Cleveland Division of Police and the Case Western Reserve University Police
1.3.33	08/27/07	Duty to Avoid the Appearance of Impropriety (1.3.33 A)
1.3.34	10/19/07	Protocol Between the Cleveland Division Of Police (CPD) and Greater Cleveland Regional Transit Authority Police Department (RTAPD)
1.3.35	04/14/08	Diplomatic and Consular Immunity
1.3.36	05/01/09	Competitive Shooting Team
1.3.37	08/26/11	Protocol Between the Cleveland Division Of Police (CPD) and Cleveland Clinic Police (CCPD)
1.3.38	09/29/11	Limited English Proficiency
1.3.39	12/28/11	Social Media, Social Networking, Internet Use, and Other Medium
1.3.40	08/10/12	Patrol Rifle

CHAPTER 2 **LEGAL**

SECTION 2.1 **USE OF FORCE**

2.1.01	01/01/18	Use of Force *(Rescinded; see 2.01.01 - 2.01.05)*
2.1.02	01/01/18	Beanbag Shotguns (2.1.02 A) *(Rescinded; see 2.01.01-2.01.05)*
2.1.03	03/22/13	Firearm Discharge Investigations
2.1.04	12/28/16	Animal Incidents
2.1.05	03/22/13	Weapon Clearing Trap Use
2.1.06	01/01/18	Taser – Conducted Electrical Weapon (CEW) (*Rescinded; see 2.01.01-2.01.05)*

SECTION 2.2 **SEARCH AND SEIZURE**

2.2.01	02/11/03	Forfeiture of Contraband (2.2.01 A B C)
2.2.02	03/01/02	Warrant Summons in Lieu of Arrest
2.2.03	12/31/07	Cuyahoga County Warrant or Capias Arrests
2.2.04	10/20/15	Warrant Service

SECTION 2.3 **SUBPOENAS AND COURT**

2.3.01	07/14/11	Subpoenas
2.3.02	03/01/02	Subpoenas from the Office of Professional Standards
2.3.03	03/20/13	Prosecutor Consultations
2.3.04	01/01/20	Probable Cause: Establishing and Filing for Warrantless Arrests *(Rescinded; see 3.04.01)*
2.3.05	06/02/15	Willard Park Garage Parking
2.3.06	11/01/06	Notary Public Certification and Renewal
2.3.07	03/01/02	Witness for Defense/Subpoena Required
2.3.08	01/01/20	Investigative Stops *(Rescinded; see 2.02.01-2.02.05)*
2.3.09	01/01/20	Frisk Searches *(Rescinded; see 2.02.01, 2.02.04)*
2.3.10	12/31/07	Searches Incident to Arrest *(Rescinded; see 2.02.01, 2.02.04)*
2.3.11	06/01/08	Jury Duty

CHAPTER 3 **PATROL**

SECTION 3.1 **ZONE CARS**

3.1.01	08/10/15	Patrol Section Duty Hours and Reporting On and Off Duty
3.1.02	02/10/20	Duty Report *(Rescinded; see 4.04.03-7.01.02)*
3.1.03	08/13/02	Patrol and Patrol Supervision
3.1.04	07/18/07	Lockout Guidelines
3.1.05	05/14/14	Distribution and Handling of Ammunition Boxes (3.1.05 A)
3.1.06	09/01/15	Medical Trauma Response

SECTION 3.2 **PATROL PROCEDURES**

3.2.01	03/01/02	Standard Phonetic Alphabet
3.2.02	05/22/15	Vehicle Pursuits
3.2.03	03/01/02	Road Spikes
3.2.04	03/01/02	Silent Holdup Alarms
3.2.05	03/01/02	General Labor Strike Disturbance
3.2.06	01/01/18	Handling the Mentally Ill *(Rescinded; see 5.11.01 - 5.11.03)*
3.2.07	07/05/13	Emergency Response Driving
3.2.08	10/17/07	Chronic Alarm Abuse Program (CAAP)
3.2.09	06/23/08	Use of Special Weapons and Tactics Unit (SWAT)
3.2.10	03/15/18	Use of Canine Unit (K-9) (*Rescinded; see 4.02.02)*
3.2.11	06/24/05	Contacting Blood and Body Fluid
3.2.12	03/01/02	Neighborhood Meetings
3.2.13	03/01/02	Non-Traffic Accidents on City Property
3.2.14	12/31/07	Warrant Check Requirements
3.2.15	06/12/06	Reporting Quality of Life Matters and Hazards
3.2.16	03/04/08	Bait Vehicle Program (Rescinded)
3.2.17	01/01/18	Crisis Intervention Officers *(Rescinded; see 5.11.01 - 5.11.03)*

3.2.18	11/30/05	The Lojack System
3.2.19	09/27/11	Bomb Squad and Improvised Explosive Devices (IED) Protocols
3.2.20	01/01/18	Wearable Camera System (WCS) *(Revised; see 4.06.04)*

SECTION 3.3 **DISTURBANCES AND DISASTERS**

3.3.01	10/18/11	Active Shooter
3.3.02	03/15/12	Field Force
3.3.03	06/13/16	Crowd Management and the Protection of Constitutional Rights

SECTION 3.4 **ENFORCEMENT**

3.4.01	03/30/06	Accountability of MMCs, PINs, and UTTs
3.4.02	03/01/02	Failure to Comply with Order or Signal of a Police Officer
3.4.03	11/26/07	Use of Video/Image and Audio Recording Equipment
3.4.04	03/01/02	Disorderly Conduct Intoxication (DCI) Arrests
3.4.05	03/01/02	Access to Firearms by a Child
3.4.06	03/01/02	Issuance of Citations or Warrant Summons
3.4.07	03/01/02	Menacing by Stalking
3.4.08	03/01/02	Protection Order Enforcement
3.4.09	03/01/02	Marijuana Citations/Arrests
3.4.10	03/01/02	Drug Related Activity Prohibited
3.4.11	03/01/02	Silent 911 Calls
3.4.12	02/18/09	Ethnic Intimidation and Hate Incident Investigations
3.4.13	03/01/02	Parking Infraction Notice (PIN)
3.4.14	03/01/02	Driving Under Suspension Arrests and Citations
3.4.15	12/28/16	Shoplifting Field Release/Arrest Procedures
3.4.16	08/11/09	Enforcement of Domestic Violence Statutes
3.4.17	03/01/02	Request for Driver License Examination
3.4.18	12/31/07	Telephone Bomb Threats
3.4.19	03/01/02	Open Container Citation/Arrests
3.4.20	04/17/03	Use of the Housing Code Violation Warning Form
3.4.21	05/05/08	Cooperative Response To Serious Crimes
3.4.22	08/04/11	Terrorist Activity and Identification and Response
3.4.23	07/01/11	Officer Safety: Off-Duty and Plain Clothes

CHAPTER 4 **INVESTIGATIONS**

SECTION 4.1 **CRIMINAL INVESTIGATIONS**

4.1.01	05/09/03	Vehicle Processing
4.1.02	05/10/06	Firearm Test Firing and Serial Number Restoration
4.1.03	09/29/11	Crime Scene Preservation and Processing
4.1.04	03/01/02	Vehicular Assault Offenses

4.1.05	03/01/02	Felonious Assault Incidents Involving Police Officers
4.1.06	03/20/13	Charging and Releasing: Warrantless Felony and Escalating Misdemeanor Arrests
4.1.07	10/31/12	Gunshot Residue Collection (GSR)
4.1.08	01/06/03	Arson Investigations
4.1.09	07/07/11	Film Submitted to the Photo Unit (Rescinded)
4.1.10	04/05/12	Crime Scene Entry Log
4.1.11	09/29/06	Electronic Recording of Homicide and Deadly Force Encounter Statements
4.1.12	03/20/13	Charging Procedures: Warrantless Non-Escalating Misdemeanor Arrests
4.1.13	03/17/08	Investigation of Human Trafficking
4.1.14	06/03/14	Combined Abduction Response Team
SECTION 4.2		**DRUG/VICE INVESTIGATIONS**
4.2.01	02/01/10	Clandestine Laboratories
4.2.02	11/29/17	Vice Enforcement Procedures
4.2.03	12/31/07	Follow-up for Violation of State Drug Law Arrests
4.2.04	11/26/07	Field Evidence Bags to Package and Preserve Confiscated Narcotics
4.2.05	10/14/09	Removing Drug Evidence from the Forensic Unit
4.2.06	03/01/02	Liquor Law Enforcement
CHAPTER 5		**JUVENILE PROCEDURES**
SECTION 5.1		**JUVENILE ARRESTS**
5.1.01	12/18/14	Curfew Citations
5.1.02	12/31/07	Juvenile Prisoner Booking and Housing
5.1.03	07/09/14	Cuyahoga County Juvenile Detention Center (CCJDC) Admission (*Rescinded*)
CHAPTER 6		**REPORTING PROCEDURES**
SECTION 6.1		**NON-CRIMINAL REPORTS**
6.1.01	01/01/18	Crisis Intervention Report *(Rescinded; see 5.11.01 - 5.11.03)*
6.1.02	03/01/02	Next of Kin Notification
6.1.03	06/30/08	Stop Cleveland Auto Theft (SCAT) (*Rescinded*)
6.1.04	03/01/02	Law Enforcement Agency Duties/Crime Victim Compensation
6.1.05	03/01/02	Abandoned Baby (72 Hours or Less of Age)
SECTION 6.2		**CRIME REPORTS**
6.2.01	03/01/02	Stolen/Lost License Plates or Validation Stickers

6.2.02	03/24/08	Firearm Seized, Confiscated, Found: Reporting and Handling
6.2.03	10/06/11	Dead Body Investigations
6.2.04	03/01/02	Grand Theft Motor Vehicle and Unauthorized Use Investigations
6.2.05	03/01/02	Carrying A Concealed Weapon(CCW) Arrest
6.2.06	03/01/02	Reporting Abuse or Neglect of Mentally Retarded or Developmentally Disabled Adults
6.2.07	03/01/02	Reporting Elder Abuse, Exploitation or Neglect
6.2.08	08/02/13	Endangering Children
6.2.09	08/22/11	Sexual Assault Investigations
6.2.10	06/15/12	Missing Persons (Adult)
6.2.11	03/06/18	Suspect Identification Form *(Rescinded/Discontinued)*
6.2.12	03/01/02	Watercraft Theft Titles
6.2.13	03/01/02	Stolen/Unauthorized Use of Motor Vehicle Recovery Investigations
6.2.14	9/29/03	Drug Offenses-Use of Ohio Revised and Municipal Codes
6.2.15	12/08/04	The National Motor Vehicle Title Information System (N.M.V.T.I.S.) Hold Notices
6.2.16	08/13/09	Citizen Online Reporting System (CORS)
6.2.17	04/27/12	Missing Person Juvenile

CHAPTER 7 **PRISONER HANDLING**

SECTION 7.1 **JAIL PROCEDURES**

7.1.01	03/01/02	Male/Female/Juvenile Prisoner Transfers
7.1.02	12/31/07	Prisoner Property (Rescinded)
7.1.03	12/31/07	Prisoners at Risk for Suicide (Rescinded)
7.1.04	12/31/07	Prisoner Property Inventories (Rescinded)
7.1.05	08/30/11	Prisoner Supervision and Restraints
7.1.06	12/31/07	Adult Prisoner Booking
7.1.07	07/11/18	Adult Prisoner Processing (*Rescinded; see County Jail Policies)*
7.1.08	07/11/18	Utilization/Distribution of Slap Print Cards and Pre-Booking Forms (*Rescinded; see County Jail Policies)*
7.1.09	07/11/18	Prisoner DNA Collection (*Rescinded; see County Jail Policies)*

SECTION 7.2 **PRISONER: MEDICAL/HOSPITAL PROCEDURES**

7.2.01	09/23/15	Guarding Prisoners at Hospitals
7.2.02	12/31/07	Use of "Referral of Prisoner for Hospital Service" Form
7.2.03	12/31/07	Prisoner Medical and Mental Health Needs
7.2.04	12/31/07	Prescription Medication Purchases for Detainees (Rescinded)

CHAPTER 8 **TRAFFIC**

SECTION 8.1 **ACCIDENTS**

8.1.01	03/26/15	Damage to City Vehicles
8.1.02	09/10/12	OH-1 Traffic Accident Reports; Supplements and Violation Enforcement
8.1.03	03/01/02	Form-10 Reports for Accident Investigation
8.1.04	05/14/14	Hit Skip Investigations
8.1.05	04/06/11	Traffic Safety Analysis Panel (TSAP)

SECTION 8.2 **ENFORCEMENT**

8.2.01	06/16/03	Vehicle Tow or Release
8.2.02	03/01/02	Driver License Checkpoint
8.2.03	10/13/09	Uniform Traffic Tickets (UUT)
8.2.04	03/01/02	Sobriety Checkpoints
8.2.05	01/19/07	Operating a Vehicle While Intoxicated (OVI)
8.2.06	10/16/08	Snow Emergency Response
8.2.07	01/01/20	Citizen Stops *(Rescinded; see 2.02.01-2.02.04)*
8.2.08	03/06/18	Photo Enforcement Program *(Rescinded/Discontinued)*
8.2.09	02/16/10	OVI Breath Testing Procedures at the Central Prison Unit

CHAPTER 9 **COMMUNICATIONS**

SECTION 9.1 **POLICE RADIO**

9.1.01	07/23/14	Communications: Radio Protocol
9.1.02	02/10/20	Multiple Assignment Broadcasting (*Rescinded; see 7.01.02)*
9.1.03	12/31/07	Duties of Command and Superior Officers
9.1.04	01/05/10	Request for a Copy of a Bureau of Communications Recording
9.1.05	03/01/02	CAD Premise / Hazard File
9.1.06	07/26/02	Use of Mobile Command Vehicle
9.1.07	04/16/04	Northeast Ohio Amber Alert (NEOAA)
9.1.08	04/16/04	A Child is Missing Program (ACIM)
9.1.09	05/24/10	Automatic Vehicle Locator (AVL) System

SECTION 9.2 **LEADS**

9.2.01	03/01/02	LEADS Terminal Agency Coordinator and Terminal Coordinator
9.2.02	12/23/02	Alert Long Term Caution: Taylor Alert (TA)

CHAPTER 10 **PROPERTY**

SECTION 10.1 **EVIDENCE**

10.1.01	12/31/07	Handling Infectious Evidence/Waste

10.1.02	03/01/02	Property Book Format
10.1.03	03/01/02	Handling Evidence
10.1.04	03/01/02	Property Unit Notification for Cases Taken Directly to the Grand Jury
SECTION 10.2		**SEIZED/FORFEITED PROPERTY**
10.2.01	03/01/02	Seized United States (U.S.) Currency
10.2.02	03/01/02	Property Confiscated for the Registrar of Motor Vehicles
SECTION 10.3		**DIVISION OF POLICE PROPERTY**
10.3.01	09/10/12	Property Management
10.3.02	06/18/14	Return of Firearms
10.3.03	04/01/13	Firearm Purchase
10.3.04	09/06/11	Commuter Vehicle Privileges

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 2, 2002	SEPTEMBER 29, 2009	1 of 3	1.1.01

SUBJECT:	
CITY OF CLEVELAND MISSION STATEMENT AND ETHICS POLICY	
ASSOCIATED MANUAL	RELATED ORDERS: 1.1.02
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are in italics

PURPOSE: To establish a Mission Statement that provides vision, purpose and direction *for the Division of Police and to establish an ethics policy to guide the actions of all its members*.

POLICY: *Members of the Division of Police shall carry out their mission in accordance with the strictest ethical guidelines. Division members shall conduct themselves in a manner that fosters public confidence in the integrity of Cleveland's government, its processes, and its accomplishments*. Members of the Division of Police shall be guided by the values expressed in the City of Cleveland Mission Statement, *the City of Cleveland Ethics Policy, and the Division of Police Manual of Rules and Regulations*.

City of Cleveland Mission Statement

We are committed to improving the quality of life in the City of Cleveland by strengthening our neighborhoods, delivering superior services, embracing the diversity of our citizens and making Cleveland a desirable, safe city in which to live, work, raise a family, shop, study, play and grow old.

DEFINITIONS:

Anything of value *- includes anything of monetary value, including, but not limited to, money, gifts, food or beverages, social event tickets and expenses, travel expenses, golf outings, consulting fees, compensation, or employment. "Value" means worth greater than de minimis or nominal.*

Anyone doing business with the City *- includes, but is not limited to, any person, corporation, or other party that is doing or seeking to do business with, regulated by, or has interests before the City.*

PROCEDURES:

I. *Division members must, at all times, abide by protections to the public embodied in Ohio's ethics laws, as found in Chapters 102 and 2921 of the Ohio Revised Code (ORC), and as interpreted by the Ohio Ethics Commission and Ohio courts. Members shall conduct themselves, at all times, in a manner that avoids favoritism, bias, and the appearance of impropriety.*

II. *A general summary of the restraints upon the conduct of all Division members includes, but is not limited to, those listed below. No member shall:*

A. *Solicit or accept anything of value from anyone doing business with the City.*

B. *Solicit or accept employment from anyone doing business with the City, unless the member completely withdraws from the City's activity regarding the party offering employment, and the member's appointing authority approves the withdrawal.*

C. *Use his or her public position to obtain benefits for the member, a family member, or anyone with whom the member has a business or employment relationship.*

D. *Be paid or accept any form of compensation for personal services rendered on a matter before any board, commission, or other body of the City, unless the member qualifies for the exception, and files the statement, described in ORC 102.04(D).*

E. *Hold or benefit from a contract with, authorized by, or approved by, the City, (the Ethics Law does except some limited stockholdings, and some contracts objectively shown as the lowest cost services, where all criteria under ORC 2921.42 are met.*

F. *Vote, authorize, recommend, or in any other way use his or her position to secure approval of a City contract (including employment or personal services) in which the member, a family member, or anyone with whom the member has a business or employment relationship, has an interest.*

G. *Solicit or accept honoraria (see ORC 102.01(H) and 102.03(H)).*

H. *During public service, and for one year after leaving public service, represent any person, in any fashion, before any public agency, with respect to a matter in which the member personally participated while serving with the City*.

I. *Use or disclose confidential information protected by law, unless appropriately authorized.*

J. *Use, or authorize the use of, his or her title, the name "City of Cleveland," or the City's logo in a manner that suggests impropriety, favoritism, or bias by the City or the official or employee*.

III. *Members of the Division shall also be guided by the Cleveland Division of Police Manual of Rules and Regulations, Section III Ethics, to wit*:

A. *Rule 3.07 Personnel shall not use their position, badge or credentials for personal gain*.

B. *Rule 3.08 Personnel shall not solicit or accept from any person, business or organization any compensation, gift or other thing of value for personal benefit or to influence performance or nonperformance of an official duty, act or service*.

MM/TAH/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 1, 2012	May 17, 2017	1 of 1	1.1.02

SUBJECT:	
CLEVELAND DIVISION OF POLICE MISSION STATEMENT	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

PURPOSE: To establish a Mission Statement for the Division of Police that provides vision, purpose, and direction for the members of the Division.

POLICY: Members of the Division of Police shall be guided by the City of Cleveland Mission Statement and Division of Police Mission Statement.

Cleveland Division of Police Mission Statement

The mission of the Cleveland Division of Police is to serve as guardians of the Cleveland community. Guided by the Constitution, we shall enforce the law, maintain order, and protect the lives, property, and rights of all people. We shall carry out our duties with a reverence for human life and in partnership with members of the community through professionalism, respect, integrity, dedication and excellence in policing.

CDW/rs
Bureau of Integrity Control

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 1	1.1.03

SUBJECT:	
STANDARDS OF CONDUCT AND COURTESY	
ASSOCIATED MANUAL: MANUAL OF RULES & REGULATIONS	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To establish professional standards of conduct and courtesy for members of the Cleveland Division of Police who represent the Division in dealing with the general public.

POLICY: Division members shall be resourceful and polite when dealing with the general public. This includes but is not limited to personal, physical and telephone contact.

PROCEDURES: Division of Police personnel shall:

I. Not engage in any conduct, speech or acts while on or off duty, which would reasonably tend to diminish the esteem of the Division of Police or its personnel in the eyes of the public (Rule 5.01).

II. Not engage publicly in any disparaging conversation detrimental to the Division of Police or its personnel, or representing policy as other than as stated in the rules, general police orders, divisional notices and memorandums (Rule 5.02).

III. Conduct themselves in such a manner as to command the respect of the public (Rule 5.08).

IV. Be courteous and respectful in their speech, conduct and contact with others (Rule 5.09).

V. Remain awake and alert while on duty (Rule 5.12).

VI. Answer police telephones promptly and identify themselves by name, rank, unit, and in compliance with division procedures (Rule 7.07).

Commanding officers shall ensure that police personnel are aware of this order and review it when a new employee is assigned to their unit.

EFL/TAH/LM/mg/aaf
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	1.1.04

SUBJECT:	
WRITTEN DIRECTIVES SYSTEM	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To establish a written directives system for the Cleveland Division of Police.

POLICY: The Division shall provide written information to members in a clear, concise and appropriate manner.

PROCEDURES: Division members shall receive written information through General Police Orders, Divisional Notices, Memorandums, Training Bulletins and Unit Procedural Manuals.

I. General Police Orders are long-term directives, procedural in content, written in 14 point Times New Roman font with a stated purpose, policy and procedures. They are printed on white, 8 1/2" x 11" paper, numbered sequentially (class. subclass. order number) classified by subject category. Each member of the Division shall receive the General Police Orders.

A. The purpose states simply what the order is to accomplish.

B. The policy is a statement that reflects the philosophy of the Division.

C. The procedures, written in outline form, explain what shall be done by whom, to accomplish the purpose.

II. Divisional Notices are short-term directives, incident oriented, written in 14 point Times New Roman font on green 8 1/2" x 11" paper, numbered year of notice - sequential notice number. They are distributed to Administrative Units.

III. Memorandums are unnumbered directives with limited distribution between command and superior officers and from command and superior officers to subordinate officers on City of Cleveland Memorandum 8 ½" x 11" letterhead stationary.

IV. Training Bulletins are instructional in content, distributed to Division members and numbered by prefacing the year of issue with a capital T - sequential number of the bulletin i.e. Training Bulletin #1 for 2000 would be represented T 00-01.

V. Unit Procedural Manuals are unit specific and state procedures for unit personnel.

EFL/TAH/LM/pmz
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 01, 2002	February 10, 2010	1 of 5	1.1.05

SUBJECT:	
PERFORMANCE EVALUATIONS	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are in italics

PURPOSE: *To establish goals and objectives that are consistent with the mission and vision of the Cleveland Division of Police* and *impartially and objectively* measure the performance of members of the Cleveland Division of Police.

POLICY: *The Division shall annually define the goals and objectives of each member and evaluate the member's job performance based on SMART objectives set.* Supervisory officers shall use supporting documentation when appropriate to assist in impartial and objective evaluations. Performance ratings shall become a permanent part of a member's personnel file and will provide a profile of member qualifications and suitability for assignments, transfers and promotions within the Division.

Members who are suspended or assigned to the Extended Illness Section are not required to undergo a Performance Evaluation while in that status.

PROCEDURES:

I. *Performance Management: Goals and Objectives*

A. *In December of every year, each member shall be advised of the Division's overall goals for the following year. All members shall orient their overall performance for the new calendar year towards those goals and objectives.*

1. *The Command Staff shall disseminate the overall goals and objectives to their assigned supervisors.*

a. *Each supervisor shall be provided an Employee Objectives & Expectation Form (Attachment A) that will document SMART objectives for the following year.*

b. *Supervisors may receive a work plan to complete throughout the year to assist them in following through with the assigned SMART objectives.*

2. *Unit supervisors shall review the overall SMART objectives for the Division with their patrol officers and detectives.*

3. *Patrol Officers and Detectives will not receive an Employee Objective & Expectation Form (Attachment A) or a work plan (Attachment B) unless the supervisor deems it necessary to assist the patrol officer or detective with a specific project or the officer requires direction and improvement in their performance.*

4. *Civilian personnel shall receive SMART objectives as called for and evaluated accordingly. Civilian personnel not receiving SMART objective shall be evaluated accordingly.*

5. *The Command Staff shall meet quarterly with their supervisors to review and provide guidance and direction in meeting the set SMART objectives. The work plan, if provided, shall be reviewed at this meeting.*

B. *Supervisors shall use the SMART objectives when setting goals with members.*

1. *<u>S</u>pecific: be precise about what is to be to accomplished.*

2. *<u>M</u>easurable: quantify the objectives, i.e. numeric goals, percentage increase/decrease, ranges, etc…*

3. *<u>A</u>ttainable: set goals that are objectively reasonable*

4. *<u>R</u>eliable/Realistic: Are there adequate resources available to the member to meet the stated goal?*

5. *<u>T</u>imely: state due date and intermittent dates for review and meeting smaller goals that would lead to primary goals being achieved, i.e. use month, quarter, year, etc…*

Sample: SMART objective: Decrease overtime by 2% by 3Q2010

II. *Performance Evaluations (Evaluation Forms - Attachments C through F)*

A. *Performance Evaluations shall use the following performance rating checklist*:

1. *Rating Value 1 – Unsatisfactory*

2. *Rating Value 2 -Needs Improvement*

3. *Rating Value 3 - Satisfactory*

4. *Rating Value 4 - Exceeds Expectations*

5. *Rating Value 5 - Outstanding*

B. *Unsatisfactory or Needs Improvement (1 or 2) requires a separate Form 1 from the evaluating supervisor stating areas of deficiency and an improvement plan detailing by whom and how the deficiencies shall be corrected.*

1. *An initial counseling session (Step One) shall be considered an integral part of a deficient member's performance evaluation*.

2. *The evaluating supervisor shall meet with the next supervisor in the chain of command between 45 to 60 days of the deficient member's review and advise the supervisor of the member's progress in correcting the identified deficiencies.*

a. *If improvement has been shown, documentation detailing the improvement shall be forwarded through the chain of command to the respective Deputy Chief for review and then forwarded to the Personnel Unit for filing.*

b. *If progress towards correcting the deficiencies has not been made, then the member shall receive additional counseling (Step Two) and a revised improvement plan.*

3. *Between 45 to 60 days following Step Two counseling, the commander shall meet with the units/shifts ranking supervisor to determine if the member is making sufficient progress. If the member is still deficient, the member will receive additional counseling (Step Three).*

Documentation of the Step 3 counseling session and recommendations (which may include preferring of disciplinary charges) shall be forwarded to the respective Deputy Chief for a recommendation to the Chief.

C. Performance Rating Checklists that are incomplete, incorrect or lack supporting documentation shall be returned to the rating supervisor for corrective action.

D. Supervisors may use a Form-1 to document performance not included in the Performance Rating Checklist.

III. Supporting Documentation

A. Supervisors shall monitor members' job performance daily. This monitoring shall be the basis for the rating values given to specific tasks.

B. Documentation *may* be attached to the rating form and may include:

1. Letters of commendation/recommendations for awards.

2. Number of arrests and number of Uniform Traffic Tickets, Minor Misdemeanor Citations and Parking Infraction Notices issued.

3. Record of discipline.

4. Any other relevant information.

IV. *Schedule of Performance Ratings*

A. *Ratings shall be completed annually according to the following schedule:*

1. *Patrol Officers, Detectives and Civilian personnel whose last names begin with the letters A through G shall be completed by March 31.*

2. *Patrol Officers, Detectives and Civilian personnel whose last names begin with the letters H through O shall be completed by June 30.*

3. *Patrol Officers, Detectives and Civilian personnel whose last names begin with the letters P through Z shall be completed by September 30.*

4. *All supervisors shall be completed by December 15.*

B. *The Bureau of Human Resources shall issue a reminder Divisional Notice at least 30 days prior to the "completed by" dates of the annual ratings.*

C. *Members transferred or detailed to a new assignment for less than 90 days of a rating period shall be rated by their previous supervisor*.

V. Performance Rating Review

A. After completing the *electronic* Performance Rating form, the supervisor shall permit the rated member to review the form and receive a copy of it.

B. Members shall document their review of the Performance Rating by their signature. Members who wish to comment on their performance rating shall do so in the Officer's Comments section of the Performance Rating Checklist form. If there is not enough space on the form, members shall document their comments on a Form-1 and forward it through the chain of command *to their respective Deputy Chief*.

C. If the commander agrees with the evaluation, the commander shall document such agreement with their signature *and supporting comments if any*. If the platoon commander is not in agreement, the platoon commander shall complete a Form-1 with the reason(s) and forward it through the chain of command to *the respective Deputy Chief*.

D. *All performance evaluations along with any additional documentation shall be forwarded to the respective Deputy Chief who in turn shall forward the evaluations to the Personnel Unit.*

E. *The Personnel Unit shall receive and maintain members' performance evaluations in their personnel files and enter the evaluations into the City's ADP system.*

MM/TAH/JCO/ajg
Policy & Procedures Unit
Attachments (for illustrative purposes only, actual forms will be completed electronically)

CITY OF CLEVELAND
DEPARTMENT OF PUBLIC SAFETY/DIVISION OF POLICE

EMPLOYEE OBJECTIVES/EXPECTATIONS WORKSHEET

Name: _____

Department/ Area: _____

Position: _____ From: _____ To: _____

Instructions: Based upon a review of department and/or area goals established for the above report period and your position description, you will be responsible for accomplishing specific objectives/expectations during this report period. Please note that your annual performance appraisal will be based, in part, upon the progress demonstrated toward accomplishment and actual obtainment of the objectives/expectations defined below. Up to six (6) objectives/expectations is required. As required, additional pages may be attached to this worksheet.

***** This form may be used to establish a Performance Improvement Plan.

1.

2.

3.

4.

5.

6.

This form maybe used to the establish a Performance Improvement Plan.

Employee Signature: _____ Date: _____

Immediate Supervisor Signature: _____ Date: _____

Manager's Signature _____ Date: _____

Appointing Authority Signature: _____ Date: _____

Director's Signature (if applicable): _____ Date: _____

CLEVELAND DIVISION OF POLICE WORK PLAN

Objective #1	**List objective here**						
	Steps Required	*Start Date*	*Finish Date*	*Owner*	*Resources Needed*	*% Complete*	*Status*
Objective #2	**List objective here**						
	Steps Required	*Start Date*	*Finish Date*	*Owner*	*Resources Needed*	*% Complete*	*Status*
Objective #3	**List objective here**						
	Steps Required	*Start Date*	*Finish Date*	*Owner*	*Resources Needed*	*% Complete*	*Status*

CLEVELAND DIVISION OF POLICE

CIVILIAN SUPERVISORY PERFORMANCE EVALUATION

Member's Last Name	*First Int.*	*Badge #*	*Rated by Last Name*	*First Int.*	*Badge #*

Bureau/District	*Unit/Platoon*	*Date*

Rating Instructions:Rate member's performance in reference to the scale below by placing the rating value in the appropriate box. If the performance does not apply to a member's assignment, leave the reference blank.

5=Outstanding; 4=Exceeds; 3=Satisfactory; 2=Needs Improvement; 1=Unsatisfactory

SECTION I: CUSTOMER SERVICE, DEPENDABILITY & QUALITY OF WORK

CUSTOMER SERVICE	RATING	CUSTOMER SERVICE	RATING
Attitude Toward Police Work		Accepts Additional Duties	
Attitude Toward Public		Proper Grooming	
Reports For Duty On Time		Uniform/Plain Clothes Appearance	
Reports Off Duty As Required		Courteous/Tactful with Citizens	
Follows Orders		Courteous/Tactful with Other Members	
Follows Rules and Regulations		Interaction with other Ethnic Groups	
Supports Division Goals		Promotes CPD-Community Partnership	
Complies with Division's Goals		Accepts Constructive Criticism	
		Self Motivation	
Column subtotal:	0	Column subtotal:	0
TOTAL CUSTOMER SERVICE:			

QUALITY OF WORK	RATING	QUALITY OF WORK	RATING
Written Reports		*Routine Forms*	
Organization		Organization	
Completeness		Completeness	
Legibility		Legibility	
Grammar		Grammar	
Column subtotal:	0	Column subtotal:	0
TOTAL QUALITY OF WORK:			

DEPENDABILITY	RATING	DEPENDABILITY	RATING
Reports For Duty On Time		Follows Rules and Regulations	
Reports Off Duty As Required		Supports Division's Goals	
Follows Orders		Complies with Division's Goals	
Reports to work as scheduled		Meets deadlines	
Column subtotal:	0	Column subtotal:	0
TOTAL DEPENDABILITY:			

CLEVELAND DIVISION OF POLICE

CIVILIAN SUPERVISORY PERFORMANCE EVALUATION

SECTION II: JOB KNOWLEDGE			
JOB KNOWLEDGE	**RATING**	**JOB KNOWLEDGE**	**RATING**
Multiple Tasking Ability		Knowledge of General Police Orders	
Problem Solving Ability		Knowledge of Constitutional Law	
Community Relations Skills		Knowledge of Statutory Law	
Pins (consistent with Platoon average)		Driving Ability	
Use of RMS Computer		MVA Record	
Column subtotal:	0	Column subtotal:	0
TOTAL JOB KNOWLEDGE:			

JOB KNOWLEDGE (SUPERVISORS)			
JOB KNOWLEDGE	**RATING**	**JOB KNOWLEDGE**	**RATING**
Monitors Performance of Personnel		Delegates Authority Appropriately	
Completes Assignments Timely		promotes Divisional Goals	
Discovers Employees Errors		Monitors Safety of Personnel	
Offers Constructive Criticism		Monitors Overtime Use	
Recommends Appropriate Discipline		Effectively Allocates Personnel	
Accepts and Assumes Responsibility		Effectively Allocates Resources	
Column subtotal:	0	Column subtotal:	0
TOTAL JOB KNOWLEDGE:			

Rating Scale

Outstanding = 4.51 - 5.0
Exceeds = 3.51 - 4.50
Satisfactory = 2.51 - 3.50
Improvement Needed = 1.51 - 2.50
Unsatisfactory = 1.0 - 1.50

Cumulative Performance Rating	**0.00**

** Performance Improvement or Action Plan included for ratings 2.0 or below.

SECTION III: SUPERVISOR'S COMMENTS

SIGNATURE/BADGE/DATE

CLEVELAND DIVISION OF POLICE

CIVILIAN SUPERVISORY PERFORMANCE EVALUATION

SECTION IV: MEMBER'S COMMENTS

SIGNATURE/BADGE/DATE

SECTION V: PLATOON/UNIT COMMANDER'S ENDORSEMENT/COMMENTS

SIGNATURE/BADGE/DATE

PART VI: COMMANDER'S ENDORSEMENT/COMMENTS

SIGNATURE/BADGE/DATE

CLEVELAND DIVISION OF POLICE

PATROL OFFICER PERFORMANCE EVALUATION

Rating Instructions:Rate member's performance in reference to the scale below by placing the rating value in the appropriate box. If the performance does not apply to a member's assignment, leave the reference blank.

5=Outstanding; 4=Exceeds; 3=Satisfactory; 2=Needs Improvement; 1=Unsatisfactory

The appraisal form is used in Excel. The workbook contains four (4) appraisal form worksheet tabs entitled: Patrol Officer, Superior Officer (Supv), Civilian, and Civilian (Supv).

When using the form, you may navigate using the computer mouse or tab key.

The forms are passcode protected in certain areas to protect the formulas and integrity of the document.

The formulas within the form are used to calculate the scores, so you won't have too manually.

Type in the member's information.

Read the instructions carefully and proceed to Section One (1).

You may either type in the rating or use the drop down menu, select a rating for each applicable category.

If a category is not applicable, leave it blank or press the back space key to delete.

After completing the all of the sections, go to the Comments Areas and include your comments.

Forward the appraisal form accordingly.

Please note: If a member receives a rating below a "3" in any area, the immediate supervisor must complete a Performance Improvement Plan to assist the member in improving his/her performance level in that area.

For example: If a member receives a "2" in reporting to work on time.

The immediate supervisor will document the matter in the comments section.

The supervisor may use a separate sheet of paper or a Form One (1) to include the plan of action.

All documentation must be turned in with the appraisal form.

CLEVELAND DIVISION OF POLICE

PATROL OFFICER PERFORMANCE EVALUATION

Member's Last Name	*First Int.*	*Badge #*	*Rated by Last Name*	*First Int.*	*Badge #*

Bureau/District	*Unit/Platoon*	*Date*

Rating Instructions:Rate member's performance in reference to the scale below by placing the rating value in the appropriate box. If the performance does not apply to a member's assignment, leave the reference blank.

5=Outstanding; 4=Exceeds; 3=Satisfactory; 2=Needs Improvement; 1=Unsatisfactory

SECTION I: CUSTOMER SERVICE, DEPENDABILITY & QUALITY OF WORK

CUSTOMER SERVICE	RATING	CUSTOMER SERVICE	RATING
Attitude Toward Police Work		Accepts Additional Duties	
Attitude Toward Public		Proper Grooming	
Accepts Constructive Criticism		Uniform/Plain Clothes Appearance	
Self Motivation		Courteous/Tactful with Citizens	
Care of Vehicles & Equipment		Courteous/Tactful with Other Members	
Teamwork: works well with others		Interaction with other Ethnic Groups	
		Promotes CPD-Community Partnership	
Column subtotal:	0	Column subtotal:	0
TOTAL CUSTOMER SERVICE:			

QUALITY OF WORK	RATING	QUALITY OF WORK	RATING
Written Reports		*Routine Forms*	
Organization		Organization	
Completeness		Completeness	
Legibility		Legibility	
Grammar		Grammar	
Column subtotal:	0	Column subtotal:	0
TOTAL QUALITY OF WORK:			

DEPENDABILITY	RATING	DEPENDABILITY	RATING
Reports For Duty On Time		Follows Rules and Regulations	
Reports Off Duty As Required		Supports Division's Goals	
Follows Orders		Complies with Division's Goals	
Reports to work as scheduled			
Column subtotal:	0	Column subtotal:	0
TOTAL DEPENDABILITY:			

CLEVELAND DIVISION OF POLICE

PATROL OFFICER PERFORMANCE EVALUATION

SECTION II: JOB KNOWLEDGE (PATROL)			
JOB KNOWLEDGE	**RATING**	**JOB KNOWLEDGE**	**RATING**
Reports Arrival Time		Meets Deadlines	
Reports Completion Time		Problem Solving Ability	
Driving Ability		Community Relations	
MVA Record		Arrests (consistent w/Platoon average)	
Investigate/Interview Ability		MMCs (consistent w/Platoon averages)	
Community Relations Skills		UTTs (consistent w/Platoon averages)	
Attends Court When Subpoenaed		PINS (consistent w/Platoon averages)	
Promptness of Required Reports		Knowledge of General Police Orders	
Creativity in HandlingAassignments		Knowledge of Constitutional Law	
Multi Tasking Ability		Knowledge of Statutory Law	
		Use of RMS Computer	
Column subtotal:	0	Column subtotal:	0
TOTAL JOB KNOWLEDGE (Patrol):			

JOB KNOWLEDGE (ADMINISTRATIVE)			
JOB KNOWLEDGE	**RATING**	**JOB KNOWLEDGE**	**RATING**
Propmtness of Required Reports		Knowledge of General Police Orders	
Creativity in Handling Assignment		Knowledge of Constitutional Law	
Multiple Tasking Ability		Knowlwdge of Statutory Law	
Meets Deadlines		Driving Record	
Problem Solving Ability		MVA Record	
Community Relations Skills		Use of RMS Computer	
Column subtotal	0	Column subtotal	0
TOTAL JOB KNOWLEDGE (ADMINISTRATIVE):			

JOB KNOWLEDGE (INVESTIGATIVE)			
JOB KNOWLEDGE	**RATING**	**JOB KNOWLEDGE**	**RATING**
Maintains High-Quality Case Files		Driving Ability	
Cultivates Informants		MVA Record	
Search Warrant Completeness		Problem Solving Ability	
Investigates Cases in Timely Manner		Community Relations Skill	
Ability to Solve Assigned Cases		Attends Court when Subpoenaed	
Prosecutor Relationships		Grand Jury Packages	
Judicial Relationships		Grand Jury Attendance	
Investigative Clearance Rate		Knowledge of General Police Orders	
Interview Skills		Knowledge of Constitutional Law	
Use of RMS Computer		Knowledge of Statutory Law	
Column subtotal	0	Column subtotal	0
TOTAL JOB KNOWLEDGE (PATROL):			

Cumulative Performance Rating	**0.00**

Outstanding = 4.51 - 5.0
Exceeds = 3.51 - 4.50
Satisfactory = 2.51 - 3.50
Improvement Needed = 1.51 - 2.50
Unsatisfactory = 1.0 - 1.50
** Performance Improvement or Action Plan included for ratings 2.0 or below.

CLEVELAND DIVISION OF POLICE

PATROL OFFICER PERFORMANCE EVALUATION

SECTION III: SUPERVISOR'S COMMENTS

SIGNATURE/BADGE/DATE

SECTION IV: MEMBER'S COMMENTS

SIGNATURE/BADGE/DATE

SECTION V: PLATOON/UNIT COMMANDER'S ENDORSEMENT/COMMENTS

SIGNATURE/BADGE/DATE

PART VI: COMMANDER'S ENDORSEMENT/COMMENTS

SIGNATURE/BADGE/DATE

CLEVELAND DIVISION OF POLICE

SUPERVISORY PERFORMANCE EVALUATION

Member's Last Name	*First Int.*	*Badge #*	*Rated by Last Name*	*First Int.*	*Badge #*

Bureau/District	*Unit/Platoon*	*Date*

Rating Instructions:Rate member's performance in reference to the scale below by placing the rating value in the appropriate box. If the performance does not apply to a member's assignment, leave the reference blank.

5=Outstanding; 4=Exceeds; 3=Satisfactory; 2=Needs Improvement; 1=Unsatisfactory

SECTION I: CUSTOMER SERVICE, DEPENDABILITY & QUALITY OF WORK

CUSTOMER SERVICE	RATING	CUSTOMER SERVICE	RATING
Attitude Toward Police Work		Accepts Additional Duties	
Attitude Toward Public		Proper Grooming	
Accepts Constructive Criticism		Uniform/Plain Clothes Appearance	
Self Motivation		Courteous/Tactful with Citizens	
Care of Vehicles & Equipment		Courteous/Tactful with Other Members	
Teamwork: works well with others		Interaction with other Ethnic Groups	
		Promotes CPD-Community Partnership	
Column subtotal:	0	Column subtotal:	0
TOTAL CUSTOMER SERVICE:			

QUALITY OF WORK	RATING	QUALITY OF WORK	RATING
Written Reports		*Routine Forms*	
Organization		Organization	
Completeness		Completeness	
Legibility		Legibility	
Grammar		Grammar	
Column subtotal:	0	Column subtotal:	0
TOTAL QUALITY OF WORK:			

DEPENDABILITY	RATING	DEPENDABILITY	RATING
Reports For Duty On Time		Follows Rules and Regulations	
Reports Off Duty As Required		Supports Division's Goals	
Follows Orders		Complies with Division's Goals	
Reports to work as scheduled			
Column subtotal:	0	Column subtotal:	0
TOTAL DEPENDABILITY:			

CLEVELAND DIVISION OF POLICE

SUPERVISORY PERFORMANCE EVALUATION

SECTION II: SUPERIOR OFFICER EVALUATION			
JOB KNOWLEDGE	**RATING**	**JOB KNOWLEDGE**	**RATING**
Monitors Performance of Personal		Promotes Divisional Goals	
Completes Assignments Timely		Monitors Safety of Personnel	
Discovers Employee Errors		Monitors Overtime Use	
Offers Constructive Criticism		Effectively Allocates Personnel	
Recommends Appropriate Discipline		Effectively Allocates Resources	
Accepts/Assumes responsibility		Knowledge of General Police Orders	
Delegates Authority Appropriately		Knowledge of Constitutional Law	
Provides leadership		Knowledge of Statutory Law	
Multiple Tasking Ability		Use of RMS Computer	
Problem Solving Ability		Driving Ability	
Community Relations Skills		MVA Record	
Column subtotal:	0	Column subtotal:	0
TOTAL JOB KNOWLEDGE (Supervisory):			

Rating Scale

Outstanding = 4.51 - 5.0
Exceeds = 3.51 - 4.50
Satisfactory = 2.51 - 3.50
Improvement Needed = 1.51 - 2.50
Unsatisfactory = 1.0 - 1.50

Cumulative Performance Rating	**0.00**

** Performance Improvement or Action Plan included for ratings 2.0 or below.

SECTION III: SUPERVISOR'S COMMENTS

SIGNATURE/BADGE/DATE

SECTION IV: MEMBER'S COMMENTS

SIGNATURE/BADGE/DATE

CLEVELAND DIVISION OF POLICE

SUPERVISORY PERFORMANCE EVALUATION

SECTION V: PLATOON/UNIT COMMANDER'S ENDORSEMENT/COMMENTS

SIGNATURE/BADGE/DATE

PART VI: COMMANDER'S ENDORSEMENT/COMMENTS

SIGNATURE/BADGE/DATE

CLEVELAND DIVISION OF POLICE

CIVILIAN PERFORMANCE EVALUATION

Member's Last Name	*First Int.*	*Badge #*	*Rated by Last Name*	*First Int.*	*Badge #*

Bureau/District	*Unit/Platoon*	*Date*

Rating Instructions:Rate member's performance in reference to the scale below by placing the rating value in the appropriate box. If the performance does not apply to a member's assignment, leave the reference blank.

5=Outstanding; 4=Exceeds; 3=Satisfactory; 2=Needs Improvement; 1=Unsatisfactory

SECTION I: CUSTOMER SERVICE, DEPENDABILITY & QUALITY OF WORK

CUSTOMER SERVICE	RATING	CUSTOMER SERVICE	RATING
Attitude Toward Police Work		Accepts Additional Duties	
Attitude Toward Public		Proper Grooming	
Reports For Duty On Time		Uniform/Plain Clothes Appearance	
Reports Off Duty As Required		Courteous/Tactful with Citizens	
Follows Orders		Courteous/Tactful with Other Members	
Follows Rules and Regulations		Interaction with other Ethnic Groups	
Supports Division Goals		Promotes CPD-Community Partnership	
Complies with Division's Goals		Accepts Constructive Criticism	
		Self Motivation	
Column subtotal:	0	Column subtotal:	0
TOTAL CUSTOMER SERVICE:			

QUALITY OF WORK	RATING	QUALITY OF WORK	RATING
Written Reports		*Routine Forms*	
Organization		Organization	
Completeness		Completeness	
Legibility		Legibility	
Grammar		Grammar	
Column subtotal:	0	Column subtotal:	0
TOTAL QUALITY OF WORK:			

DEPENDABILITY	RATING	DEPENDABILITY	RATING
Reports For Duty On Time		Follows Rules and Regulations	
Reports Off Duty As Required		Supports Division's Goals	
Follows Orders		Complies with Division's Goals	
Reports to work as scheduled		Meets deadlines	
Column subtotal:	0	Column subtotal:	0
TOTAL DEPENDABILITY:			

CLEVELAND DIVISION OF POLICE

CIVILIAN PERFORMANCE EVALUATION

SECTION II: JOB KNOWLEDGE			
JOB KNOWLEDGE	**RATING**	**JOB KNOWLEDGE**	**RATING**
Multiple Tasking Ability		Knowledge of General Police Orders	
Problem Solving Ability		Knowledge of Constitutional Law	
Community Relations Skills		Knowledge of Statutory Law	
Pins (consistent with Platoon average)		Driving Ability	
Use of RMS Computer		MVA Record	
Column subtotal:	0	Column subtotal:	0
TOTAL JOB KNOWLEDGE:			

Rating Scale

Outstanding = 4.51 - 5.0
Exceeds = 3.51 - 4.50
Satisfactory = 2.51 - 3.50
Improvement Needed = 1.51 - 2.50
Unsatisfactory = 1.0 - 1.50

Cumulative Performance Rating	**0.00**

** Performance Improvement or Action Plan included for ratings 2.0 or below.

SECTION III: SUPERVISOR'S COMMENTS

SIGNATURE/BADGE/DATE

SECTION IV: MEMBER'S COMMENTS

SIGNATURE/BADGE/DATE

CLEVELAND DIVISION OF POLICE

CIVILIAN PERFORMANCE EVALUATION

SECTION V: PLATOON/UNIT COMMANDER'S ENDORSEMENT/COMMENTS

SIGNATURE/BADGE/DATE

PART VI: COMMANDER'S ENDORSEMENT/COMMENTS

SIGNATURE/BADGE/DATE

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 01, 2002	June 10, 2014	1 of 1	1.1.06

SUBJECT:	
SMOKING REGULATIONS	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

Changes are printed in Italic

PURPOSE: To ensure conformity of the Division of Police smoking regulations with the Ohio Revised Code (ORC), Cleveland Codified Ordinances (CCO), and City of Cleveland smoking policy.

POLICY: The Division of Police shall comply with the Ohio Revised Code (Chapter 3794), Cleveland Codified Ordinances (Chapter 235) and the City of Cleveland Personnel Policies and Procedures Manual regarding Smoking in the Workplace. The Division shall provide a healthy, comfortable and productive environment for all members. *As stated in the City of Cleveland Personnel Policies and Procedures Manual, these regulations shall apply to employees utilizing electronic cigarettes and similar devices, as well as all forms of smokeless tobacco.*

PROCEDURES:

I. Smoking is prohibited in all City-owned or leased facilities, including outdoor areas and all City-owned and leased vehicles.

II. Smoking is prohibited within 150 feet of any entrance or exit of a City place of employment except real property not owned by the City or is otherwise permitted under ORC Chapter 3794.

III. Members of the Division of Police shall not chew tobacco, smoke any cigarette, cigar or pipe, *use any electronic cigarette or similar device*, or use any tobacco product during any conversation or interview with the public.

CDW/jsb
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	September 10, 2012	1 of 2	1.1.07

SUBJECT:	
SEXUAL HARASSMENT POLICY	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are italicized

PURPOSE: To set guidelines for Sexual Harassment investigations.

POLICY: The Cleveland Division of Police does not intend to regulate the social interaction or relationships freely entered into by officers or employees; however, it does view sexual advances and sexual harassment as unacceptable conduct in the workplace. It shall not tolerate nor condone such behavior.

In its employment, the Division shall not tolerate sexual harassment in a form that requires sexual cooperation as a condition of employment, promotion, layoff, training, or as a term or condition for transfer, details or the assignment of job duties. Supervisory personnel shall not use implicit or explicit sexual behavior to control, influence or affect the career, salary or job of an officer or employee. Management shall ensure that the work environment is free from sexual harassment. Officers and members shall feel free to raise their concerns without fear of retaliation and all members shall be afforded a work environment free from unsolicited verbal comments, gestures or physical contact of a sexual nature.

DEFINITIONS:

Sexual Harassment:

According to the Federal Equal Employment Opportunity Commission sexual harassment is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

An action constitutes sexual harassment if submission to such conduct is an explicit or implicit term or condition of the individual's employment, if submission to or rejection of such conduct is the basis for employment decisions that effect the individual, or if such conduct has the purpose or effect of interfering with the performance of an individual or creates an intimidating, hostile or offensive work environment.

PROCEDURES:

I. Members shall report sexual harassment within 24 hours of occurrence or notification of the occurrence. *However, the failure to make such a report within 24 hours does not negate the requirement of a proper investigation and response*. This applies to all Division employees.

II. *Supervisors receiving such complaints shall direct the complainant to complete a Form-1 regarding the complaint.*

III. *The complainant shall forward the original Form-1 directly to the Director of Public Safety, with a copy provided to the supervisor for forwarding through the chain of command.*

IV. *Supervisors shall ensure that the Form-1 is forwarded through the chain of command and that any required RMS reports are completed.*

V. *Even though the Division of Police is not the investigative body in this instance, supervisors shall take action whenever and however appropriate to immediately address the complaint.*

VI. *The Division shall notify the complainant of the actions being taken and that the Department of Human Resources will conduct the investigation*.

VII. *When the investigation is complete, the Department of Human Resources will notify the Director of Public Safety, Police Chief, and the complainant of the results.*

MM/jsb
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 1, 2002	September 10, 2012	1 of 2	1.1.08

SUBJECT:	
VIOLENCE IN THE WORKPLACE	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are italicized

PURPOSE: To provide a workplace free from violence and the influence of violence, outside the normal course of law enforcement activities. The Division of Police supports the language and spirit of the law as it relates to the safety and health of employees and citizens in the workplace.

POLICY: It is the policy of the Division of Police to prohibit any form of workplace violence. This includes the recognition that a place of employment free from the fear of violence is fundamental to the health and well being of both employees and citizens. This policy applies to sworn and non-sworn members of the Division and also to volunteers and interns working with or under the Division's guidance.

DEFINITIONS:

Workplace Violence: Behavior or conduct consisting of, but not limited to, oral and written threats, harassment, intimidation, physical attack or property damage, either occurring at, or arising from, the employee's place of work with the city, and occurring outside the normal course of law enforcement activities.

Threat: The expression of a present or future intent to cause physical or psychological harm. An expression constitutes a threat without regard to whether the person communicating has the present ability to do the harm, and without regard to whether the expression is conditional, contingent, or future.

Harassment: Behavior or communication intended to intimidate, menace, or frighten another person.

Intimidation: Behavior or communication intended to coerce or induce fear including, but not limited to, stalking.

Physical Attack: Unwanted or hostile physical contact including, but not limited to, hitting, fighting, pushing, shoving or throwing objects.

Property Damage: Behavior or conduct that contribute to the destruction of, or damage to, private or city-owned property.

PROCEDURES:

I. The Division of Police shall use Division rules and regulations, the Sexual Harassment policy, and Civil Service rules and regulations to secure the workplace from violence and to protect employees from its effects. Persons engaged in workplace violence may also be personally subject to other civil or criminal liabilities.

II. *Members shall report workplace violence within 24 hours of occurrence or notification of the occurrence. However, the failure to make such a report within 24 hours does not negate the requirement of a proper investigation and response. This applies to all Division employees.*

III. *Supervisors receiving a complaint of violence in the workplace shall direct the complainant to complete a Form-1 regarding the complaint.*

IV. *The complainant shall forward the original Form-1 directly to the Director of Public Safety, with a copy provided to the supervisor for forwarding through the chain of command.*

V. *Supervisors shall ensure that the Form-1 is forwarded through the chain of command and that any required RMS reports are completed.*

VI. *Even though the Division of Police is not the investigative body in this instance, supervisors shall take action whenever and however appropriate to immediately address the complaint.*

VII. *The Division shall notify the complainant of the actions being taken and that the Department of Human Resources will conduct the investigation.*

VIII. *When the investigation is complete, the Department of Human Resources will notify the Director of Public Safety, Police Chief, and the complainant of the results.*

MM/jsb
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 1, 2012	September 10, 2012	1 of 2	1.1.09

SUBJECT:	
EQUAL EMPLOYMENT OPPORTUNITY	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are italicized

PURPOSE: To provide equal employment opportunities to Cleveland Division of Police members.

POLICY: The Division shall adhere to federal, state and local Equal Employment Opportunity (EEO) laws.

PROCEDURES:

I. Division of Police Responsibilities - the Division shall:

A. Recruit, hire, train and promote without regard to race, color, religion, sex, age, national origin, physical or mental disability, sexual orientation, Vietnam or qualified disabled veteran, except where age or sex are occupational qualifications or disability is a disqualification.

B. Ensure that a layoff of personnel, educational assistance, and other terms and conditions of employment are provided in an impartial manner. The Division of Police shall decide employment to further the principles of EEO.

C. Hold accountable all appointing authorities, management, supervisory representatives and employees for compliance with the intent of federal, state and local legislation, government regulations, rules, guidelines and executive orders in providing EEO.

II. *Members shall report all complaints of unlawful discrimination within 24 hours of occurrence or notification of the occurrence. However, the failure to make such a report within 24 hours does not negate the requirement of a proper investigation and response. This applies to all Division employees*.

III. *Supervisors receiving such complaints shall direct the complainant to complete a Form-1 regarding the complaint.*

IV. *The complainant shall forward the original Form-1 directly to the Director of Public Safety, with a copy provided to the supervisor for forwarding through the chain of command.*

V. *Supervisors shall ensure that the Form-1 is forwarded through the chain of command and that any required RMS reports are completed.*

VI. *Even though the Division of Police is not the investigative body in this instance, supervisors shall take action whenever and however appropriate to immediately address the complaint.*

VII. *The Division shall notify the complainant of the actions being taken and that the Department of Human Resources will conduct the investigation.*

VIII. *When the investigation is complete, the Department of Human Resources will notify the Director of Public Safety, Police Chief, and the complainant of the results.*

MM/jsb
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	1.1.10

SUBJECT:	
FIREARMS REQUALIFICATION	
ASSOCIATED MANUAL: TRAINING SECTION	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To establish mandatory firearms re-qualification procedures.

POLICY: Sworn members of the Division of Police shall successfully complete an annual firearms re-qualification program approved by the Executive Director of the Ohio Peace Officer Training Commission. Members must re-qualify with all Division issued and authorized firearms for on duty use. Officers shall not be authorized to carry firearms unless they successfully complete re-qualification. Officers who fail to re-qualify after remedial training shall be subject to disciplinary action, up to and including a recommendation for termination of employment.

PROCEDURES: Sworn members of the Division of Police who carry firearms during the course of their duties shall re-qualify with their Division issued weapon.

I. Firearms Re-Qualification Program:

A. Classroom instruction on safety and the Use of Deadly Force Policy.

1. A written exam on Deadly Force shall be administered following re-instruction.

2. A minimum score of eighty percent (80%) is required on this exam.

B. Firearm proficiency re-qualification with Division authorized weapons and ammunitions.

1. Officers shall wear the uniform or clothing style normally worn for duty.

2. An officer shall score a minimum of eighty percent (80%) marksmanship.

3. The Ordnance Unit personnel, under approved training procedures, shall administer the re-qualification test.

4. Officers who fail the annual firearms re-qualification program will be afforded an opportunity to retest.

5. The number of attempts that an officer may have to re-qualify shall be determined by the Officer-in-Charge (OIC) of the Ordnance Unit. That determination shall be made case by case and shall include factors such as officer stress, fatigue, and progress.

II. Officers who fail to re-qualify during In-Service shall:

A. Surrender their weapon to the OIC of the Ordnance Unit.

B. Report to the OIC of the Ordnance Unit for up to five additional days of remedial training and an opportunity to re-qualify.

C. The OIC of the Ordnance Unit shall:

1. Notify the officer's Commanding Officer of the failure to re-qualify and of the requirement for immediate remedial training.

2. Notify the officer's Commanding Officer of the failure to re-qualify and of the requirement for immediate remedial training.

3. Schedule remedial training immediately (next business day); consisting of instruction, direction, practice, and reinforcement.

4. Schedule testing for the officer immediately following the completion of the remedial training.

EFL/TAH/LM/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 1, 2002	January 1, 2014	1 of 10	1.1.11

SUBJECT:	
DISCIPLINARY GUIDANCE	
ASSOCIATED MANUAL: Manual of Rules	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

RESCINDED, EFF. 01/01/18
SEE NEW GPO 107.06

PURPOSE: To establish guidelines for the imposition of discipline within the Cleveland Division of Police. Written guidelines provide all members of the Division the assurance that discipline will be imposed in an equitable manner while providing management with the discretion necessary to maintain the fairness and the good order of the Division.

POLICY: To ensure compliance to all laws of the United States, the State of Ohio, the Charter provisions and ordinances of the City of Cleveland, and the written directives of the Division of Police and the City of Cleveland. Additionally, members of the Division shall be responsible for adherence to all criminal laws in the jurisdictions in which they may be traveling.

An effective discipline system is one that is based on the principles of fairness and consistency. It reflects the values of the Division while protecting the rights of both officers and citizens. The system strives to encourage respect and trust among members of the Division and the community in overseeing the Division's employees' adherence to laws, policies, procedures, and directives. The establishment of Disciplinary Guidance is intended to create a culture of public accountability and promote individual responsibility while maintaining the highest standards of professionalism in policing.

Supervisors shall follow the contractual procedures of the respective bargaining units.

Disciplinary Guidance is designed to accomplish the following goals:

1. Establish standards of corrective action to encourage compliance with all applicable laws, ordinances, rules, and directives.

2. Delineate categories of conduct for specific policy violations.

3. Outline specific discipline ranges within those categories and for specific policy violations based upon the severity of offenses.

4. Give notice to officers and the community of the likely sanction for a particular violation.

5. Identify aggravating and acceptable mitigating circumstance requirements.

6. Provide the framework for consistent and fair discipline

DEFINITIONS:

Commendations are documented incidents of outstanding performance and service to the Division and community occurring in the previous five year period.

Circumstances (Surrounding the Incident) addresses the following questions: Was the employee acting within the course and scope of their employment with the City (e.g. responding to a call, making an arrest, etc.)? Was the employee acting in the best interest of the Division/community and/or with due regard for safety? Did the employee recklessly disregard factors that a reasonable person would have considered or did the employee act negligently?

Culpability involves an evaluation of whether the employee acted intentionally or with knowledge that the behavior is or may reasonably be considered a violation of policy.

Employee Attitude toward the infraction is a mitigating factor when considering discipline. Discipline can be effective only if employees accept responsibility for their actions and continually strive to conduct themselves within the guidelines of Division policy.

Liability is the legal responsibility imposed upon the City of Cleveland for the actions or inactions of its employees acting within the course and scope of their City employment.

Performance Evaluations includes both scheduled and unscheduled documentation of an employee's work habits, productivity, efficiency and effectiveness.

Prior Discipline is previously sustained allegations and associated levels of discipline (within time limits) and any other notations regarding the specific behavior in question as outlined in supervisory notes (recent training and/or warnings specific to the behavior).

RESCINDED, EFF. 01/01/18
SEE NEW GPO 1.07.06

Rank is a pay grade wherein employees of higher rank may be held to a higher standard of conduct and knowledge of Divisional policies based on the virtue of their positions.

Seniority is length of service in the Division. The tenure that an employee has as a member of the Division may be weighed against the behavior in question based upon the factors surrounding the incident, such as experience, training, culpability, and circumstances of the event.

Non-Disciplinary Action may take one of the following forms:

Irregularity Observed: is any instruction or guidance issued by the Chief of Police or Inspections Unit to the employee, where the employee is advised/cautioned about unsatisfactory work performance or misconduct. Irregularity Observed forms will not be placed in the employee's personnel file. Irregularity Observed forms with attached Form-1 reports shall be forwarded through their chain of command to the Inspections Unit with copies sent to the Case Preparation Office.

Verbal Counseling: A discussion between the supervisor and the employee where the employee is advised and cautioned about unsatisfactory work performance or misconduct. Verbal Counseling will not be placed in the employee's personnel file. Documentation of the Verbal Counseling shall be noted by completing a pre-structured Form-1 (Attachment) titled Verbal Counseling (followed by the employee's name/badge number) and forwarded through their chain of command (with all associated reports) to the Chief's Office.

Letter of Reinstruction: Is any instruction or guidance issued by the Chief of Police to the employee, where the employee is advised of their action that needs correction and directing the employee to review specific policies, procedures, or rules. Letters of Reinstruction will not be placed in the employee's personnel file.

Re-Training: Any instruction or guidance ordered to be completed by an employee designed to correct a performance deficiency or misconduct. Re-training may consist of classroom reinstruction or other job-related training. All re-training records shall be retained in the Training Section with copies forwarded to the Case Preparation Officer.

Disciplinary Action may take one of the following forms:

Written Reprimand: A written documentation presented to the employee from the Chief of Police or Director of Public Safety wherein the employee is advised and cautioned about his/her unsatisfactory work performance or misconduct.

RESCINDED, EFF. 01/01/18
SEE NEW GPO 1.07.06

Recommendations for a written reprimand shall be forwarded through the chain of command and placed in the employee's personnel file if sustained by the Chief of Police.

Suspension: A temporary prohibition of the employee performing his/her duties as a result of the employee's unsatisfactory work performance or misconduct issued by the Chief of Police or Director of Public Safety. The suspension period shall be without pay. Documentation regarding the suspension will be placed in the employee's personnel file.

Demotion: A reduction of the pay grade of an employee and a change in job duties and responsibilities as a result of the employee's unsatisfactory work performance or misconduct issued by the Director of Public Safety. Documentation regarding the demotion will be placed in the employee's personnel file.

Termination: An involuntary separation from employment initiated by the employing authority as a result of the employee's unsatisfactory work performance or misconduct issued by the Director of Public Safety. Documentation regarding the dismissal will be placed in the employee's personnel file.

I. Table of Discipline

A. The Table of Discipline shall outline guidelines for discipline for specific types of policy/procedural/protocol/rule violations so that discipline for sustained violations may be imposed in a fair and consistent manner. Exacerbating or mitigating factors may result in discipline being imposed that is greater or lesser than that which will generally be imposed according to the disciplinary matrix and will be documented in the disciplinary letter.

1. All final decisions regarding discipline up to and including a 10-day suspension rest with the Chief of Police. The Chief of Police reserves the right to hold any number of suspension days in abeyance for 2 years, and may impose those days in addition to any subsequent disciplinary action in the intervening 2 years.

2. All final decisions regarding discipline greater than a 10-day suspension, demotion, and termination rest with the appointing authority (Director of Public Safety). The Director of Public Safety also reserves the right to hold any number of suspension days in abeyance for 2 years, and may impose those days in addition to any subsequent disciplinary action in the intervening 2 years.

RESCINDED, EFF. 01/01/18
SEE NEW GPO 1.07.06

B. The Table of Discipline will be reviewed and revised as necessary on an annual basis by the Case Preparation Officer with the consultation of the Chief of Police to ensure that it represents current law enforcement values and standards.

C. Unacceptable conduct is divided into three groups of offenses based on its seriousness. The severity of the discipline chosen shall fit the seriousness of the offense. If there are mitigating circumstances, supervisors shall include them in their request for discipline.

D. Three or more sustained violations in a lower category occurring within two years of the first sustained violation automatically progresses the discipline into the next higher group.

E. Multiple offenses arising from a single event or incident may escalate the discipline action to the maximum group range.

F. Procedural steps for imposing discipline are set forth below. The failure of a supervisor to follow these procedural steps will not, by itself, make the discipline invalid or improper, but an employee may separately grieve a supervisor's failure to follow appropriate procedure, provided that such grievance is filed in a timely manner. The sole remedy for such grievance shall be correction of the procedural error.

The following are examples of offenses within each disciplinary category. The offenses listed are not intended to be all inclusive.

1. **Group I Offenses**
   - Absence from duty without leave
   - Court, Failure to Appear
   - Discourtesy
   - Equipment, Failure to properly control or maintain
   - Equipment, Unauthorized
   - Erroneous daily duty report
   - Failure to notify supervisor
   - Firearms, Unattended, careless handling (no injury)
   - Grooming and Uniform regulations, Violations of
   - Leaving district, or city without supervisory approval
   - Mishandling or improper preparation of criminal or traffic case resulting in prosecutorial declination to prosecute or dismissal
   - Parking, Illegal parking of police vehicle

RESCINDED EFF. 01/01/18
SEE NEW GPO 1.07.06

- Police vehicle, Failure to properly maintain, preventable motor vehicle accidents on duty
- Police vehicle operations, flagrant violations (e.g. excessive speed)
- Prisoners, Improper booking failure to properly secure, search, handcuff
- Reports, Failure to submit or timeliness, failure to notify supervisor
- Response status, improper or unauthorized emergency response
- Secondary employment, unapproved (1 day suspension for first offense)
- Tardiness
- Traffic laws, Violation of minor traffic laws
- Unsatisfactory performance
- Vehicular pursuit/Emergency Driving, Unauthorized/Improper
- Zone, leaving without supervisory approval
- Other similar violations

2. **Group II Offenses**
   - Abusive/demeaning language
   - Calls for Service, Failure to respond, investigate, arrest, and/or properly clear
   - Conduct unbecoming
   - Harassment
   - Insubordination
   - Misconduct, to other officers or citizens
   - Prisoners, Failure to properly search or secure resulting in escape or discovery of weapon or contraband
   - Sleeping on duty
   - Social media policy, violations of
   - Other similar violations

3. **Group III Offenses**
   - Alcohol-related offenses
   - Criminal law offenses
   - Alcohol/Drug use on duty
   - Drug-related offenses
   - Firearms violations, Careless handling resulting in injury
   - Firearms violations, (e.g. unreported discharges)
   - Force, Excessive use of
   - Gross immorality
   - Neglect of Duty
   - Operating motor vehicle while privilege revoked or suspended

RESCINDED, EFF. 01/01/18
SEE NEW GPO 1.07.06

- Police vehicle, Operation of after consuming alcohol and/or drugs
- Reports, False
- Statements, False
- Engaging in sexual activities while on duty
- Other similar violations

D. Ranges of Non-Disciplinary and Disciplinary Actions

1. **Group I Offenses** - Disciplinary action shall range from non-disciplinary Verbal Counseling to a 5 day suspension without pay. Suspension days, including any number of which may be held in abeyance, shall be determined at the discretion of the Chief of Police.

   a. First offense, mitigating factors, no prior disciplinary or non-disciplinary action (non-disciplinary Verbal Counseling-Written Reprimand)

   b. First offense, aggravating factors, no prior disciplinary or non-disciplinary action (1 to 2 day suspension without pay)

   c. Second offense, mitigating factors (2 to 3 day suspension without pay)

   d. Second offense, aggravating factors (3 to 5 day suspension without pay)

2. **Group II Offenses** - Disciplinary action shall range from a 6 day to a 10 day suspension without pay. Suspension days, including any number of which may be held in abeyance, shall be determined at the discretion of the Chief of Police.

   a. First offense, no prior discipline or non-disciplinary action (6 to 8 day suspension without pay)

   b. Second offense (8 to 10 day suspension without pay)

3. **Group III Offenses** - Disciplinary action shall range from a 10 day suspension to temporary or permanent demotion to termination. Suspension days, including any number of which may be held in abeyance, shall be determined at the discretion of Director of Public Safety.

RESCINDED, EFF. 01/01/18
SEE NEW GPO 1.07.06

a. First offense, no prior discipline or non-disciplinary action (up to 30 day suspension without pay)

b. First offense, criminal law offenses, drug offenses, drinking on duty, gross immorality offenses, gross neglect of duty, probationary status employees (up to 30 day suspension without pay, demotion, termination)

c. Second offense (up to 30 day suspension without pay, demotion, termination)

E. The ranges of discipline indicated serve as a guide only. Actual discipline for each range may vary. However, the Division shall ensure that discipline is applied consistently within that range. For example, two employees with identical first-time Group II infractions without any mitigating circumstances should not result in one employee being disciplined with a 6 day suspension and the other with a 20 day suspension.

F. For members of the Cleveland Police Patrolmen's Association (CPPA), written reprimands shall not be considered after six (6) months from the date the discipline was administered. Suspensions shall not be considered after two (2) years from the date the discipline was administered.

G. For members of the Fraternal Order of Police, Lodge 8 (FOP), all disciplinary actions or penalties will not be considered after two (2) years from the date of action.

II. Procedures

A. A supervisor (of a higher rank than the offending member) shall investigate suspected violations of rules, regulations or procedures. If discipline is warranted, the supervisor shall complete a Form-1 and forward same through the chain of command. If the employee is a civilian, the supervisor shall consult with the Case Preparation Officer.

B. If the investigation reveals that a non-disciplinary action is warranted, the investigating supervisor shall complete a pre-structured Form-1 (**Attachment**) titled Verbal Counseling (followed by the employee's full name and badge number) and forward the Form-1 and all associated documentation through their chain of command to the Chief's Office. A copy shall be retained at the District/Bureau.

RESCINDED. EFF. 01/01/18
SEE NEW GPO 1.07.06

1. If a member disputes any aspect of the verbal counseling the member may indicate so by declining to sign the Form-1.

2. The supervisor shall indicate the member's failure to sign the Form-1 by indicating so in the space provided and forwarding a copy of the Form-1 to the commander (or first command staff member in member's chain of command) with the original forwarded to the Chief's Office.

3. The command staff member shall schedule a conference with the member within 30 calendar days to discuss the circumstances of the verbal counseling. The outcome of the conference shall be documented and forwarded to the Chief's Office.

C. If the investigation reveals that discipline action is warranted, the investigating supervisor shall prefer Divisional charges and prepare a Form-1 report describing the incident and separately detail each violation by specification (e.g. Specification #1: On Wednesday, January 1, 2014, while assigned to 5B28, you (P.O. Zyx) were observed by a superior officer sleeping on duty at the location of East 4th and Euclid Avenue). The investigating supervisor shall also list all policies, procedures, and/or rules violated.

D. Members of the Division shall also be guided by the Manual of Rules for the Conduct and Discipline of Employees of the Cleveland Division of Police, Section II Administrative Compliance, to wit:

Rule 2.13: Superior officers shall recommend disciplinary action whenever personnel are alleged to have violated the rules or directives of the Division of Police. Command or Superior officers shall relieve from duty for cause any officer or employee of the Division of Police found to be unfit for duty, promptly notify their superior officer of such action and forward a report giving full details concerning the matter.

III. Documentation of Divisional Disciplinary Action

A. To document the Division's consistency in discipline and to demonstrate transparency in such matters the Case Preparation Officer in the Chief's Office shall maintain files of all disciplinary actions imposed by the Division. Documentation shall consist of the following information:

1. Date of incident

RESCINDED, EFF. 01/01/18
SEE NEW GPO 1.07.06

2. Date of discipline or non-disciplinary action

3. Violations sustained

4. Action taken

B. The Case Preparation Officer shall cause a Divisional Notice to be issued on an as needed basis listing disciplinary actions imposed by the Division.

C. All disciplinary or non-disciplinary outcomes shall be decided without favor/disfavor or regard to position/assignment, race, gender, or seniority.

IV. Separation from Service with Pending Discipline

Cleveland Civil Service Rule 8.43 states "Wherever an employee or officer in the classified service has resigned while charges of misconduct were pending, such resignation may not be withdrawn."

RESCINDED, EFF. 01/01/18
SEE NEW GPO 1.07.06

MM/tah
Chief's Office
Attachment

CLEVELAND DIVISION OF POLICE

CLEVELAND, OHIO
DIVISIONAL INFORMATION

DIST./BUR. ZONE/UNIT _____ 20 _____

EXAMINED BY _____ RANK _____ _____ 20 _____

FROM TO

SUBJECT Verbal Counseling

COPIES TO Chief's Office, District/Unit Files

Sir/Ma'am:

I have provided the following Verbal Counseling to: _____
Name / Badge #

Description of Verbal Counseling:

Supervisor: _____

Date of Incident: _____ **Date of Counseling:** _____

Location: _____

Supervisor: _____ _____ _____
Signature Badge # Date

Member: _____ _____ _____
Signature Badge # Date

Supervisory Recommendations/Endorsements:

☐ Member declined to sign Form-1

Respectfully,

_____

Original: Chief's Office Copy: District/Unit

RESCINDED, EFF. 01/01/18
SEE NEW GPO 1.07.06

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 01, 2002	August 5, 2013	1 of 11	1.1.12

SUBJECT:	
UNIFORM AND CLOTHING REGULATIONS	
ASSOCIATED MANUAL	**RELATED ORDERS:** 1.1.28
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are italicized

PURPOSE: To provide guidance and descriptions of authorized uniform and civilian wear for *all members* of the Division of Police. Any procedures or components not discussed in this order are prohibited.

POLICY: It is the policy of the Division to ensure that its members present a neat, clean, and professional appearance. *Uniformed personnel* shall wear only those uniform items and equipment designated by the Chief of Police.

Uniform clothing shall be worn and dress code standards shall apply to officers while on duty, at secondary employment, field force duties, special ceremonies, weddings, funerals, memorial services and other related police functions and while traveling directly to and from such functions.

On-duty officers shall be completely and properly uniformed and equipped according to their rank or position and the duty to which they are assigned or detailed, in accordance with Divisional procedures.

Officers shall not wear or display any emblem, insignia or ornament upon the collar or any part of the Division uniform, nor wear any item of civilian apparel as *a significant component of the uniform* while on duty, without written authorization by the Chief of Police.

Personnel shall wear only those uniform items approved for wear for the unit to which they are assigned or detailed. Personnel (civilian and sworn) who wear civilian clothing, shall ensure that they dress in accordance with their position's requirements, taking into consideration the environment, public contact, and job responsibilities.

The fact that a uniform item may be available via the annual Clothing Allowance or by another method from the Division of Police shall not be construed to mean that that item is approved for duty wear at the officer's discretion.

PROCEDURES:

I. **The Class-A uniform** shall be worn only when designated by the Chief of Police as the uniform of the day or for special, designated occasions.

A. Patrol Officers and Sergeants

1. Blouse: Eisenhower jacket with proper rank insignia.

2. Trousers: 14-oz. navy blue wool blend.

3. Belt: Plain black leather, 1 3/4" width with plain chrome buckle. The 2" duty belt may be worn in addition to the 1 3/4" belt.

4. Shirt: Long sleeve *white* uniform shirt with appropriate cloth rank insignia and navy blue tie.

5. Shoes: Plain toe, black, oxford type or clarino black patent leather.

6. Cap: Spring navy blue 8-point police cap.

B. Lieutenants and Captains

1. Blouse: Eisenhower jacket or double-breasted jacket with proper rank insignia.

2. Trousers: 14-oz. navy blue wool blend with black braid sewn on outside seam.

3. Belt: Plain black leather, 1 3/4" width with a plain chrome buckle. The 2" duty belt may be worn in addition to the 1 3/4" belt.

4. Shirt: Long sleeve white uniform shirt with appropriate insignia sewn on epaulettes and black tie.

5. Shoes: Plain toe, black, oxford type or clarino black patent leather.

6. Cap: Spring navy blue 8-point police cap with gold gilt wire lace on front strap.

C. Command Officers

1. Blouse: Double-breasted jacket with appropriate rank insignia.

2. Trousers: 14-oz. navy blue wool blend with black braid sewn on outside seam.

3. Belt: Plain black leather, 1 3/4" width with plain chrome buckle. The 2" duty belt may be worn in addition to the 1 3/4" belt.

4. Shirt: Long sleeve white uniform shirt with appropriate insignia sewn on epaulettes and black tie.

5. Shoes: Plain toe, black, oxford type or clarino black patent leather.

6. Cap: 8-point white vinyl/mesh, appropriate to season, police cap, with oak leaf cluster where appropriate to rank.

7. Topcoat: The all-weather topcoat with proper rank insignia and badge may be worn as the Class-A uniform outer dress coat when appropriate to weather conditions.

II. **The Class-B uniform** shall be worn daily as the regular uniform of the day unless otherwise directed by the Chief of Police. Officers shall maintain a complete "inspection ready" uniform at their unit headquarters.

A. The cruiser jacket shall be worn for outside duty, by the ranks of patrol officer through Chief. The cruiser jacket shall be worn from September through May or by officer preference based on that day's weather conditions.

B. The appropriate style leather jacket shall be authorized as optional wear in place of the cruiser jacket for police officers during the months November through February.

C. The v-neck commando sweater with Division shoulder patches may be worn in place of the cruiser jacket or in addition to the above jackets.

D. Uniform Shirt

1. The long sleeve shirt and tie shall be worn for outside duty from September through May or when the temperature is expected to fall

below 70 degrees during the tour of duty. In lieu of a tie, officers may wear the *appropriate colored turtleneck to match the uniform*.

2. The short sleeve shirt shall be worn for outside duty from June through August, or when the temperature exceeds 69 degrees during the tour of duty. The short sleeved shirt may also be worn for inside duty year round.

3. Patrol officers and sergeants shall wear a navy blue shirt.

4. Lieutenant rank and above shall wear a white shirt.

E. Either the poly-rayon gabardine trousers, 14-oz. wool blend navy blue trousers or other approved trousers shall be worn. The 14-oz. trouser worn by members, rank lieutenant through Chief, may have a black trouser braid. *Trousers shall not be bloused (tucked in) into an officer's boots*.

F. Caps shall be adorned with the appropriate metal wreath.

1. Patrol officer and sergeant spring and summer caps shall be a navy blue cap with a black visor.

2. Lieutenant and captain spring and summer caps shall be navy blue with a black visor and gold gilt wire on the front strap.

3. The Commanders and traffic commissioner (spring and summer) caps shall be white vinyl/mesh, as appropriate to season, with a black visor.

4. The Chief and deputy chief (spring and summer) caps - shall be white vinyl/mesh, as appropriate to season, with a black visor and oak leaf clusters.

G. The appropriate cap is optional except under the following circumstances:

1. The 8-point cap shall be worn with the Class-A uniform.

2. Officers shall have the appropriate cap readily available at all times when conditions require distinct officer visibility.

3. Officers shall wear the appropriate cap when engaged in traffic control, sobriety checkpoints, special events, beat patrol, details of high visibility or media intensive events.

4. Officers shall wear the appropriate cap entering or exiting Division Headquarters and other high profile public buildings.

5. Officers shall wear the appropriate cap when ordered by their superior, when wearing the cap would be advantageous to identifying police personnel and to enhance the police image or response.

H. Shoes:

1. Shoes shall be black leather plain toe oxfords, black clarino oxfords, black leather plain toe walking shoes or black leather plain toe military style boots.

2. Overshoes are *waterproof* black rubber boots *or other approved black nylon footwear specially designed to protect feet from the elements*.

III. ***The Class-C uniform*** *is the specific uniform of the day for specialized units who perform certain specialized tasks or engage in tactical operations. Class-C uniform will vary from unit to unit based upon the unit's mission and function. Examples of such units include the Bomb Squad, SWAT Unit, Canine Unit, Mounted Unit, Motorcycle Unit, Aviation Unit, any marine patrol; but may also include other units such as the Community Services Unit and Field Forces as may be required for a specific task or assignment*.

IV. ***The Class-D uniform*** *is a casual dress style characterized by beige-colored khaki pants, polo shirt with a Cleveland Division of Police identifier, khaki or black leather belt, and black soft shoes. The Class-D uniform may include the baseball-style cap when engaged in certain outdoor activities such as training.*

V. Miscellaneous Items

A. The official Cleveland Police badge shall be worn on the left breast side of the outermost garment using the badge tab, eyelet, or black leather badge board. The badge shall not be modified nor shall any insignias, ornamentation, or emblems be affixed to it except a mourning band may be worn when specifically authorized by the Chief.

B. Badge Numerals: Patrol officers and sergeants shall wear their badge number sewn on or affixed to any uniform shirt or jacket, 1/4" above the right breast pocket flap. On the commando sweater, the numerals shall be sewn on the right front opposite the badge. The patch size is 2" x 3/4" and the numerals are block numerals 1/2" high. *The numerals shall be in such a font size and style whereby the numerals are clearly discernible from a reasonable distance*.

C. *External Body Armor Carriers*

1. *External body armor carriers shall be the same color as the underlying uniform (e.g. navy blue for navy blue uniform shirts, white for white uniform shirts).*

2. *External body armor carriers worn by specialized units for tactical duties shall be black in color.*

3. *Officers shall not wear external body armor carriers whose color has faded to the point where they are no longer a reasonable color match to the rest of the uniform.*

4. *Tactical external body armor carriers of any color characterized by multiple pockets and pouches shall not be worn as part of the Class B uniform.*

5. *Officers not to be in compliance with the external body armor carriers directives contained herein have until the next available annual Clothing Allowance ordering and distribution period to come into compliance.*

D. Belts

1. Trouser belts shall be plain black leather, 1 3/4" wide, with a plain chrome buckle.

2. Duty belts shall be plain black or basket weave, leather, 2" wide with a plain chrome buckle and approved holster. *Duty belts made of nylon or nylon-like material that are substantively equivalent to the leather belt (plain black and 2" wide) are an acceptable substitute. Duty belts shall be secured to the trouser belt with a sufficient number of belt keepers*.

E. Caps

1. The spring 8-point cap may be worn year round.

2. The summer vented 8-point cap may be worn during the months June through August or when it is anticipated for the temperature to rise above 75 degrees Fahrenheit.

3. The trooper or watch cap (*black, knit, pull-on, with Cleveland police insignia*) may be worn from November through February or when the temperature is anticipated to drop below 55 degrees Fahrenheit.

4. *The baseball-style cap is authorized wear for the Class C and Class D uniform only (not including Class C uniform for the Motorcycle Unit or Mounted Unit). The baseball-style cap shall* <u>*not*</u> *be worn as part of the Class A or Class B uniform on-duty or for secondary employment*.

F. Navy blue cardigans or thermal vests may be worn **under** the authorized jacket. These items are prohibited to be worn as the outer most garment in public *as they do not typically have the appropriate insignia*.

G. Coveralls may become the uniform of the day by order of a superior officer.

H. Gloves shall be black leather or nylon/*nylon-like material*.

I. Chrome nameplates (patrol officers) and gold nameplates (sergeant through Chief) shall be worn 1" below the Cleveland Police badge or below the badge on a black leather badge board on the outermost uniform garment *of the Class-A uniform*. *Wearing the nameplate on the Class-B uniform is optional for patrol for patrol officers and sergeants. Wearing the nameplate on the Class-B uniform is mandatory for the rank of lieutenant and above*. An additional portion, "serving <year> since" with year of appointment, may be affixed to, and below the nameplate.

J. Members shall wear only the shoulder patches and insignia of the job classification to which they are assigned.

K. Raincoats shall be orange/black reversible or green, and full or 3/4 length.

L. Scarves, navy blue or black, may be worn with *any outer garment*.

M. Socks shall be navy blue or black in color.

N. Ties

1. Ties shall be worn whenever the uniform of the day requires wearing a long sleeve shirt. The top button of the shirt shall be secured and the tie fully tied and properly positioned on the shirt.

2. The authorized tie shall be a four in hand tie or a clip on version of the same. Patrol officer and sergeant ties shall be navy blue; lieutenant rank and above ties shall be black. A Cleveland Division of Police styled tie bar or tie pin approved by the Chief, or a plain tie bar or pin may be worn centered on the tie.

O. Officers and Traffic Controllers assigned to duty directing traffic, including those engaged in secondary employment directing traffic, shall wear *ANSI compliant* traffic vests or *ANSI compliant* rain jackets.

P. Undershirt

1. Patrol officers and sergeants shall wear either a white or navy blue crew undershirt.

2. Lieutenant rank and above shall wear a white crew undershirt.

VI. Rank Insignia

A. Patrol officer: Badge number on right breast and one blue braid on each sleeve of the Eisenhower Jacket.

B. Sergeant: Sergeant chevrons are sewed 1/4” below shoulder patch (except on leather jackets, which shall instead have metal chevrons on the collars. The centerline of the chevrons will be one inch from the collar point, and will bisect the points of the collar), badge number on right breast. One blue braid shall be on each sleeve of the Eisenhower jacket.

C. Lieutenant: Gold metal lieutenant bars, 5/8” from the shoulder seam on the shoulder strap of the Eisenhower jacket, double-breasted jacket, leather jacket, and v-neck commando sweater and 5/8” from the outside edge of the removable shoulder strap on the cruiser jacket. One gold braid shall be on each sleeve of the Eisenhower jacket or double-breasted jacket.

D. Captain: Gold metal captain bars, 5/8" from the shoulder seam on the shoulder strap of the Eisenhower jacket, double breasted-jacket, leather jacket, and v-neck commando sweater and 5/8" from the outside edge of the removable shoulder strap on the cruiser jacket. Two gold braids shall be on each sleeve of the Eisenhower jacket and double-breasted jacket.

E. Commander and Traffic Commissioner: Gold metal oak leaf insignia, 5/8" from the shoulder seam on the shoulder strap of the double-breasted jacket, leather jacket, top coat, and v-neck commando sweater and 5/8" from the outside edge of the removable shoulder strap on the cruiser jacket. Three gold braids shall be on each sleeve of the double-breasted jacket and topcoat.

F. Deputy Chief: Gold metal eagle insignia, 5/8" from the shoulder seam on the shoulder strap of the double-breasted jacket, leather jacket, top coat, and v-neck commando sweater and 5/8" from the outside edge of the removable shoulder strap on the cruiser jacket. Four gold braids shall be on each sleeve of the double-breasted jacket and topcoat.

G. Chief: Gold metal star, 5/8" from the shoulder seam on the double-breasted jacket, leather jacket, top coat, and v-neck commando sweater and 5/8" from the outside edge of the removable shoulder strap on the cruiser jacket. Five gold braids shall be on each sleeve of the blouse and topcoat.

VII. Years Of Service Insignia - Optional

A. Patrol officer through captain: One gold hashmark for every five years of completed service may be worn on the left side of the long sleeve shirt and cruiser jacket, 4" from the bottom of the sleeve. On the Eisenhower jacket (or double-breasted jacket for lieutenant and captain) the gold hashmark shall be 1/8" above the sleeve braid.

B. Commander through Chief: One gold star for every five years of completed service may be worn on the left side of the long sleeve shirt and cruiser jacket, 4" from the bottom of the sleeve. On the double-breasted jacket or topcoat, the gold star shall be 1/8" above the top sleeve braid.

VIII. Special Insignia

A. Officers opting to wear Division-approved insignias and awards shall wear them on a black "badge board" above the police badge.

1. Insignias and awards are to be worn "top-down" on a black "badge board" in order of significance as follows:

   a) Commemorative or memorial insignias as designated by the Chief
   b) The Medal of Honor
   c) The Medal of Heroism
   d) The Police Star
   e) Distinguished Service Medal
   f) A non-Divisional award as approved by the Chief
   g) Special Commendation Award
   h) *Meritorious Unit Award*

2. No more than six insignias or awards may be displayed and only one of each type of insignia or award may be displayed.

3. Commemorative insignia may be worn alone or above other awards. Commemorative insignias recognize a significant historical event or memorialize an officer lost in the line of duty.

B. Marksmanship awards *of the current or immediately prior year only* shall be worn on the left side of the outermost uniform garment centered below the nameplate.

C. The *Cleveland Division of Police Military Service Pin* s*hall be worn below the badge numerals on the right side of the uniform shirt*.

D. Military ribbons and decorations may be displayed on the right side of the outermost uniform garment above the cloth ID number or on the left side directly across from the badge on Memorial Day, Police Officer's Memorial Day, Independence Day, and Veteran's Day.

E. *The Crisis Intervention Team pin, signifying training in crisis intervention, may be displayed on the right side of the outermost uniform garment above the cloth ID number but below the Military Veteran Pin.*

F. *The Chief may designate a commemorative badge for wear for all or certain members for temporary wear (e.g. United States Marine Corps military veteran) as directed by Divisional Notice*.

IX. *Civilian Attire*

A. *Civilian attire shall be presentable and professional in appearance. Clothing shall be clean, pressed, and not noticeably worn, soiled, frayed, torn, faded, or patched. Fabric of jackets, shirts, blouses, skirts, and pants must match or be of a presentable contrast of colors and materials.*

B. *Clothing that has obscene, political, bigoted, or offensive slogans and images or are determined to be in poor taste are prohibited. Commercial advertising for any product or service or other similar writing is unacceptable. Non-obtrusive clothing trademark "brand" logos (e.g. Polo, Nike, Izod) are acceptable.*

C. *Shirts/blouses shall be buttoned/zippered/clasped in a manner to ensure a professional appearance. Excessively baggy or tight-fitting or revealing clothing is prohibited. Dresses or skirts shorter than 4 inches above the knee are not permissible.*

D. *No article of clothing shall be worn in such a manner as to cause the midriff or back to be exposed. Undergarments must be worn and shall not be exposed.*

E. *Footwear must be worn at all times and shall present a professional appearance. Flip flops, thongs, casual sandals and such, as well as any sandals for men are prohibited.*

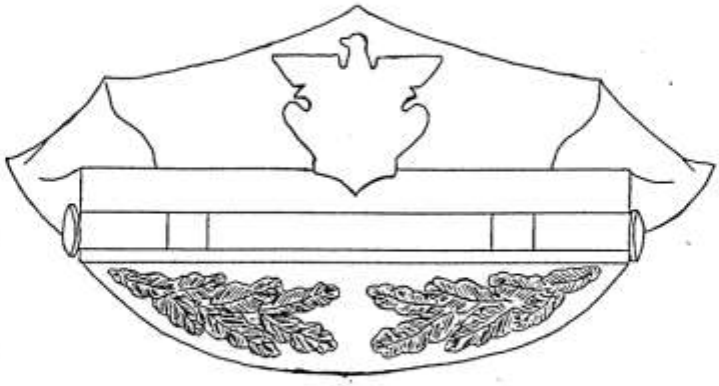
F. *Shorts are prohibited unless they are specifically appropriate for a particular task or duty and approved by the commander in that officer's chain of command.*

X. *Temporary or permanent exceptions or revisions to the uniform regulations may be designated by the Chief at his or her discretion at any time and for any duration.*

MM/ajg
Policy & Procedures
Appendices (A-I)

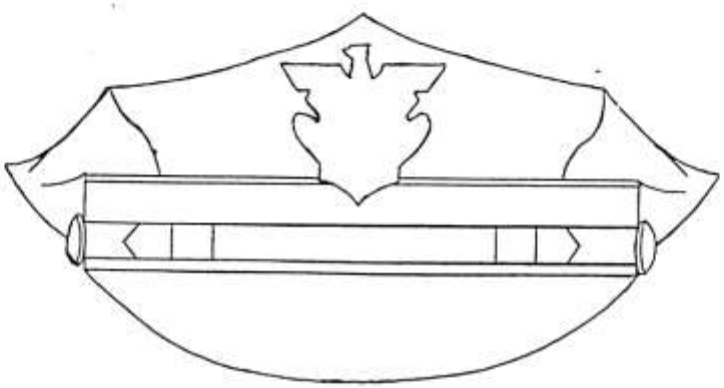
Caps

Deputy Chief and Chief
White vinyl with a black visor and oak leaf clusters.



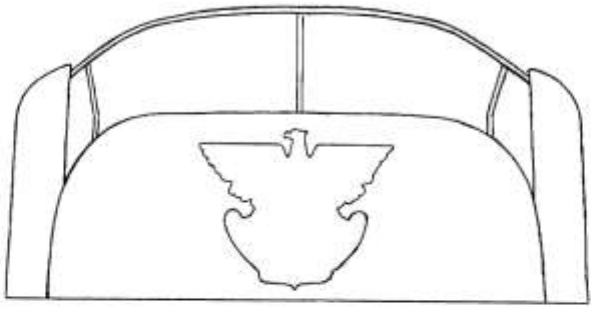
Commander/Traffic Commissioner
White vinyl with a black visor.

Lieutenant and Captain
Navy blue with a black visor and gold gilt wire on the front strap.



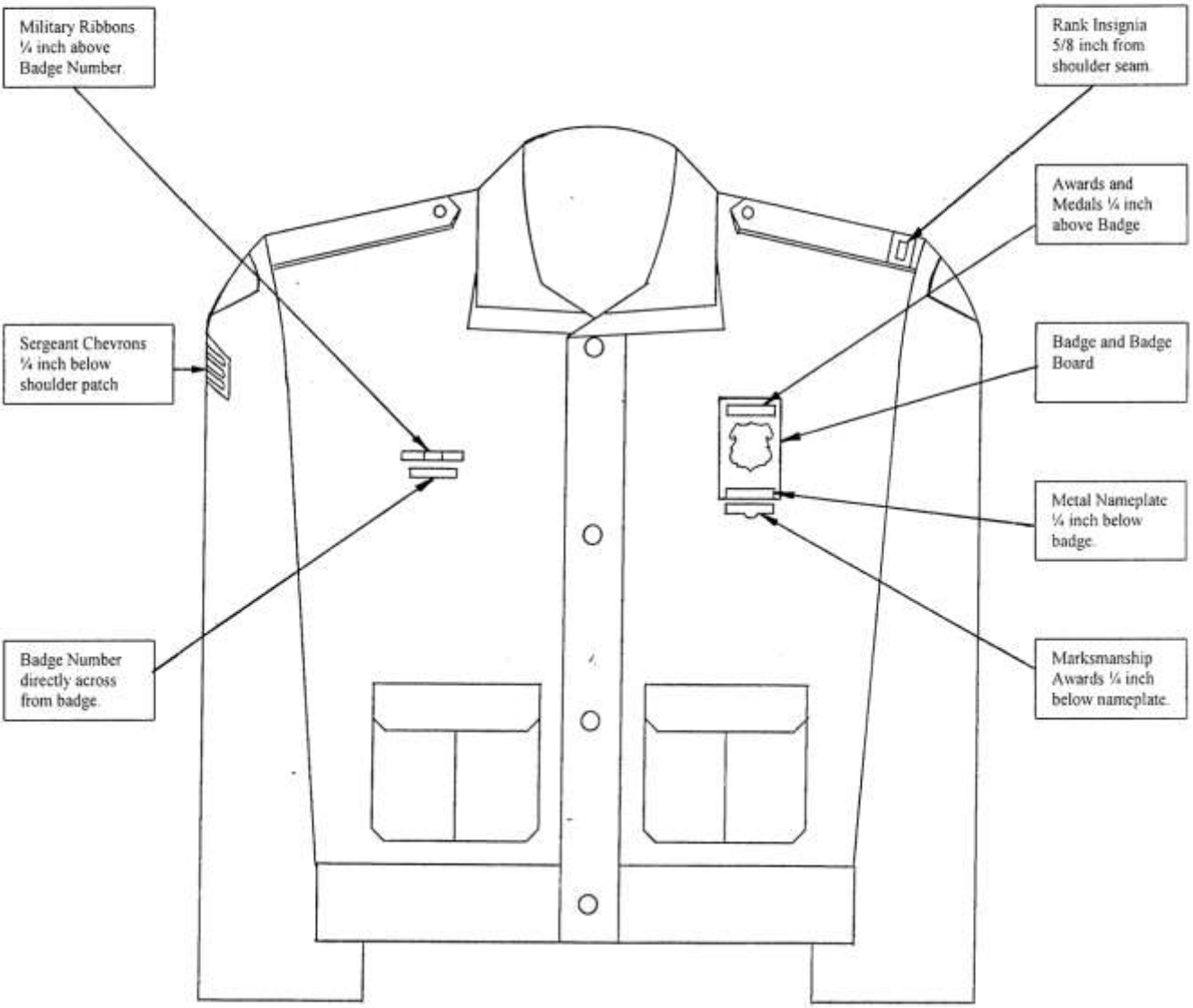
Patrol Officer and Sergeant
Navy blue with a black visor.

Trooper Cap



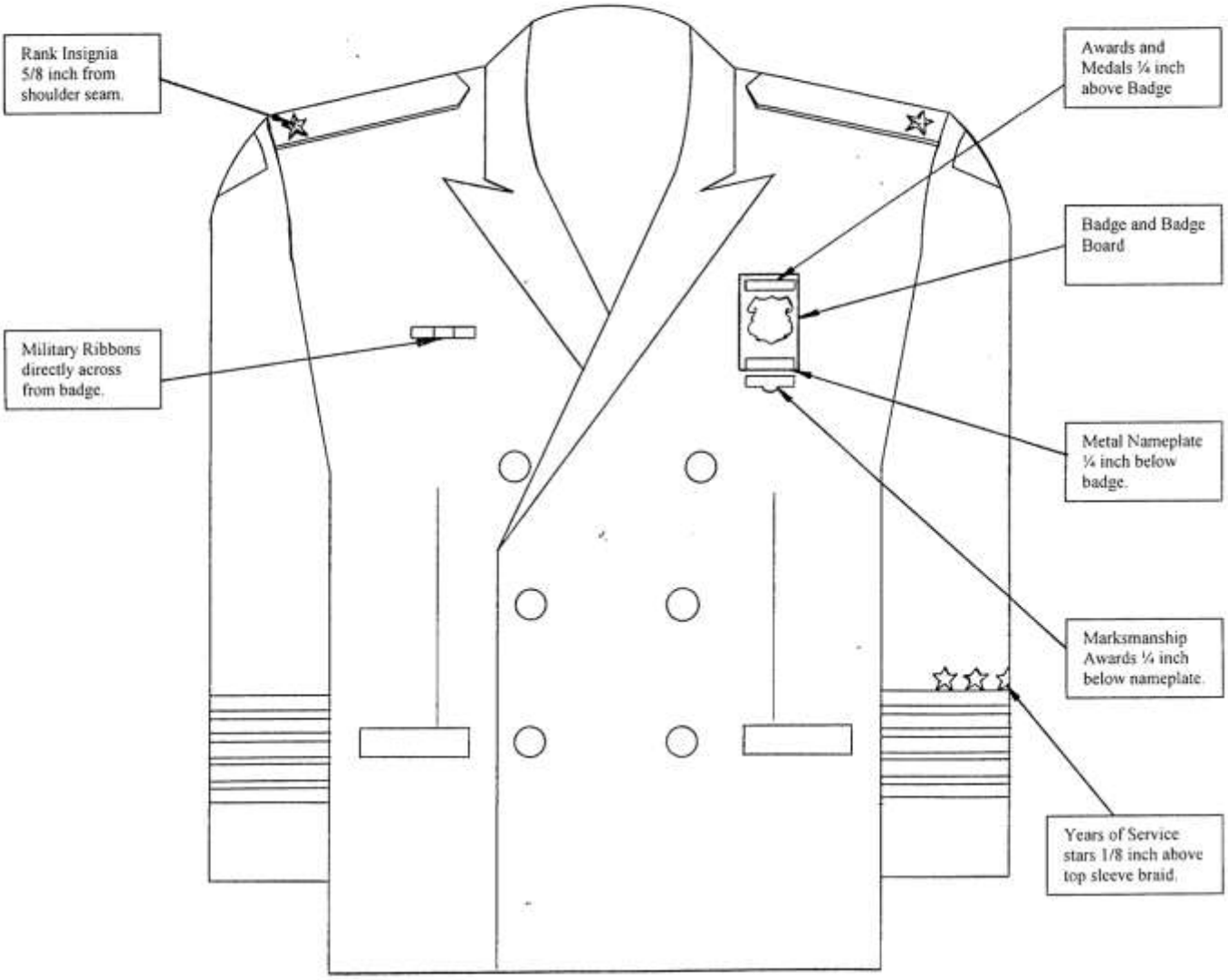
Illustrations and graphics created by Detective Craig Robinson.

Cruiser Jacket



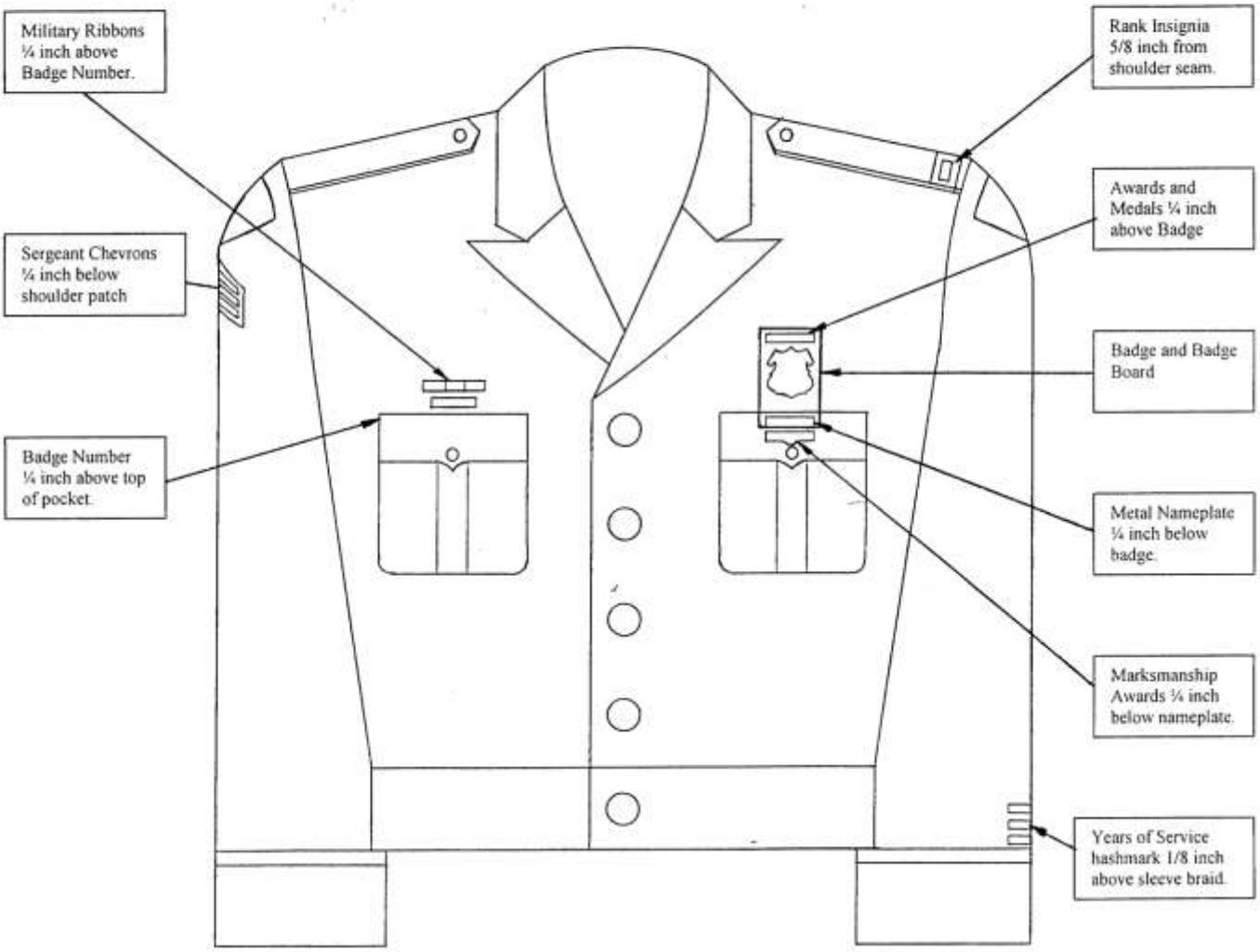
Illustrations and graphics created by Detective Craig Robinson.

Double-Breasted Jacket



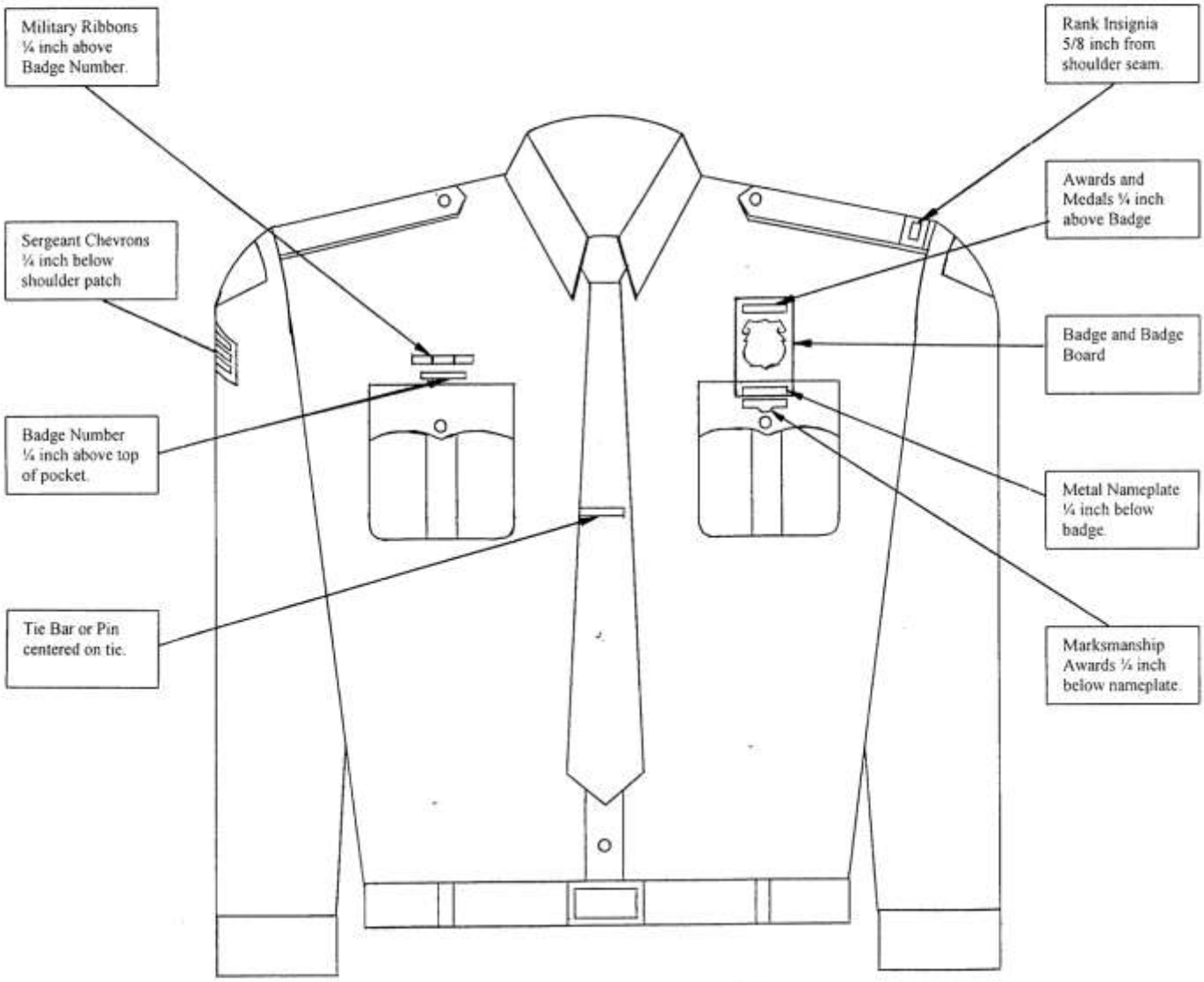
Illustrations and graphics created by Detective Craig Robinson.

Eisenhower Jacket



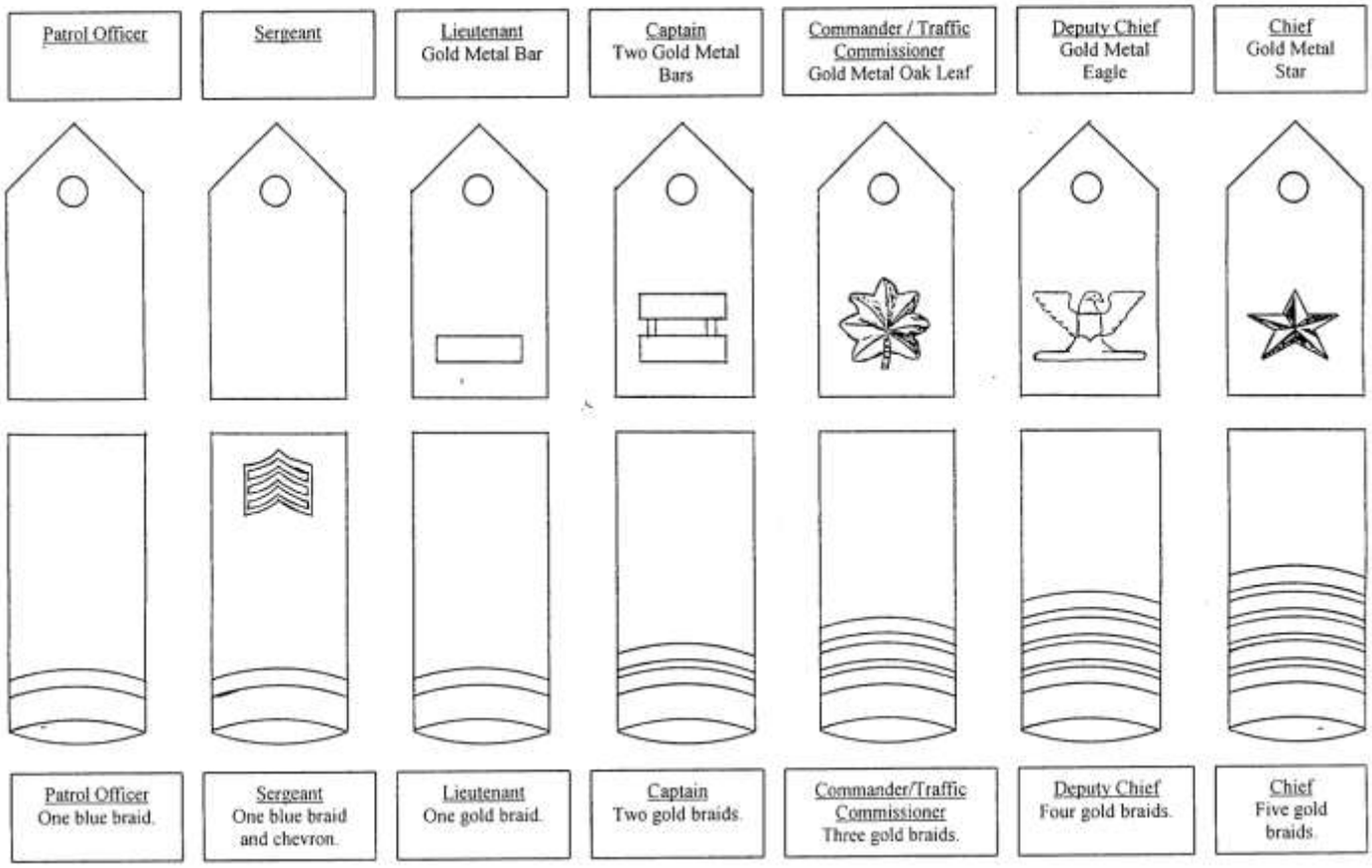
Illustrations and graphics created by Detective Craig Robinson.

Long Sleeve Shirt



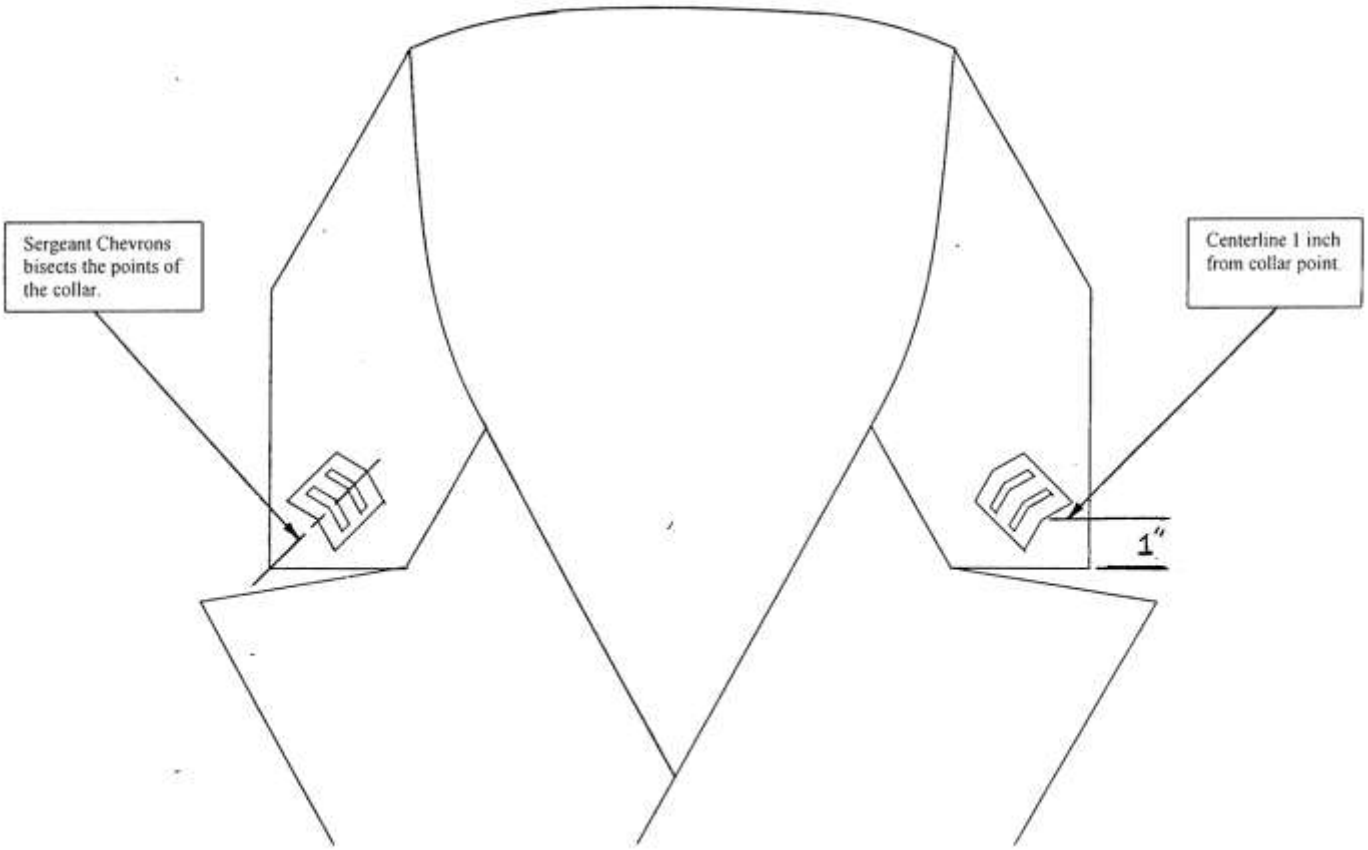
Illustrations and graphics created by Detective Craig Robinson.

Rank Insignia
Shoulder Straps and Sleeves



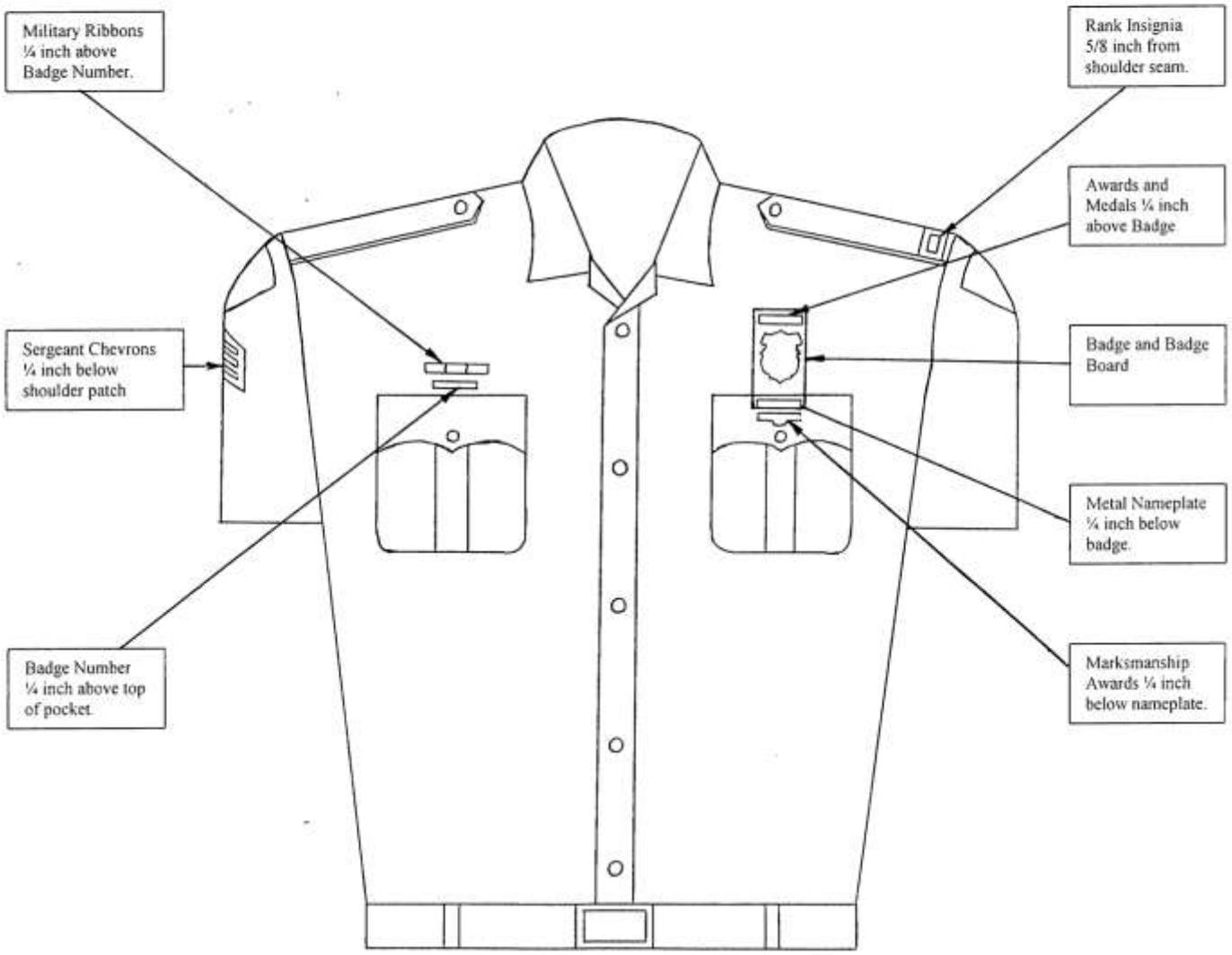
Illustrations and graphics created by Detective Craig Robinson.

Sergeant Chevrons on Leather Jacket



Illustrations and graphics created by Detective Craig Robinson.

Short Sleeve Shirt

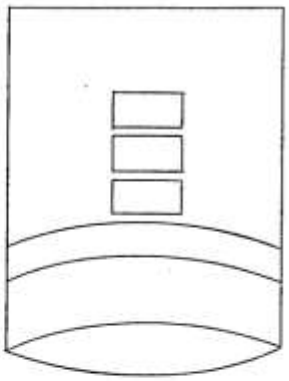


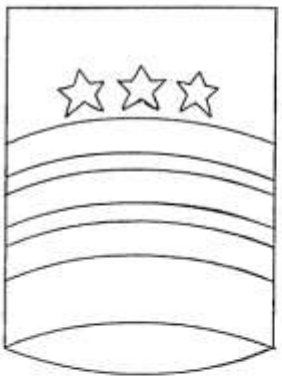
Illustrations and graphics created by Detective Craig Robinson.

Years of Service Insignia

Long sleeve shirt and Cruiser jacket
Hashmark 4" from the bottom of the left sleeve.

Eisenhower and Double-breasted jacket
Hashmark 1/8 inch above the top sleeve braid.





Long sleeve shirt and Cruiser jacket
Gold star 4" from the bottom of the left sleeve.

Double-breasted jacket or Topcoat
Gold star 1/8 inch above the top sleeve braid.

Illustrations and graphics created by Detective Craig Robinson.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 01, 2002	AUGUST 01, 2008	1 of 6	1.1.13

SUBJECT:	
DUTY RELATED INJURIES	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.3.06, 1.3.24, 1.3.25, 1.3.26, 3.2.11
CHIEF OF POLICE: *Michael McGrath, Chief*	

Changes in italics

PURPOSE: To provide guidelines for the reporting of duty related injuries *and follow up procedures for investigation, treatment, and proper billing of* members of the Cleveland Division of Police.

POLICY: To comply with the Ohio State Bureau of Worker's Compensation (BWC) guidelines for payment, using the *OWC-3* and *OWC-4 forms*. Members shall validate an industrial injury to determine the medical severity of the injury and to facilitate the member's participation in restorative rehabilitation programs offered by the BWC.

PROCEDURES:

Procedures in Sections IV through X do not apply to injuries sustained during Secondary Employment.

I. When a member is assaulted and/or injured, the member shall immediately notify a supervisor who shall investigate the injury and notify Communication Control Section (CCS).

II. When an injured member has visible injuries, the investigating supervisor shall request photographs *or instruct* the member *to* report to the *Photography Unit for photographs when reporting to the Medical Unit within 24 hours*.

III. When a crime of violence is committed and results in serious physical harm ***or death*** to an on-duty police officer, an off-duty police officer performing a police function or any police officer performing assigned duties in the City of Cleveland, the investigating supervisor shall have CCS notify the Homicide Unit. The injured member's supervisor shall complete the reports outlined in Sections VII and VIII.

IV. In the case of any duty related injury, the investigating supervisor shall promptly:

A. Notify the injured member to report to the Medical Unit at the next scheduled sick call to see the Medical Director (regardless of time loss).

B. Issue to the injured member the First Report of Injury (FROI-1), Injured Worker's Report of Workplace Accident Form (OWC-3), and Physicians Report of Work Ability (MEDCO 14).

1. FROI-1

   a. The member shall take the FROI-1 to the initial treating facility.

   b. The member shall complete sections one and three of the FROI-1, using their **home** address.

   c. The member shall give the treating facility the FROI-1 to be completed. The member shall request a copy of the completed form.

   d. The member shall forward the FROI-1 to the investigating supervisor before reporting off duty.

   e. If a member is unable to supply a completed FROI-1 to the investigating supervisor, the supervisor shall contact the Medical Unit within 48 hours of the injury's occurrence to request a copy of a completed FROI-1. The Medical Unit has the ability to obtain copies of these forms through the BWC.

2. OWC-3

   a. The member shall complete Section A.

   b. The member shall complete Section B if the member has or intends to file a claim with the Bureau of Workers' Compensation (BWC).

   c. The member shall forward the completed OWC-3 to the investigating supervisor before the end of the tour of duty in which the injury occurred.

3. Physician's Report of Work Ability

a. The treating facility shall complete the Physician's Report of Work Ability or medical treatment papers and fax them to 1-888-OHIO-COMP within 24 hours.

b. The medical facility shall provide the member with a copy of the Physician's Report of Work Ability or treatment papers. The member shall forward these papers to the investigating supervisor before the end of the tour of duty in which the injury occurred.

c. The members shall retain a copy of the Physician Report of Work Ability and/or treatment papers and provide them to the Medical Unit.

d. If for any reason a member is unable to supply copies of the Work Ability Report or treatment papers to the investigating supervisor, the supervisor shall assume this duty and may contact the Medical Unit for assistance.

V. The investigating supervisor shall complete the Supervisor's Investigation of Accident/Employee Injury Report (OWC-4).

VI. Injured members and any witnessing employees shall complete a Form-1 stating their observations of how the injury occurred. If the injured member is unable to complete a Form-1 within 48 hours, the supervisor shall note that in the investigative report and include the injured member's statement in the investigating supervisor's Form-1. The investigating supervisor's Form-1 shall follow the format of the structured Form-1 found in the appendix to this order.

VII. The investigating supervisor shall fax the OWC-3 and OWC-4 forms **directly** to the Medical *Unit* (216-623-5815) and to City Hall Employee Accident Control (216-664-4253) **before reporting off duty**, without any delay related to the length of time the injured member(s) spent in an emergency room being treated. After faxing, forward photocopies of these forms through Divisional mail to the Medical Unit prior to reporting off duty.

A. OWC-3, Employee's Report of Personal Injury

1. *The injured member shall complete this form. If the injured member is unable to complete this form due to injury, the investigating supervisor shall complete the form before reporting off duty*.

2. The investigating supervisor shall ensure that the injured member's signature is on the copies of this form that are sent forward in the Investigative Package (Section VIII). If the member cannot sign, the investigating supervisor shall make the following notation underneath the line for the member signature, "unable to obtain at this time" and initial along side, and forward without delay.

B. The OWC-4, Supervisor's Report

1. In the area just before the supervisor's signature, the supervisor shall provide a short description of any suggested corrective action.

2. On the bottom of this form, the Divisional Organization number is **6002**.

3. Injured employee's alpha number is their payroll number. This may be obtained from the unit timekeeper or the unit's personnel file.

   a. If neither of these options is available, fax the form without the employee's alpha number.

   b. The investigating supervisor shall ensure that the employee's alpha number is placed on the copies of this form that are sent forward in the Investigative Package. (Section VIII)

VIII. Investigative Package

A. The investigating supervisor shall forward the forms listed below, **through the chain of command**, within seven (7) days of the injury's occurrence.

1. Injured member's Form-1

2. Investigating supervisor's Form-1

3. Witnessing officers' Form-1s (if applicable)

4. OWC-3, Injured Worker's Report of Workplace Accident Form (original and photocopy)

5. Copy of the First Report of Injury (FROI-1)

6. Copy of the Physician's Report of Work Ability

7. OWC-4 Supervisor's Injury Report (original and photocopy)

8. EAC-1 Accident Report (copy - if applicable)

9. Associated RMS reports.

   a. Injury to Police Officer.

   b. Offense/Incident reports (copy - if applicable)

B. The detective assigned to investigate an assault or death of a police officer must complete the Law Enforcement Officers Killed or Assaulted (LEOKA) screen in the Record Management System (RMS). (reference D.N. 05-198)

IX. The Medical Unit shall forward the OWC-3 with the completed OWC-4 to the Department of Personnel and Human Resources, Employee Accident Control immediately upon receipt of the forms from the investigating supervisor.

X. Failure to complete any of the forms in the specified time is a violation of city policy and may result in disciplinary action for the involved member(s) and supervisor. The BWC is not able to process claims if forms are not submitted in accordance with the above stated timeline.

XI. *Once the injury packet is reviewed by the appropriate Deputy Chief, the Deputy Chief shall forward the completed injury packet to the Chief's Office.*

XII. *The Chief of Police will review the injury investigation and make a recommendation for Hazardous Duty Injury (HDI), On-Duty Injury, or denial of injury. The Chief's Office shall then forward the investigation to the Medical Unit.*

XIII. *The Medical Director will confirm/not confirm the injury as an On-Duty Injury. After review, the Medical Unit shall forward the Form-1s to the Safety Director for final determination of HDI, On-Duty Injury, or denial of injury.*

XIV. *Upon determination of injury status, the Safety Director shall return the reports to the Medical Unit for proper recording and notification. Members will be carried on their own sick time until HDI status is determined.*

XV. *Members shall attend periodic independent medical exams as ordered by the Medical Unit while on any duty related injury or HDI status.*

XVI. *Injured members shall report to the Medical Unit when so ordered. Failure to report to the Medical Unit or attend independent medical exams as scheduled may result in discipline and removal from duty related injury or HDI status.*

XVII. *The Medical Director will review the results of the IME to determine the continued extent of the member's incapacity. Based on this review, the Medical Director will recommend to the Chief and the Safety Director whether the member is able to return to work. If the Safety Director determines that the member can return to full duty or restricted duty, the member shall be removed from HDI status and returned to work immediately.*

XVIII. *If after six months from the date of injury the member is still on HDI status or restricted duty due to HDI or On-Duty Injury, the member shall be scheduled for a follow up IME. If after the IME, the Medical Director determines that the member can never return to full duty, the member shall apply for a disability pension. The member will have four weeks to bring to the Medical Director documentation from the Ohio Police and Fire Pension Fund showing that the member has applied for a disability pension. Failure to comply may result in loss of HDI status which would require the member to use their personal sick time or other accumulated time.*

XIX. Supply and Distribution of Forms

A. *The First Report of Injury (FROI-1) and the Physician's Report of Workability (Medco 14) forms are available on the BWC's website, www.ohiobwc.com*

B. *The OWC-3 and OWC-4 forms are available on the Cleveland Division of Police intranet website via the GPO's link.*

MM/TAH/JCO/ajg
APPENDICES (A-E)

Injured Worker's Report of Workplace Accident

Part A must be filled out by the injured worker and submitted to the injured worker's immediate supervisor immediately after a workplace injury. **Part B** must be filled out by the injured worker if the worker has or will be filing a claim for Ohio Workers' Compensation benefits. This form shall be forwarded by the Division along with the completed OWC-4 form to the Department of Personnel and Human Resources Office of Workers' Compensation immediately following the injury. Attach additional sheets if necessary. Please write clearly. Failure to complete the entire form in a timely manner is a violation of City policy and may result in discipline.

PART A: INJURED WORKER'S INFORMATION

Injured Worker's Name:		Social Security Number:
Home Address:		Home/Cell Phone No:
Job Title:	Department:	Division:
Date of Injury:		Time of Injury:
Did injury occur on City property? : ☐ Yes ☐ No	Address of work site where injury occurred:	
What were you doing at the time of the injury? :		
Name of witnesses:		
Describe how injury occurred:		
What equipment/tools were you using? :		
Did you continue working after the injury?: ☐ Yes ☐ No		

Nature and extent of your injury. Check boxes and lines below to indicate which body parts were affected:

☐ Abdomen / Stomach	☐ Face	☐ Leg (Upper – above knee) (__ Right / __ Left)
☐ Ankle (__ Right / __ Left)	☐ Finger(s) - Which hand? ☐ Right ☐ Left	☐ Mouth
☐ Arm (Lower – below elbow) (__ Right / __ Left)	__ 1st (Thumb)/ __ 2nd (Index) /__ 3rd / __ 4th / __ 5th	☐ Neck
☐ Arm (Upper – above elbow) (__ Right / __ Left)	☐ Foot (___Right / ___ Left)	☐ Nose
☐ Back: __ Upper / __ Mid / __ Low	☐ Hand (__ Right / __ Left)	☐ Ribs
☐ Buttocks	☐ Head	☐ Scalp / Skin (Specify location below)
☐ Chest	☐ Hip / Pelvis (__ Right / __ Left)	☐ Shoulder (__ Right / __ Left)
☐ Ear (__ Right / __ Left)	☐ Jaw	☐ Toe(s) - Which Foot? ☐ Right ☐ Left
☐ Elbow (__ Right / __ Left)	☐ Knee (__ Right / __ Left)	__ 1st (Big Toe) __ 2nd / __ 3rd / __ 4th / __ 5th
☐ Eye (__ Right / __ Left)	☐ Leg (Lower – below knee) (__ Right / __ Left)	☐ Wrist (__ Right / __ Left)

Other body part or further explanation of injury:	
Has the body part(s) listed been previously injured?	
Who did you report the injury to? :	Date and time reported:
Did you seek medical treatment? : ☐Yes ☐ No	If yes, when and where:

Employee's Signature: _____ Date Submitted: _____

Immediate Supervisor's Signature: _____ Date Received: _____

PART B: INJURED WORKER'S AUTHORIZATION FOR RELEASE OF MEDICAL INFORMATION

This section to be filled out only if the injured employee has filed or will file a workers' compensation claim.

As provided in Section 4123.651(C) of the Ohio Revised Code, I hereby authorize the release to the Industrial Commission of Ohio, the Ohio Bureau of Workers' Compensation, my employer the City of Cleveland, and their representatives, including legal counsel, of medical information, records, and reports necessary to the administration of my workers' compensation claim, as such medical information, records, and reports may pertain to a condition either allowed or alleged in my claim, or to determine the eligibility for payment of compensation and medical benefits in my workers' compensation claim. A photo static copy of this release shall have the same effect as the original.

Employee's Signature: _____ Date: _____

Physician's Name: _____ Physician's Phone Number: (____)_____

Physician's Address: _____

Street City/State Zip Code

Supervisor's Report of Workplace Accident

This form must be filled out by the individual who supervised the injured worker at the time of the accident and submitted along with the completed FORM OWC-3 to the Division's designated Safety Coordinator immediately after a workplace injury. The Division shall then forward this form to the Department of Personnel and Human Resources Office of Workers' Compensation immediately following the report of the injury. Please attach additional sheets if necessary. Please write clearly. Failure to complete this entire form in a timely manner is a violation of City policy and may result in discipline.

SUPERVISOR'S INFORMATION

Supervisor's Name:	Supervisor's Job Title:
Supervisor's Work Phone Number:	Supervisor's Work Location:
Department:	Division:

INJURED WORKER'S INJURY INFORMATION

Injured Worker's Name:	Injured Worker's Job Title:	
Department:	Division:	Work Location:
Date of Injury:	Time of Injury:	Date & Time Reported:

Explain how employee was injured:

Was employee on duty when injury occurred? : Yes ___ No ___ If not on duty please explain:

Did the injury occur on City property? : Yes ___ No ____

List job duties employee was performing at time of injury:

What equipment or tools were being used? :

Nature and extent of injuries. Check boxes and lines below to indicate which body parts were affected:

- ☐ Abdomen / Stomach
- ☐ Ankle (__ Right / __ Left)
- ☐ Arm (Lower – below elbow) (__ Right / __ Left)
- ☐ Arm (Upper – above elbow) (__ Right / __ Left)
- ☐ Back: __ Upper / __ Mid / __ Low
- ☐ Buttocks
- ☐ Chest
- ☐ Ear (__ Right / __ Left)
- ☐ Elbow (__ Right / __ Left)
- ☐ Eye (__ Right / __ Left)
- ☐ Face
- ☐ Finger(s) - Which hand? ☐ Right ☐ Left
  __ 1st (Thumb)/ __ 2nd (Index) /__ 3rd / __ 4th / __ 5th
- ☐ Foot (__ Right / __ Left)
- ☐ Hand (__ Right / __ Left)
- ☐ Head
- ☐ Hip / Pelvis (__ Right / __ Left)
- ☐ Jaw
- ☐ Knee (__ Right / __ Left)
- ☐ Leg (Lower – below knee) (__ Right / __ Left)
- ☐ Leg (Upper – above knee) (__ Right / __ Left)
- ☐ Mouth
- ☐ Neck
- ☐ Nose
- ☐ Ribs
- ☐ Scalp / Skin (Specify location below)
- ☐ Shoulder (__ Right / __ Left)
- ☐ Toe(s) - Which Foot? ☐ Right ☐ Left
  __ 1st (Big Toe) __ 2nd / __ 3rd / __ 4th / __ 5th
- ☐ Wrist (__ Right / __ Left)

Did you witness the injury: Yes ___ No ____

It is your responsibility to investigate what happened whether or not you were a witness to the accident.

Name, job title and phone number of all witnesses to the injury (attach additional sheets if necessary):

1.

2.

Was the injury a result of a motor vehicle accident: Yes ___ No ___

If yes, was a police report completed? : Yes ___ No ___ Date of Report: _____

Could the injury have been avoided? : Yes ___ No ___ How? :

Did injured employee return to work? : Yes ___ No ___ If yes, when? :

Did employee seek immediate medical treatment? : Yes ___ No ___

If no, was medical treatment offered and declined by injured worker? : Yes ___ No ___

Additional comments regarding this injury:

What corrective action will be taken to prevent reoccurrence of similar injuries:

Supervisor's Signature: _____ Date: _____

Appointing Authority's Signature: _____ Date: _____

Division Organization number: _____ Injured employee's alpha number: _____

Ohio | Bureau of Workers' Compensation

First Report of an Injury, Occupational Disease or Death

This form can be completed and submitted online at **www.bwc.ohio.gov**

Report your injury by completing all three sections of this form

1. Complete as much of all three sections of this form as possible to reduce the time necessary in determining the claim. If this form is completed by the injured worker at the first visit to a medical provider, the injured worker may give the FROI to the provider to complete the treatment information section. The provider can then submit the FROI to the MCO.
2. Deliver, mail or fax the completed document to your employer or your employer's managed care organization (MCO).
3. If you do not know your employer's MCO, contact BWC at **1-800-644-6292** and follow the prompts, or use the MCO on BWC's Web site at **www.bwc.ohio.gov.**
4. If you are unable to determine your MCO, mail or fax this form to the BWC customer service office closest to your home. For information on your local customer service office, please visit **www.bwc.ohio.gov.**, or call **1-800-644-6292**.

Injured workers employed by a self-insuring employer

- Complete this form and give to your employer.
- Your employer should be able to tell you if he or she is a self-insuring employer.
- If your employer is self-insuring and you file this information with BWC, processing delays may occur.

For assistance in completing this form, call your BWC customer service office Monday through Friday, 8 a.m. – 5 p.m.

Cambridge
61501 Southgate Road
Cambridge, OH 43725-9114
Phone: 740-435-4200
Fax: 866-281-9351

Canton
339 E. Maple St., Suite 200
North Canton, OH 44720-2593
Phone: 330-438-0638
Toll free: 800-713-0991
Fax: 866-281-9352

Cleveland
615 Superior Ave. W.
Cleveland, OH 44113-1889
Phone: 216-787-3050
Toll free: 800-821-7075
Fax: 866-336-8345

Columbus
30 W. Spring St.
Columbus, OH 43215-2256
Phone: 614-728-5416
Fax: 866-336-8352

Dayton
3401 Park Center Drive, Suite 100
Dayton, OH 45414-2577
Phone: 937-264-5000
Fax: 866-281-9356

Garfield Heights
4800 E. 131 St., Suite A
Garfield Heights, OH 44105-7132
Phone: 216-584-0100
Toll free: 800-224-6446
Fax: 866-457-0590

Cincinnati–Governor's Hill
8650 Governor's Hill Drive
Cincinnati, OH 45249-1369
Phone: 513-583-4400
Fax: 866-281-9357

Lima
2025 E. Fourth St.
Lima, OH 45804-4101
Phone: 419-227-3127
Toll free: 888-419-3127
Fax: 866-336-8346

Mansfield
240 Tappan Drive, N., Suite A
Ontario, OH 44906-1366
Phone: 419-747-4090
Fax: 866-336-8350

Portsmouth
1005 Fourth St.
Portsmouth, OH 45662-4315
Phone: 740-353-2187
Fax: 866-336-8353

Toledo
P.O. Box 794
1 Government Center, Suite 1136
Toledo, OH 43697-0794
Phone: 419-245-2700
Fax: 866-457-0594

Youngstown
242 Federal Plaza, W., Suite 200
Youngstown, OH 44503-1206
Phone: 330-797-5500
Toll free: 800-551-6446
Fax: 866-457-0596

Completion instructions
(continued)

Injured worker and injury/disease/death info.

Last name, first name, middle initial | Social Security number | Marital status ☐ Single ☐ Married ☐ Divorced ☐ Separated ☐ Widowed | Date of birth

Home mailing address (1) | Sex ☐ Male ☐ Female | Number of dependents

City | State | 9-digit ZIP code | Country if different from USA | Department name (2)

Wage rate $_____ Per: (3) ☐ Hour ☐ Month ☐ Week ☐ Year ☐ Other _____ | What days of the week do you usually work? (4) ☐ Sun ☐ Mon ☐ Tues ☐ Wed ☐ Thur ☐ Fri ☐ Sat | Regular work hours From ____ To ____ (4)

Have you been offered or do you expect to receive payment or wages for this claim from anyone other than the Ohio Bureau of Workers' Compensation? ☐ YES ☐ NO If yes, please explain. (5) | Occupation or job title (6)

Employer name (7)

Mailing address (number and street, city or town, state, ZIP code and county)

Location, if different from mailing address

Was place of accident or exposure on employer's premises? ☐ Yes ☐ No
If no, give accident location, street address, city, state and ZIP code.

Date of injury/disease (8) | Time of injury _____ ☐ a.m. ☐ p.m. | If fatal, give date of death | Time employee began work _____ ☐ a.m. ☐ p.m. | Date last worked (9) | Date returned to work (10)

Date hired | State where hired (11) | Date employer notified (12) | State where supervised (13)

Description of accident (Describe the sequence of events that directly injured the employee, or caused the disease or death) (14) | Type of injury/disease and part(s) of body affected (for example: sprain of lower left back, etc.) (15)

Benefit application release of information – I am applying for a claim under the Ohio Bureau of Workers' Compensation Act for work-related injuries that I did not inflict. I affirm that I elect to receive compensation and benefits under Ohio's workers' compensation laws for my claim, and I waive and release my right to file for and receive compensation and benefits under the laws of any other state for this claim. I request payment for compensation and/or medical benefits as allowable, and authorize direct payment to my medical providers. I permit and authorize any provider who attends, treats or examines me, the Ohio State Board of Pharmacy, the Ohio Department of Job and Family Services and the Ohio Rehabilitation Services Commission to release medical, psychological, psychiatric, pharmaceutical, vocational and social information. I understand this may include personally identifying information that is casually or historically related to my physical or mental injuries relevant to issues necessary for the administration of my claim to BWC, the Industrial Commission of Ohio, the employer in this claim, the employer's managed care organization and any authorized representatives. My previous or future BWC claims may affect decisions made in this claim. Proper administration of the present claim may require BWC to share claims information with the employers of record (or their authorized representatives) and/or my authorized representative for any and all such previous or future claims. The released claims information may include any record maintained in my claim files.

Injured worker signature (16) | Date | E-mail address | Telephone number ( ) | Work number ( )

SAMPLE

Injured worker and injury/disease/death info.

(1) Home address: Enter the home address where the injured worker lives. Include the apartment number, if applicable.
- If the post office does not deliver mail to the home address, list the mailing address instead of the home address.

(2) Department name: Enter the injured worker's department or area name where he/she normally reports for work.

(3) Wage rate: Enter the injured worker's rate of pay, and then select how often it is received. (If the pay rate being reported is not hourly, report the gross amount.)
- If eight or more days of work will be missed, BWC needs wage information for the 52 weeks prior to the date of injury. Submit wage information using employer payroll reports, wage statement (BWC form C-94-A), W-2s, etc.

(4) What days of the week do you usually work? What are your regular work hours: Enter the days and hours the injured worker normally works.
- If the days worked vary from week to week, list the number of hours worked in an average week.

(5) Wages: If you received wages during disability, please explain.

(6) Occupation or job title: Enter the injured worker's type of occupation or actual job title at the time of injury, occupational disease or death.

(7) Employer name: Enter the name of the injured worker's employer at the time of the injury, occupational disease or death.

(8) Date of injury/disease: Enter the date injured worker was injured. OR
If the injured worker contracted an occupational disease, determine which of the following happened most recently:
- The occupational disease was diagnosed by a medical provider;
- The first medical treatment;
- The injured worker first quit work, due to the occupational disease.

Enter this as the date of occupational disease.

(9) Date last worked: Enter the last day worked as a result of this injury, occupational disease or death.

(10) Date returned to work: Enter the date the injured worker returned to work after the injury or occupational disease.

(11) State where hired: Enter the state where the injured worker was hired by the employer listed on this application.

(12) Date employer notified: Enter the date the employer was notified of the injury, occupational disease or death.

(13) State where supervised: Enter the state where the injured worker was supervised by the employer listed on this application.

(14) Description of accident: Describe in detail the events that caused the injury, occupational disease or death. Attach additional sheets, if necessary.

(15) Type of injury/disease and part of body affected: Describe the nature of the injury, occupational disease or death.
Indicate the part(s) of body injured, affected or that caused the death.
Examples:
- Laceration of first toe, left foot;
- Sprain of lower right back; etc.

(16) Injured worker signature (injured workers only): Please read the Benefit application/medical release information before signing and dating this form.

Instructions continued on last page

Ohio | Bureau of Workers' Compensation

First Report of an Injury, Occupational Disease or Death

By signing this form, I:

- **Elect to only receive compensation and/or benefits that are provided for in this claim under Ohio workers' compensation laws;**
- **Waive and release my right to receive compensation and benefits under the workers' compensation laws of another state for the injury or occupational disease, or death resulting from an injury or occupational disease, for which I am filing this claim;**
- **Agree that I have not and will not file a claim in another state for the injury or occupational disease or death resulting from an injury or occupational disease for which I am filing this claim;**
- **Confirm that I have not received compensation and/or benefits under the workers' compensation laws of another state for this claim, and that I will notify BWC immediately upon receiving any compensation or benefits from any source for this claim.**

WARNING:
Any person who obtains compensation from BWC or self-insuring employers by knowingly misrepresenting or concealing facts, making false statements or accepting compensation to which he or she is not entitled, is subject to felony criminal prosecution for fraud.
(R.C. 2913.48)

Injured worker and injury/disease/death info.

Last name, first name, middle initial | Social Security number | Marital status ☐ Single ☐ Married ☐ Divorced ☐ Separated ☐ Widowed | Date of birth

Home mailing address | Sex ☐ Male ☐ Female | Number of dependents

City | State | 9-digit ZIP code | Country if different from USA | Department name

Wage rate $ _____ Per: ☐ Hour ☐ Month ☐ Week ☐ Year ☐ Other _____ | What days of the week do you usually work? ☐ Sun ☐ Mon ☐ Tues ☐ Wed ☐ Thur ☐ Fri ☐ Sat | Regular work hours From _____ To _____

Have you been offered or do you expect to receive payment or wages for this claim from anyone other than the Ohio Bureau of Workers' Compensation? ☐ Yes ☐ No If yes, please explain. | Occupation or job title

Employer name

Mailing address (number and street, city or town, state, ZIP code and county)

Location, if different from mailing address

Was the place of accident or exposure on employer's premises? ☐ Yes ☐ No
(If no, give accident location, street address, city, state and ZIP code)

Date of injury/disease | Time of injury _____ ☐ a.m. ☐ p.m. | If fatal, give date of death | Time employee began work _____ ☐ a.m. ☐ p.m. | Date last worked | Date returned to work

Date hired | State where hired | Date employer notified | State where supervised

Description of accident (Describe the sequence of events that directly injured the employee, or caused the disease or death.) | Type of injury/disease and part(s) of body affected (For example: sprain of lower left back)

Benefit application release of information – I am applying for a claim under the Ohio Bureau of Workers' Compensation Act for work-related injuries that I did not inflict. I affirm that I elect to receive compensation and benefits under Ohio's workers' compensation laws for my claim, and I waive and release my right to file for and receive compensation and benefits under the laws of any other state for this claim. I request payment for compensation and/or medical benefits as allowable, and authorize direct payment to my medical providers. I permit and authorize any provider who attends, treats or examines me, the Ohio State Board of Pharmacy, the Ohio Department of Job and Family Services and the Ohio Rehabilitation Services Commission to release medical, psychological, psychiatric, pharmaceutical, vocational and social information. I understand this may include personally identifying information that is casually or historically related to my physical or mental injuries relevant to issues necessary for the administration of my claim to BWC, the Industrial Commission of Ohio, the employer in this claim, the employer's managed care organization and any authorized representatives. My previous or future BWC claims may affect decisions made in this claim. Proper administration of the present claim may require BWC to share claims information with the employers of record (or their authorized representatives) and/or my authorized representative for any and all such previous or future claims. The released claims information may include any record maintained in my claim files.

Injured worker signature | Date | E-mail address | Telephone number | Work number ( )

Treatment info.

Health-care provider name | Telephone number ( ) | Fax number ( ) | Initial treatment date

Street address | City | State | 9-digit ZIP code

Diagnosis(es): Include ICD code(s)

Will the incident cause the injured worker to miss eight or more days of work? ☐ Yes ☐ No | Is the injury causally related to the industrial incident? ☐ Yes ☐ No

E code | 11-digit BWC provider number | Date

Health-care provider signature

Employer info.

Employer policy number | Check if ☐ Employer is self-insuring ☐ Injured worker is owner/partner/member of firm

Telephone number ( ) | Fax number ( ) | E-mail address | Federal ID number | Manual number

Was employee treated in an emergency room? ☐ Yes ☐ No | Was employee hospitalized overnight as an inpatient? ☐ Yes ☐ No

If treatment was given away from work site, provide the facility name, street address, city, state and ZIP code

☐ **Certification -** The employer certifies that the facts in this application are correct and valid.

☐ **Rejection -** The employer rejects the validity of this claim for the reason(s) listed below:

For self-insuring employers only
☐ **Clarification -** The employer clarifies and allows the claim for the condition(s) below:
☐ **Medical only** ☐ **Lost time**

Employer signature and title | Date | OSHA case number

This form meets **OSHA 301** requirements

Completion instructions
(continued)

Treatment info.

Health-care provider name	Telephone number ( )	Fax number ( )	Initial treatment date
Street address	City	State	9-digit ZIP code
Diagnosis(es): Include ICD code(s) 1			
Will the incident cause the injured worker to miss eight or more days of work? ☐ Yes ☐ No	2 Is the injury causally related to the industrial incident? ☐ Yes ☐ No		
E code 3	11-digit BWC provider number 4	Date	
Health-care provider signature 5			

1. Indicate the diagnosis and ICD codes for conditions being treated as a result of the injury.
2. Indicate the treating provider's medical opinion that the injury sustained is causally related to the industrial incident, that the injury could result from the method (manner) of the accident, as described by the injured worker. It must be clear that the diagnosis in all probability occurred as a result of the injury.
3. Providing a valid E code will enable us to determine the claim more quickly and efficiently.
4. Enter the physician's or health-care provider's 11-digit BWC-assigned provider number.
5. Signature of the health-care provider completing this form.

Employer info.

1 Employer policy number			Check if	☐ Employer is self-insuring ☐ Injured worker is owner/partner/member of firm	
Telephone number ( )	Fax number ( )	E-mail address	Federal ID number	Manual number 2	
Was employee treated in an emergency room? ☐ Yes ☐ No		Was employee hospitalized as an inpatient? ☐ Yes ☐ No			
If treatment was given away from work site, provide the facility name, street address, city, state and ZIP code					
3 ☐ **Certification -** The employer **certifies** that the facts in this application are correct and valid.	4 ☐ **Rejection -** The employer **rejects** the validity of this claim for the reason(s) listed below:			For self-insuring employers only 5 ☐ **Clarification -** The employer **clarifies** and allows the claim for the condition(s) below:	
Employer: signature and title				Date	OSHA case number 6

1. Enter the employer's BWC-assigned policy number, which is located on the BWC certificate of coverage.
2. Enter the four-digit code that indicates the injured worker's job classification, located on the semiannual payroll report.
   - If you do not know the injured worker's manual number, call **1-800-644-6292** and follow the prompts.
3. If certification is selected and the claim is allowed, it will promptly be paid. Employers certifying a claim waive both the notice of receipt and notice of first order of compensation.
4. If rejection is selected, use the space provided to list the reasons for rejection. Attach additional sheets, if necessary.
5. Self-insuring employers that choose to clarify certification may use the space provided. Attach additional sheet, if necessary.
6. If this is an OSHA-reportable injury, include the case number assigned by the employer. This form meets OSHA 301 requirements and may be used in lieu of the OSHA 301 when reporting recordable injuries and illnesses to the federal government.

Note:
If your employee misses eight or more days of work, BWC will need wage information for the 52 weeks prior to the date of injury. Submit wage information using employer payroll reports, wage statement (BWC form C-94-A), W-2s, etc.

Ohio | Bureau of Workers' Compensation

Physician's Report of Work Ability

Instructions
- Physician must complete this form when the injured worker is under work restrictions or is temporarily totally disabled.
- You must send or fax a copy of the completed form to the managed care organization (MCO) and a copy given to the injured worker at time of exam.
- You may use any other physician-generated document provided that the substitute document contains, at a minimum, the data elements on the MEDCO-14.
- If injured worker is employed by a self-insuring employer complete this form and mail or fax it to the self-insuring employer.
- List ICD-9 codes for the allowed conditions being treated that prevent return to work.

Fax Note:

To	From
Toll-free phone number	Phone number
Toll-free fax number	Fax number

Injured worker name	Claim number	SSN if claim number unknown	Date of injury
			/ /

Injured worker occupation	Employer name

WORK ACTIVITY

☐ May return to work (RTW) with no restrictions on _____

☐ May RTW with restrictions due to work-related injury/disease from _____ to _____ (complete work/non-work capabilities on the right). Work restrictions apply to work and non-work activity. If restrictions cannot be met at work, then injured worker is recommended to be off work.

The restrictions are ☐ permanent ☐ temporary? If temporary, how long? _____

☐ Is totally disabled from work from _____ to _____. Please explain in the space provided below why the injured worker is unable to work, due to work-related injury/disease. **List ICD-9 codes for the allowed conditions being treated which prevent return to work.** _____

Estimated RTW date _____

Work/Non-Work Capabilities

% of Workday (8 hr) / Repetitions per hr	None at all 0%	Occasional 1-33% 4-6	Frequent 34-66% 6-12	Continuous 67-100% >12
Lift/Carry				
Up to 10 lbs.	☐	☐	☐	☐
11-20 lbs.	☐	☐	☐	☐
21-50 lbs.	☐	☐	☐	☐
51-100 lbs.	☐	☐	☐	☐
Bending	☐	☐	☐	☐
Twist/turn	☐	☐	☐	☐
Reach below knee	☐	☐	☐	☐
Push/pull	☐	☐	☐	☐
Squat/kneel	☐	☐	☐	☐
Stand/walk	☐	☐	☐	☐
Sit	☐	☐	☐	☐
No lifting above shoulders	☐	☐	☐	☐

Hand restrictions ☐ Left ☐ Right
- ☐ Must wear splint
- ☐ No lifting greater than _____ lbs
- ☐ No repetitive activities
- ☐ No work with hot or cold substances

No use of ☐ Left ☐ Right
- ☐ Arm
- ☐ Hand
- ☐ Finger _____
- ☐ Other

☐ Change positions every _____ ☐ Work activity as splint/bandage permits
☐ Avoid driving ☐ Keep wound clean/dry ☐ Limit working to _____ Hrs./Day

Physician's further explanation of work abilities or why the injured worker is unable to perform any work: _____

MMI

Has the work-related injury(s) or occupational disease reached a treatment plateau at which no fundamental functional or physiological change can be expected despite continuing medical or rehabilitative intervention (maximum medical improvement): ☐ Yes ☐ No

▶ ***Note: Periodic medical treatment may still be requested and provided.***

IF YES, give date _____ **IF NO, please explain (attach additional sheet if necessary)**

REHAB

☐ **Check if vocational rehabilitation return to work services are indicated.**

Physician name and address ***(please print, type or stamp)***

Date of this exam	Follow-up appointment Date	Time
/ /	/ /	

I certify the above information is correct to the best of my knowledge. I am aware that any person who knowingly makes a false statement, misrepresentation, concealment of fact or any other act of fraud to obtain payment as provided by BWC or who knowingly accepts payment to which that person is not entitled, is subject to felony criminal prosecution and may, under appropriate criminal provisions, be punished by a fine, imprisonment, or both.

Physician signature ***(mandatory)*** | **Date** / /

Completing the MEDCO-14
Physician's Report of Work Ability

Instructions

The MEDCO-14 is a physician's report of work ability. This form provides the injured worker and employer with important physician information regarding the injured workers' ability to work and specific instructions to aid in recovery.

1. The physician of record or treating physician must complete this form every time the injured worker is seen and is under any work restrictions, off work, or working with accommodations.

   • This form is not required if the injured worker is permanently and totally disabled or is not under any work restrictions.

2. This is a two-part form.

   • Give one copy to the injured worker at the time of the office visit.
   • Fax a copy to the appropriate managed care organization (MCO).
   • If requested, you may send a copy directly to the employer.
   Note: If the injured worker is employed by a self-insuring employer, complete this form and fax or mail directly to the self-insured employer.

3. *The Request for Temporary Total Compensation* (C-84) is most often used to report an injured worker is temporarily totally disabled from work due to the injury and is requesting compensation benefits. However, you may use the *Physician's Report of Work Ability* (MEDCO-14) to report disability status. The injured worker must still complete and sign the front section of the C84 Form to extend compensation.

4. You may use any other physician generated document, provided that the substitute document contains, at a minimum, the data elements that are on the MEDCO-14.

Benefits of successful early return to work

- Early and successful return to work (RTW) benefits everyone. The costs of any disability go far beyond the measurable costs for medical care and compensation payments. Early return to work initiatives are dependent on communication and cooperation by physicians, employees, employers, MCOs, rehabilitation specialists and BWC.

- Many employers have early RTW programs and are willing to accommodate physicians' restrictions for their employees. A successful RTW program asks the injured worker pace himself/herself and not work beyond his/her limits. BWC encourages physicians to consider releasing the injured worker to full or restricted duty as soon as the injured worker is able, including midweek. Returning the injured worker midweek or as soon as medically able helps the injured worker both physically and psychologically.

- Most injured workers return to work right away with minimal assistance. But, some injured workers require more medical care resulting in longer recovery and time away from work. Some injured workers may even require vocational services to return to productive employment. Together, the injured worker, physician, MCO, employer, and BWC will create a RTW program that is personally tailored for the injured worker's job as well as the injury.

- There are several options available if the employer cannot make accommodations for the injured worker's restrictions. The injured worker may continue to receive temporary total compensation or be eligible for other types of compensation. The physician should communicate with the MCO to determine if the employer can accommodate other types of return-to-work options including:

  - **Transitional work** - Work that uses real job duties for a specified period of time (generally not exceeding two or three months) to help injured workers progress to their original job;

  - **Modified work** - Work in which physical barriers that may keep the injured worker from performing essential job functions are adapted, altered or removed;

  - **Light duty** - Work in which the job requirements are performed at reduced physical capabilities. Job tasks may be temporary or permanent;

  - **Alternative work** - Work for injured workers who are permanently restricted from their original jobs, but have other abilities and can be employed.

- Talk to the MCO if you feel the injured worker would benefit from vocational rehabilitation services.

The American Academy of Orthopedic Surgeons and the American Association of Orthopedic Surgeons believe that safe early return-to-work programs are in the best interest of patients. Studies have demonstrated that prolonged time away from work makes recovery and return to work progressively less likely. Return to work in light duty, part-time or modified duty programs is important in preventing the deconditioning and psychological behavior patterns that inhibit successful return to work and in improving quality of life for the injured worker.

C OF C , FORM 71-1

POLICE DIVISION

CLEVELAND, OHIO

DIVISIONAL INFORMATION

DIST. **ZONE** _____

EXAMINED BY _____**RANK**_____ _____

FROM **TO**

SUBJECT **Information Re: Duty Related Injury to Officer (Name #)**

COPIES TO **Medical Unit, Unit Files**

Sir or Ma'am;

On (day), (date), at (time) hours, while assigned to (car/detail), I was notified by (CCS/ Officer/ Etc.) that member(s) of (Car #), were injured. The injury occurred (day, date, time, location). I was assigned to investigate the injury.

On (day), (date), (time) I interviewed the injured officer (Officer #), (present assignment), who reported (details of occurrence).

ADDITIONAL INTERVIEWS: (Other witnesses)

INVESTIGATION REVEALS : …….

MEDICAL ATTENTION: (None required or on (day), (date), (time) Officer(s) (name #) was/ were conveyed to (medical facility) by (ZC/ EMS#) and examined by (Doctor) who (confined/ treated and released/ etc.). All BWC forms issued and completed as required by Division policy.

NOTIFICATIONS/ OTHER INVESTIGATIVE UNITS: (AIU/ SIU/ PIT/ Homicide) (Car#) responded to scene and completed (reports). Photographs taken by (SIU/ AIU). CCS notified to save radio tape (if applicable).

ARREST(S), SUSPECT(S) or CITATIONS ISSUED: Names/ Dispositions. If applicable.

OTHER REPORTS MADE: Officer(s) (Name#) were ordered to complete Form-1 Reports C/W this incident prior to reporting off duty or due to Officer(s) (Name#) injury they were unable to complete required Form-1 reports. RMS Report (#).

Examination of all reports and facts contained herein coincide (or are at variance) with the facts as determined by this investigation.

Respectfully,

_____

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MAY 9, 2003	MAY 2, 2003	1 of 6	1.1.14

SUBJECT:	
AWARDS RECOGNITION PROGRAM	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To recognize Division of Police personnel who perform their duties in an exemplary and extraordinary manner and citizens or auxiliary officers who perform heroic acts and/or contribute to the overall effectiveness of the Division of Police.

POLICY: The Division of Police shall nominate and select individuals who perform their duties in an exemplary or extraordinary manner and publicly recognize their achievements.

Every officer, regardless of rank, is encouraged to nominate individuals for recognition. Nominations may be for on-duty or off-duty performance of a police function.

Citizens who perform heroic acts and/or contribute to the overall effectiveness of the Division of Police also deserve special recognition. Personnel are encouraged to nominate citizens and auxiliary officers whose actions merit recognition.

Law enforcement personnel from jurisdictions other than the City of Cleveland may be eligible for awards if their contributions directly further the cause of law enforcement within the City of Cleveland.

Only those nominations for acts/achievements/events that occurred in the time period under review shall be accepted for review. If previously undisclosed information is revealed, the Awards Committee may, at its discretion or at the direction of the Chief of Police, review nominations from a previously reviewed period.

DEFINITIONS:

Awards Committee: This committee shall be composed of the Deputy Chiefs of Field Operations, Administrative Operations and Special Operations; the president of the Fraternal Order of Police Lodge 8, the president of the Cleveland Police Patrolmen's Association, and the president of the Black Shield Police Association - or their designees.

Medal of Honor: The Medal of Honor is the highest award presented to a Cleveland police officer for acts of personal bravery performed beyond the call of duty and involving an incontestable risk of life.

Medal of Heroism: The Medal of Heroism is awarded to police officers who demonstrate extraordinary bravery or act in an exemplary and extraordinary manner while at substantial risk of personal harm.

Distinguished Service Medal: The Distinguished Service Medal is awarded to police officers who demonstrate a high degree of personal initiative, perform substantially beyond normal requirements in an exemplary manner, contribute significantly to the achievement of law enforcement goals or consistently perform at the highest levels of law enforcement excellence as indicated by a special faithfulness to duty.

Police Star: The Police Star is awarded to those police officers wounded, seriously injured or killed in the performance of their duties while protecting life or property.

Special Commendation Award: The Special Commendation Award is awarded to divisional personnel who distinguish themselves by improving an administrative or tactical procedure within the Division of Police; fostering a successful community affairs program; or performing a valuable police service which demonstrates special diligence or perseverance.

Police officers who are awarded five Special Commendation Awards are eligible to receive consideration for the Distinguished Service Medal.

Chief's Letter and Commander's Letter: The Chief's Letter and Commander's Letter are special letters given to officers in recognition of an act or acts that represent that officer's diligence to duty and the furthering of law enforcement ideals. These letters do **not** require action on the part of the Awards Committee and may be given at any time. This allows for immediate positive reinforcement and timely recognition of the officers' deeds. In addition, the Awards Committee, in lieu of a higher award, may award a Chief's Letter.

Police officers who are awarded five Chief's or Commander's Letters during a two year period are eligible to receive consideration for the Special Commendation Award.

Police Officer of the Year Award: The Police Officer of the Year Award is open to all ranks and may be awarded to a sworn member of the Cleveland Division of Police who has demonstrated an outstanding devotion to duty and who consistently and uniquely performed their job duties to the highest degree beyond the level established by one's peers.

Chief's Outstanding Unit Award: The Chief's Outstanding Unit Award is presented in recognition of outstanding police service performed by a unit of the Division of Police.

Citizen Award Plaque: The Citizen Award Plaque is awarded to civilians who distinguish themselves through the performance of a heroic act involving great personal risk.

Citizen Award Pin: The Citizen Award Pin is awarded to civilians who contribute significantly to the furtherance of law enforcement within the City of Cleveland.

PROCEDURES:

I. Selection and Submission:

A. Members of the Division of Police and the public at large may submit nominations for awards.

1. Nominations generated from within the Division of Police shall be submitted using the structured Form-1 (Appendix). Nominations not received on the structured Form-1 or otherwise incomplete, illegible or not conforming to these guidelines shall be returned for re-submission.

a. Each submission shall include information that clearly details exactly what actions the nominee took to merit the nomination.

b. If there are multiple nominees resulting from a single event or accomplishment, each nominee must have a distinct narration that supports the award candidate's nomination.

c. Nominations shall include the name of the award for which the candidate is being nominated and the full name, badge number, rank or title of the nominee, as it would appear on the award.

d. In addition to providing correct spellings of full proper names, civilian nominations must have accurate contact information, i.e. phone numbers and addresses.

e. Members shall forward nominations through the chain of command. Commanders shall review nominations and add comments before forwarding the nominations to the Chief's Office. The Chief's Office shall forward nominations to the Deputy Chief of Field Operations for compiling and forwarding to the Awards Committee.

2. Nominations from the public may be submitted to the Chief of Police by letter or memo.

a. When credible commendation from the public is received regarding a member of the Division, the Chief shall cause a letter of acknowledgement to be placed into that member's permanent personnel record. The Chief's Office shall forward copies of any such correspondence to the Awards Committee for consideration of award recognition.

b. If the Awards Committee finds merit for an award arising from a submission from the public, the Awards Committee (which has no investigatory capabilities) shall forward a request to the Commander of the officer involved. That Commander shall complete the structured Form-1 and forward it to the Awards Committee for final disposition. If the Commander's investigation reveals there is insufficient basis for an awards nomination, the Commander shall forward that information to the Awards Committee.

B. Each calendar year, each Commander may nominate one officer for Police Officer of the Year. Commanders shall submit these nominations directly to the Chief of Police for forwarding to the Awards Committee via the Deputy Chief of Field Operations.

No more than one officer from any one District/Bureau may be nominated for the Police Officer of the Year award in any one calendar year. District/Bureau Commanders shall make the final decisions for their respective District/Bureau's nomination.

C. Multiple nominations for a single nominee shall be considered as one nomination and be reviewed for the highest award for which nominated.

D. Nominations for awards for having won **non**-Division of Police awards shall not be considered unless the other awards demonstrate a pattern of especially meritorious service.

E. The Chief of Police shall regularly issue a Divisional Notice specifying the deadline for the award nominations.

F. The Awards Committee shall review the nominations and submit their decisions to the Chief of Police.

G. The Personnel Unit shall maintain a file of awards conferred on members of the Division and place a copy of the award in the member's personnel file.

II. Voting

A. The Awards Committee shall meet quarterly to review and vote on the nominations received. In addition, the Awards Committee shall convene at the direction of the Chief of Police to nominate worthy candidates for extra-divisional awards (i.e. Rotary Club Valor Award, Ohio Distinguished Law Enforcement Service Award).

B. A majority vote of the Awards Committee is necessary for an award presentation. In the event of a tie, the OIC of the Training Section shall serve as the tie-breaking vote. A **unanimous** vote of the Awards Committee is necessary for a Police Officer of the Year Award presentation. The Chief of Police shall be the tiebreaker for the Medal of Honor Award.

III. Awards Presentation

A. All Chief's and Commander's Letters, Special Commendation Awards and Auxiliary Police Awards and Medals shall be awarded at the District/Bureau level on a timetable established by the District/ Bureau Commander. These Awards/Letters are to be awarded at least annually.

B. The announcement of the recipients of other awards shall be by Divisional Notice. The Divisional Notice identifying recipients of the Medal of Honor, Medal of Heroism, Distinguished Service Medal, Police Star and Citizen Awards, shall identify the date time and location of the awards ceremony.

Nominees selected for these awards shall be presented their awards during a ceremony at a site selected by the Chief of Police. Commanders shall present the remaining awards.

C. All awards nominations shall be reviewed quarterly and awards presented bi-annually, except for the Police Officer of the Year Award, which shall be awarded annually.

EFL/TAH/MB/mg
Policy & Procedures
Appendix

DIVISION OF POLICE

CLEVELAND, OHIO

DIVISIONAL INFORMATION

DIST/BUR **ZONE** **DATE** _____ **20** _____
EXAMINED BY _____ **RANK** _____ **DATE** _____ **20** _____
FROM **TO**
SUBJECT **Awards Recognition Nomination**
COPIES TO **Administrative Operations**

Nominee: _____ **Rank/Badge:** _____
District/Unit: _____ **Work Phone:** _____
(citizen) Address: _____
Home/Work Phone: _____

AWARD: (Check one appropriate box)

Police Officer of the Year		Medal of Honor		Medal of Heroism		Citizen Award Plaque	
Distinguished Service Medal		Special Commendation Award		Police Star		Citizen Award Pin	
Chief's Outstanding Unit Award							

Please provide a **detailed** and **descriptive** account of the actions and events to support the nomination. Supporting documentation (police reports, letters, news accounts, etc.) may be attached. Note: Only one nominee per pre-structured form will be accepted, but supporting documentation for multiple nominees may be submitted as a package.

NARRATIVE

Respectfully,

_____

endorsements/comments:

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 01, 2002	December 28, 2016	1 of 9	1.1.15

SUBJECT:	
ALCOHOL AND DRUG POLICY	
ASSOCIATED MANUAL: MANUAL OF RULES	RELATED ORDERS: 1.1.13, 8.1.01
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

This General Police Order has been revised in its entirety

PURPOSE: To ensure that members of the Division of Police are fit for duty; promote workplace health and safety; deter the use of illegal drugs and the abuse of alcohol; encourage affected members to voluntarily seek assistance; and to direct supervisors how to enforce laws and Division regulations regarding employee drug and alcohol abuse.

POLICY: The Cleveland Division of Police seeks to promote a healthy and safe workplace. The Division also strives to ensure that all members adhere to all city, state, and federal drug and alcohol laws. The Division's policy is to deter the use of drugs and the abuse of alcohol through education, the Employee Assistance Unit (EAU), and the stress consultant; and detect drug and alcohol abuse among members, rehabilitate when suitable, or discipline members when appropriate.

Termination shall be the preferred option for members testing positive for the use of illegal drugs. Sworn members who are detained as the subject of an alleged criminal action outside of the City of Cleveland or who become the subject of a criminal investigation outside of the City of Cleveland shall immediately, through the Communication Control Section (CCS), notify their immediate supervisor, or the next available on-duty superior officer in their chain of command, or a superior officer at the district nearest to the location of the incident and provide full particulars of the incident.

DEFINITIONS:

Accident: is an unplanned, unexpected, or unintended event that occurs at or on a city worksite during an employee's work hours, or while conducting business for the city.

Drug Test: A urinalysis consisting of an initial screening step and a confirmation step employing the gas chromatography/mass spectrometry (GC/MS) and using urine samples to determine the presence of any drug or alcohol in the member's system.

Reasonable Suspicion: Rational inferences drawn from objective facts and/or specific circumstances that would lead a reasonable, intelligent and prudent person to believe the member was under the influence of, or using drugs or alcohol.

PROCEDURES:

I. Members who are drug and/or alcohol dependent are encouraged to voluntarily seek professional assistance through a treatment program supervised by the Medical Director and the EAU. Voluntary assistance should be sought before drug or alcohol abuse affects job performance and endangers fellow members or the public.

A. Participation in a substance abuse program does not preclude disciplinary action against members for a law or rule violation even if the violation is connected with drug or alcohol abuse and/or the rehabilitation program is voluntarily undertaken.

B. Participation in these employee assistance programs is voluntary and strictly confidential. The city administration, Division of Police, or any outside entity shall not have access to the program's files or records. Members shall advise the Chief of Police and the Medical Unit if hospitalized or if they become an outpatient as part of a drug or alcohol rehabilitation program. Upon written request of the participating member, rehabilitation efforts will be divulged on the member's behalf in cases of disciplinary action.

C. Permission to return to duty, following rehabilitative treatment, requires that the member actively continue in a Division recognized abuse program monitored by the EAU or the Medical Unit.

II. Alcohol/Drug Abuse Detection Methods.

A. **Self-identification -** Self-identification which leads to a specific rehabilitation program is encouraged.

B. **Training and Probationary Periods -** These tests shall occur, without advance notice, during the training period and probationary period. The Personnel Section officer-in-charge (OIC) or their designee shall schedule tests during the probationary period. The Training Section OIC or their designee shall schedule tests for recruits during the training period.

C. **Work-related Motor Vehicle Accident -** Members shall submit to drug and alcohol testing whenever they are involved in a work-related motor vehicle

accident that results in personal injury or property damage of $1,000 or more (See III.B)

D. **Random Drug/Alcohol Testing -** The Division shall maintain an alcohol/drug free workplace utilizing random alcohol/drug testing to ensure the safety and welfare of the member, other Division members, and the public. Selection and testing of bargaining unit members shall be governed by their appropriate collective bargaining agreements (See III.C)

E. **Prior to Assignment to Specific Units -** Prior to assignment to the Bomb Squad, Forensics Unit, Gang Impact Unit, Intelligence Unit, Narcotics Unit, SWAT Unit, Vice Units, Aviation Unit, and Public Safety Marine Patrol Team. The Personnel Unit shall schedule these tests.

F. **Return to Duty -** Upon return to duty after an absence from an unexplained illness, from a disciplinary suspension of 30 days or more, or upon re-appointment to the Division. The Medical Unit OIC or their designee shall schedule these tests.

G. **Return from Participation in Substance Abuse Program -** Upon return to duty after participation in a substance abuse program (regardless of the duration of the absence). Members shall also be tested on three random (without prior notification) occasions within a one-year period of the date returned to duty. The Medical Unit OIC or their designee shall schedule these tests.

H. **Reasonable Suspicion -** The Medical Director or a supervisor may order an alcohol/drug test upon reasonable suspicion of drug use or alcohol abuse (See III.A). Circumstances which may constitute reasonable suspicion include, but are not limited to:

1. An unexplained serious injury to a member.

2. Documented behavior that indicates a member is impaired or incapable of performing assigned duties (e.g., reduced productivity, changes in behavior or personality, high absenteeism, pattern of sick abuse with no medical basis).

3. When a member has an agitated, aggressive, or passive demeanor that is unexplained; rambling speech; incoherent or slurred speech; eyes which are bloodshot or dilated; breath with alcohol or marijuana odor;

unexplained lack of coordination or impaired reaction time; sweaty or flushed skin; a staggering or unsteady walk.

4. A complaint that, upon investigation, indicates the member is involved in the use, possession, or sale of drugs.

III. Alcohol/Drug Abuse Test Procedures.

A. Alcohol/drug tests due to **reasonable suspicion**.

1. A supervisor shall order an alcohol/drug test under any circumstances that suggest substance abuse by a member.

2. When an alcohol/drug test is warranted upon reasonable suspicion, the supervisor shall notify the Communications Control Section (CCS) shift supervisor.

3. The CCS shift supervisor shall notify Labor Relations for a testing determination. The CCS shift supervisor shall notify the requesting supervisor of Labor Relation's decision and further instructions.

4. The supervisor ordering the test shall:

a. Confiscate all firearms in the member's possession.

b. Ensure the member does not operate a motor vehicle.

c. Arrange for the member to immediately report to the designated medical facility.

d. Accompany the member and ensure the test is administered.

e. Complete the Division of Police Alcohol/Drug Screening Form (Attachment) documenting the factual basis of the incident.

f. Notify the district/bureau commander of the action taken.

g. Relieve the member from duty and place them on administrative leave pending the test results.

B. Alcohol/drug tests due to a **work-related motor vehicle accident**.

1. Members shall submit to drug and alcohol testing whenever they are involved in a work-related motor vehicle accident that results in personal injury or property damage of $1,000 or more.

2. The involved member shall notify their immediate supervisor when involved in a work-related motor vehicle accident.

3. The immediate supervisor shall respond to the accident scene and assess the injury and/or property damage. It shall be the supervisor's responsibility to assess damage and use their best judgment in making a determination of monetary damages.

   a. If the accident meets the criteria, the immediate supervisor shall notify the CCS shift supervisor.

   b. The CCS shift supervisor shall:

      1. Notify Labor Relations for testing determination and await a response.

      2. Notify the immediate supervisor of Labor Relation's decision and direction.

   c. Then the immediate supervisor shall:

      1. Instruct the member of the testing decision and protocols.

      2. If the accident meets the criteria, order the member to report to, and accompany the member to the testing location within 1 hour of the event being reported to the supervisor. The supervisor must show good cause if testing is not initiated within the 1 hour time frame.

4. Members shall be subject to discipline for a positive test as well as disqualification from Workers Compensation benefits if the member refuses post-accident testing or tests positive after an accident.

C. Alcohol/drug tests due to **random testing**.

1. The City of Cleveland's Personnel Department shall provide the Commander of the Bureau of Support Services with a list of randomly selected names of bargaining unit members to be randomly tested.

2. The Commander of the Bureau of Support Services shall provide copies of the list to the Chief and all Deputy Chiefs who in turn will be responsible for notifying the affected members under their command either directly or via the members' commanders as appropriate.

   a. Commanding officers shall be responsible for forwarding the names of selected members on the Random Drug Test Notification Forms in a secure envelope to the selected members' unit/platoon OIC.

   b. Commanding officers shall ensure that the forms reach the appropriate OIC in a timely manner and that the forms do not linger in a supervisor's in-basket.

   c. The Unit/platoon OIC shall open the envelope and personally inform selected members to report for testing. The OIC and the selected member shall sign the form and indicate the date and time of notification.

3. Members are excused from random testing if the member is:

   a. On regularly scheduled V-day or furlough day.

   b. Absent due to illness or injury.

   c. On pre-approved (approved prior to notification) compensatory time, personal holiday, or other time off.

   d. On military leave of absence, medical leave of absence, or funeral leaves.

   e. Attending mandatory or pre-approved outside agency training.

4. Members excused from testing are subject to future random testing.

5. Personnel selected shall report immediately with identification, as operational needs permit, to the medical facility designated as the testing site. The member shall have the notification form completed by a representative of the testing site by signing and filling in the date and time of the test.

6. Testing shall be completed before the member reports off-duty.

7. The member shall return the completed form to the OIC. The OIC shall ensure that the forms are forwarded to their commander's office in a timely manner.

8. When all of the bureau/district notification forms have been returned, the commander's office shall forward the original forms to the Commander of the Bureau of Support Services and a copy of each form to the Medical Unit.

9. Traffic controllers on a V-day or furlough shall be scheduled for testing upon their return to duty.

IV. Alcohol/Drug Test Sample Collection Procedures.

A. Within one hour of being ordered to test, members may consult with a union representative before testing.

B. Collection shall take place in a medical setting using procedures which minimize embarrassment or physical discomfort to the member and which ensures sample integrity.

C. Members ordered to submit to an alcohol/drug test shall provide identification to those collecting the sample. The member shall complete a form indicating the use of drugs currently being taken and name the prescribing physician.

D. Each step in the collecting and processing of the urine specimen shall be documented to establish procedural integrity. Testing personnel shall ensure specimen samples are sealed, labeled, and checked against the identity of the member.

E. The medical facility designated as the testing site shall release test results only to authorized personnel of the Medical Unit who have been so specified. The Medical Unit shall maintain the reports as confidential medical records.

1. Negative test results shall be reported immediately to the Chief of Police and the commanding officer of the member (This is not necessary for ordinary random drug testing). The member shall be immediately returned to regular duty status. The lab records and specimen shall be destroyed upon completion of the analysis.

2. Positive test results shall not be reported as such until results of the confirmation test are known. Samples shall be preserved until proceedings are complete.

   a. The Medical Unit OIC shall notify the Chief's Office of the possibility of a positive test result.

   b. The Chief's Office shall cause the member in question to be notified of the test status, and place the member on paid sick leave, vacation, compensatory time, or excused unpaid status until the results of the confirmation test are known.

   c. Positive test results that cannot be confirmed shall be treated as negative test results.

   d. The Medical Unit OIC shall report results that confirm the presence of alcohol or illegal/abused drugs to the Chief of Police.

      1. These test results are the basis for recommending disciplinary charges, which may include recommendation for termination of employment.

      2. At the time of the pre-disciplinary conference, a member found to be abusing a legally prescribed drug shall be permitted to enter a substance abuse rehabilitation program in lieu of termination, if this is the first instance of such use.

F. Refusal, Sample Adulteration, or Switching Samples

1. Members that fail to appear for or refuse to submit to an alcohol/drug test when ordered, under circumstances consistent with this order, or that adulterated or switched a sample shall:

a. Immediately surrender Division issued:

1. Firearms.

2. Identification card.

b. Have permission for use of personal weapons revoked.

c. Have permission to engage in secondary employment revoked.

d. Be subject to disciplinary charges, which may include a recommendation for termination of employment.

V. Alcohol/Drug Use Detection Responsibilities

A. A member with information of illegal use, possession, or sale of illegal drugs by another member shall immediately inform the Bureau of Integrity Control.

1. Upon receipt of such information, the Internal Affairs Unit OIC shall ensure that an investigation is conducted according to existing procedures.

2. Superior officers are subject to disciplinary action if they fail to detect drug use or alcohol abuse among those they supervise if:

a. Circumstances show that they knew or should have known of the use/abuse.

b. They fail to immediately act to correct the situation when they detect it.

Cleveland Division of Police
Alcohol/Drug Screening Form

Date:_____

Time:_____

Name:_____Badge/ID#_____

Assignment:_____

(Supervisor shall read the order and its basis to the member)

I order you at this time to submit a sample of your breath/urine to test for the presence of alcohol, illegal drugs or legal non-prescribed drugs. You will be placed on paid administrative leave until notified by the Medical Director or their designee.

If you refuse or otherwise fail to submit this sample, you are immediately relieved of duty. Permission to engage in secondary employment is automatically terminated. You shall immediately surrender Division issued weapons. Approval for personal weapon use is revoked. You are subject to disciplinary action that may include dismissal.

____ probationary police officer ____ police officer ____non-sworn member

For supervisors: Testing ordered on evidence of current intoxication requires relieving the member of all weapons, not permitting the member to drive and relief of duty once the sample is submitted.

Facts/circumstances that constitute reasonable suspicion and involve an otherwise unexplained:

____ police vehicle accident with serious injury to any person/property.
____ incident that results in serious injury to any person.
____ impairment visually observed.
____ determined by the Chief, Deputy Chief, Medical Director_____.
(NAME)

To Member:

I understand that I am ordered to submit a breath/urine sample. Refusal or failure to obey this order may subject me to disciplinary action including dismissal, and the results of this test may **only** be used for administrative purposes

Member's signature:_____

Type/print name of supervisor issuing order:_____

Signature of supervisor issuing the order:_____

Signature of supervisor indicating a refusal to sign, or list name(s) and signature(s) of other supervisor(s) who witness this order:

_____.

Summary of facts, circumstances, observations or documented behavior:

Date_____Time_____

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 01, 2002	December 28, 2016	1 of 1	1.1.16

SUBJECT:	
RANDOM ALCOHOL/DRUG TESTING	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

This General Police Order is rescinded.

Refer to General Police Order 1.1.15 Alcohol and Drug Policy.

(This page left intentionally blank)

CDW/jeh
Policy Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	DECEMBER 24, 2013	1 of 6	1.1.17

SUBJECT:	
TRAVEL AND TRAINING REQUESTS	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are in Italics

PURPOSE: To provide guidelines for Cleveland Division of Police members who request that the City pay or reimburse expenses for certain law enforcement related travel and training as a tour of duty.

POLICY: The Mayor or the Mayor's designee is the final authority for all training and travel requests involving expenditure of city funds. A Travel and Training Review Committee comprised of the Division's Deputy Chiefs shall review and make recommendations on **all** travel and training requests. *Commanders may, at their discretion, approve "no cost" travel and training that is not OPOTA or HIDTA.*

PROCEDURES:

I. Requests for Travel and/or Training

A. Only members on regular duty status may engage in travel and training that incurs an expense to the City. This requirement is also applicable to members who participate in "no cost" travel and training as a tour of duty.

B. Members who request to attend seminars, conferences, special courses, or certain special events **on duty** shall complete a Form-1 requesting permission. This Form-1 shall include:

1. Assignment, contact number (work, home, cell, or email), rank/job title and date of appointment.

2. Title of the course, objective, location and cost.

3. An official brochure, letter, or printed webpage describing the course and associated expenses.

4. An explanation of how attendance will benefit the Division.

5. Length of absence from regular duties.

6. List of expenses the officer is requesting the city to reimburse. See Anticipated Travel Expense Report (ATER) (Attachment A).

7. If requesting a city vehicle, list the vehicle identifiers.

8. Statement waiving overtime compensation incurred for any reason.

9. Members shall not accrue benefits in airline or hotel frequent traveler programs as a result of city-paid travel.

C. Members shall complete an ATER and attach it to the above described Form-1. The ATER shall indicate the maximum expense anticipated for the travel/training. The Budget Unit can provide assistance in completing the ATER.

D. Travel/training requests shall be submitted <u>eight weeks</u> before the event in order to provide sufficient time for obtaining approvals and processing the request. However, submitting a travel/training request within the eight week requirement does not guarantee a timely approval. Any deviation from this requirement, such as when opportunities present themselves on short notice, requires unanimous approval of the Travel and Training Committee. The Travel and Training Committee approval <u>does not</u> guarantee the request will be approved through the City process.

E. The requesting member's unit/platoon supervisor and commander shall include comments indicating the effect the member's absence will have on the unit/platoon.

F. *All* requests, *including no cost Ohio Peace Officer Training Academy (OPOTA) and High Intensity Drug Trafficking Area (HIDTA) training,* shall be forwarded through the chain of command to the respective Deputy Chief. Deputy Chiefs shall review and forward approved recommendations to the Travel and Training Committee for their consideration. *This ensures that training requests and approvals are properly documented.*

G. Upon approval by the Travel and Training Committee, the request shall be forwarded to the Chief's Office for final approval. Approved requests shall be forwarded to the Budget Unit for processing.

H. Members wishing to attend an OPOTA course must complete an OPOTA registration form and *forward it with the* Form-1. The OPOTA registration form must be signed by the Deputy Chief of Administrative Operations or the Commander of the Bureau of Support Services before a member may attend any OPOTA course. OPOTA will not accept any other supervisor's signature. The requisite signatures *shall be obtained after approval is granted from the Travel and Training Committee. These requirements apply* in **all** circumstances, regardless if the member is attending on-duty **or** off-duty, or is paying for the course with personal funds or is requesting the City to cover expenses**. In all instances, the member shall be held personally liable for all costs if the member fails to attend the class for which the member has registered without giving the proper five day cancellation notice to OPOTA**.

I. No-cost travel and training as a tour of duty *(non-OPOTA and non-HIDTA)*

1. No-cost travel and training is any planned absence from duty that is law enforcement related for which a member wishes to attend as a tour of duty.

2. Members who engage in no-cost travel and training as a tour of duty are required to submit a Form-1 detailing the nature of the travel and training, the purpose of attendance, length of absence, and a statement waiving any overtime.

3. No-cost travel and training requests may be approved by a member's commander. Approved Form-1's shall be routed directly to the Budget Unit for tracking.

II. Expenses

A. Expenditures are reimbursed on actual cost and will not exceed the total amount authorized on the Form-1 and ATER request.

B. Allowable Expenses:

1. *Transportation costs shall not exceed the lowest available airfare cost regardless of the mode of transportation.* All air travel shall be booked through the city's authorized travel agency, except when a pre-negotiated airfare, in connection with an event (conventions, conferences, etc.), would result in a *lower* cost to the city.

2. If automobile travel is the most efficient method of travel, a city vehicle may be approved for use if available.

3. A private auto may be used if a city vehicle is unavailable. Mileage reimbursement shall be based on the member's collective bargaining agreement. Reimbursement is limited to one driver. Two or more members traveling to the same destination are expected to carpool. The city does not provide insurance coverage for privately owned vehicles.

4. Mileage reimbursement shall not be given to attend classes at OPOTA's Richfield facility.

5. The *maximum* allowance for meals is $40 per day (Breakfast - $7, Lunch - $10, Dinner - $23). The allowance may be higher for certain high-cost metropolitan areas. Contact the Budget Unit for a complete list of such areas. Allowances are subject to change.

6. Registration, tuition, materials and supplies are paid directly to the training organization unless otherwise indicated in the member's Form-1 request.

7. Other expenses (e.g. bus/taxi fare, parking, tolls, etc.) shall be reimbursed only if accompanied by the original receipt.

C. Non-Allowable Expenses

1. The city will not reimburse optional airline travel insurance.

2. No allowance for lodging expenses may be claimed if the destination is within 60 miles of the member's residence.

3. The following lodging related expenses are not reimbursable:

a. A “guaranteed reservation” charge accrued due to member error

b. Incidental non-business expenses such as in-room movies, laundry, or valet services

c. Accommodations for spouses or family members

4. Optional insurance offered by the rental car agency.

5. Members shall not opt to pay for a full tank of gas at the time of vehicle rental (gas option). Members shall fill gas tanks before returning vehicles to avoid excessive gasoline charges by the rental companies.

D. Accounting of Expenses

1. Members **shall** submit a Travel Expense Report *(Attachment B)* to the Budget Unit **within 7 business days of completing their authorized travel and training.** Failure to submit an expense report in a timely manner ***shall*** result in a denial of reimbursement.

a. The report shall list all expenses. This includes airfare, registration, and/or lodging that may have been prepaid by the city. When applicable, cash advances shall be listed.

b. **Original receipts** *must have* sufficient detail ***to be eligible for reimbursement***.

c. A credit card statement is unacceptable as a receipt.

d. A copy of the airline ticket and itinerary shall be attached to the Travel Expense Report. Unused airline tickets shall be attached to the front of the Travel Expense Report.

e. The member and their immediate supervisor shall sign the Travel Expense Report and forward it, along with *required* documentation, to the Budget Unit.

2. Members owing money to the City shall forward reimbursement to the Budget Unit. Money orders payable to the City of Cleveland are the only acceptable form of payment. If the City owes money to the member, the Budget Unit shall process the necessary paperwork to reimburse the member.

3. The Budget Unit shall forward the original Travel Expense Report (with attachments) to the Director of Public Safety retaining a copy of all information forwarded documenting the travel and training expense.

III. Training Documentation - Members who receive training that results in a diploma, certification, or proof of attendance shall ensure that copies of same are forwarded through the chain of command to their respective Deputy Chief who in turn will forward same to the Personnel Unit and the Academy Unit for inclusion in the member's personnel and training files.

MM/ jeh
Policy & Procedures Unit
Attachments A & B

CLEVELAND DIVISION OF POLICE
ANTICIPATED TRAVEL EXPENSE REPORT

(MUST BE COMPLETED PRIOR TO TRAVEL - PAYMENTS SHALL NOT EXCEED ANTICIPATED EXPENSES)

NAME: _____ **BADGE:** _____ **ASSIGNMENT:** _____

CONTACT INFO: (WORK PHONE): _____ **(HOME/CELL/OTHER):** _____

TRAVEL DESCRIPTION (EVENT, DESTINATION, PURPOSE) _____

		SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	
DATE (MO/DAY/YEAR)									
EXPENSE CATEGORY:									**TOTAL**
LODGING (EXCLUDING MEALS)									
BREAKFAST	MAXIMUM PER DAY $_____								
LUNCH									
DINNER									
AIRFARE									
CAR RENTAL									
MILEAGE (# OF MILES X _____ REIMBURSEMENT PER BUDGET UNIT)									
MILES									
GASOLINE EXPENSE									
TAXI, BUS, TRAIN FARES, TOLLS									
REGISTRATION FEES									
OTHER (luggage)									
	TOTAL								

MEMBER SIGNATURE: _____ **DATE:** _____

CITY OF CLEVELAND RETAINS AUTHORITY TO WITHHOLD FUND FROM MY PAYCHECK FOR FAILURE TO COMPLY TO THE CITY'S TRAVEL POLICE

TRAVEL EXPENSE REPORT

EMPLOYEE NAME: _____ **DATE OF SUBMISSION:** _____ **DOCUMENT REFERENCE NO. TA**

DEPARTMENT: _____ **PURPOSE OF TRAVEL:**

DIVISION: _____ **TRAINING** _____

VENDOR NO: _____ **NON TRAINING** _____

EXPENSE DETAIL	SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	TOTAL
DATES COVERED								
LODGING (EXCLUDING MEALS)								
BREAKFAST								
LUNCH								
DINNER								
SUBTOTALS: **(meals only)**								
AIR LINE FARE								
CAR RENTAL								
TAXI, BUS, TRAIN, TOLLS, ETC.								
COST OF MILES @ _____ (PER BUDGET UNIT)								
NUMBER OF MILES DRIVEN								
TELEPHONE AND POSTAGE								
OTHER EXPENSES (ITEMIZE):								
REGISTRATION								
PARKING								
FUEL								
TOTALS:								

LESS:	
CASH ADVANCES RECEIVED (WARR# _____)	
CITY PAID EXPENSES (REGISTRATION FEE, AIRFARE, ETC.)	
BALANCE DUE CITY (EMPLOYEE)	

ATTACH ALL ORIGINAL RECEIPTS TO THIS FORM

TRAVELERS CERTIFICATION

I CERTIFY THAT THE STATEMENTS MADE HERON ARE TRUE, THAT THE MILEAGE LISTED WAS ACTUALLY DRIVEN ON CITY BUSINESS, AND THAT THE EXPENSES INCURRED WERE IN ACCORDANCE WITH THE CURRENT CITY TRAVEL POLICY STATEMENT.

SIGNATURE _____ DATE: _____

SUPERVISOR'S SIGNATURE: _____ DATE: _____

DIRECTOR'S SIGNATURE: _____ DATE: _____

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 1, 2002	April 9, 2013	1 of 3	1.1.18

SUBJECT:	
POLICE RECRUIT TRAINING STANDARDS	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

This order has been revised in its entirety.

PURPOSE: To establish training standards for police recruits who attend the Cleveland Division of Police Academy and for lateral police recruits who attend the Cleveland Division of Police Academy.

POLICY: The Ohio Peace Officer Training Commission (OPOTC) is the governing agency for all peace officer training in the State of Ohio. The Division of Police, consistent with OPOTC and the Ohio Administrative Code, requires police recruits to meet or exceed the minimum training standards for the Basic Peace Officer Training Course.

Lateral recruits must complete the entire Cleveland Division of Police Lateral Academy curriculum as established by the Training Section and the Chief of Police.

DEFINITIONS:

Lateral Recruit is a police officer that is hired by the City of Cleveland through the civil service process when no civil service list exists of candidates who have taken the City's written Civil Service Entrance Exam. Qualified lateral recruits, in part, already possess their OPOTC certification and have the requisite years of full-time police officer experience in the State of Ohio.

PROCEDURES:

I. The training standards for recruits are:

A. **Attendance:** The Division of Police shall not excuse recruits from mandatory courses. Recruits' absences shall not exceed 5% for non-mandatory classes.

B. **Notebook:** Recruits shall complete and submit to the school commander their academy notebook for inspection and approval. No recruit will be permitted

to take the state certification examination unless that recruit has received a satisfactory evaluation of his/her notebook.

C. **Psychomotor Skills:** Psychomotor skills, as defined by the OPOTC curriculum, must be successfully completed in order to pass the recruit training and sit for the state certification examination. Psychomotor skills include, but are not limited to: Firearms Training, Driving, Subject Control, First Aid, Stops and Approaches, Standardized Field Sobriety Testing and Physical Training.

Each recruit shall be permitted one test for each Student Performance Objective (SPO) and one retest if the recruit fails the initial attempt. Recruits who fail the initial test will be afforded a reasonable amount of remedial training prior to the retest.

D. **Academic Achievement:** The OPOTC will prepare, administer, and score each recruit's final examination. The recruit shall pass a final written examination prior to receiving certification as an Ohio Peace Officer. Students who fail the state certification examination will be permitted one retest, to be scheduled by the OPOTC Testing Division.

E. **Recruit Standards:** Recruits must meet all standards and SPOs as defined in the Recruit Manual of Rules and Regulations and the OPOTC course curriculum.

F. **Failure:** Failure to achieve any one of the requirements shall lead to disciplinary action and dismissal.

IV. The training standards for Lateral Recruits are:

A. **Attendance:** The Division of Police shall not excuse Lateral Recruits from any training courses. All missed classes must be made up before the completion of the Academy on the recruit's own time and at the discretion of the Training Section Officer-in-Charge (OIC).

B. **Notebook:** Lateral Recruits shall complete and submit a notebook to the OIC of the Training Section for inspection and approval. The Lateral Recruits notebooks must meet minimum OPOTC standards and be deemed satisfactory prior to completion of the Lateral Academy.

C. **Psychomotor Skills:** Each Lateral Recruit shall display proficiency in the psychomotor skills areas by completing the appropriate Student Performance Objective and no more than one (1) retest if the recruit fails the initial attempt. Lateral Recruits who fail the initial attempt will be afforded a reasonable amount of remedial training prior to the retest.

1. **Firearms Training:** Lateral Recruits shall display proficiency with the handgun and shotgun through successful completion of firearms testing. Lateral Recruits shall pass OPOTC standards for yearly requalification with the Division issued handgun and shotgun.

2. **Intermediate Weapons:** Lateral Recruits shall display proficiency with all intermediate weapons mandated by the Division of Police through successful completion of testing and certification as set forth in Division policy.

3. **Physical Training:** Lateral Recruits shall participate in physical training programs such as subject control, defensive skills, and physical-conditioning. Lateral Recruits are required to pass the Cooper Standards of fitness at 50% for the push-ups, sit-ups and the 1.5 mile run.

D. **Lateral Recruit Standards:** Lateral Recruits must meet all standards and SPOs as defined in the Lateral Recruit Manual of Rules and Regulations and the course curriculum.

E. **Academic Achievement:** Lateral Recruits shall take Cleveland Division of Police exams. A score of less than 80% will constitute a failure, requiring a retest. Failure of any retest may result in disciplinary charges.

F. **Failure:** Failure to achieve any one of the requirements shall lead to disciplinary action and recommendations for dismissal.

MM/stm
Academy Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	May 12, 2015	1 of 2	1.1.19

SUBJECT:	
BODY ARMOR	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.1.12, 1.1.25, 1.1.33
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

Substantive changes are in italics

PURPOSE: To provide guidelines for the use and maintenance of body armor.

POLICY: *The Division shall maximize member safety by providing and requiring the proper wearing of body armor*.

PROCEDURES:

I. *The Division shall issue body armor to sworn members and replace it according to the manufacturer's recommended serviceable replacement schedule.* The Division issued body armor shall comply with level IIIA of the National Institute of Justice.

II. *Members shall wear their body armor in compliance with manufacturer instructions (i.e. under the shirt or inside an approved external vest carrier over the shirt or outermost garment)*. Members shall wear body armor on duty unless:

A. The Medical Director determines that a medical condition precludes wearing body armor.

B. Involved in a plainclothes *or undercover* task, when an immediate supervisor concurs that wearing body armor could compromise the member's *duties*.

C. Engaged in administrative duties inside a police facility. Body armor shall be readily available regardless of a member's responsibilities.

D. Off-duty and attending court or consulting the prosecutor.

E. Attending or engaged in public speaking engagements.

F. *Instructing or attending approved training, unless wearing body armor is required by the curriculum.*

G. Determined by the Chief of Police.

III. Members shall properly store and clean body armor according to the manufacturer's instructions and inspect it daily for cleanliness *and* damage. Members shall report body armor loss, theft, or damage by Form-1.

A. *The Form-1 shall describe the circumstances of the loss, theft, or damage and request replacement*.

B. *The member's commander shall evaluate the request and make a recommendation to the deputy chief in their chain of command.*

C. *After reviewing the recommendation, the deputy chief shall:*

1. *Forward the original to the Vest Committee to order a replacement vest and possibly issue a loaner vest until the new vest is delivered.*

2. *If needed, forward a copy to the Bureau of Integrity Control for further investigation into the loss, theft, or damage*.

D. Members who lose *or damage* their body armor *in violation of the Manual of Rules shall be subject to reimbursing* the city according to current Division procedures and the following schedule:

New to 1 year old	5%	Depreciation
1 to 2 years old	15%	Depreciation
2 to 3 years old	40%	Depreciation
3 to 4 years old	75%	Depreciation
4 to 5 years old		$40.00 value
5 years and older		$ 0.00 value

IV. *Members that are terminated or leave the Division with pending discipline shall turn in their body armor*.

CDW/jeh
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
JANUARY 19, 2007	April 5, 2011	1 of 4	1.1.20

SUBJECT:	
EARLY INTERVENTION PROGRAM (EIP)	
ASSOCIATED MANUAL:	RELATED ORDERS: GPO 1.1.32
CHIEF OF POLICE: *Michael McGrath, Chief*	

Changes are not italicized as revisions are deletions only

PURPOSE: To create the Early Intervention Program (EIP) to actively intervene and provide guidance and assistance to members displaying changes in performance and/or diminished inter-personal skills. The intent of the EIP is to intervene before discipline is required. It is designed to prevent inappropriate conduct which may, without intervention, rise to a level where discipline becomes necessary.

POLICY: The Division of Police recognizes that a law enforcement career places stress on members and their families. In the belief that well adjusted members will deliver superior services to the community and have healthier interactions in their personal lives, the Division strives to create the best possible working environment for its members.

Member participation in the program is voluntary.

Any and all information/documents pertaining to an individual member's contact with the Early Intervention Program are confidential and are not subject to disclosure under the Ohio Public Records Act.

PROCEDURES:

I. Indicators:

A. The Early Intervention Program (EIP) identifies members who are the subject of one or more of the following:

1. Administrative charges (sustained by the Chief's Office).

2. Sick time abuse (sustained by the Chief's Office).

3. Office of Professional Standards (OPS) Complaints.

4. Use of Force incidents.

5. Internal Affairs Investigations.

B. Members shall be referred to EIP by the Occupational Medical Director of the Medical Unit when they exceed a pre-determined threshold of indicators. The threshold is the same for all members and is reviewed on a schedule set by the Chief.

C. Members may be referred to the Employees Assistance Unit by the Chief's Office, the employees' commander, or other concerned members of the Division of Police, whereupon, the Employees Assistance Unit will determine the appropriate response which may include contact with the Occupational Medical Director and inclusion in the EIP.

Files that are created as a result of a referral shall be confidential and shall be maintained by the Occupational Medical Director in a separate locked storage unit/area (e.g. filing cabinet/office) in the Medical Unit.

II. EIP Office Responsibilities

A. The EIP office is under the immediate supervision of the Employee Assistance Unit supervisor.

B. The EIP office shall maintain statistical records, be responsible for data entry and operation of the Employee Wellness Tracking System (EW-TRAK) and other responsibilities related to the EIP.

C. In instances where the assistance of the member's commanding officer is warranted, the EIP office shall produce an EIP package that shall be sent to the member's commanding officer for follow-up.

D. In instances where the assistance of the member's commanding officer is not an appropriate response, the EIP office shall ensure that the appropriate commanding officer is aware that a member under their command has entered the EIP.

III. Notification of Member's Commanding Officer and Response

A. Upon receipt of an EIP package, the commanding officer and the member's OIC or immediate supervisor shall meet within 72 hours to determine if intervention is appropriate.

B. If the commanding officer, after consultation with the member's OIC/immediate supervisor, determines that intervention is not appropriate, the commanding officer shall make a notation of "Intervention Not Merited" where indicated on the EIP response form and include a brief synopsis supporting the finding.

C. If the commanding officer, after consultation with the member's OIC/immediate supervisor, determines that intervention is appropriate or more information is required from the member to make that determination, the commanding officer shall schedule a meeting with the member within 72 hours. The member may have union representation at this or any subsequent meetings. An EIP officer shall be required to attend this meeting. The commanding officer shall be responsible for contacting the EIP office to give notice for the meeting.

1. Upon concluding the initial meeting, the commanding officer may determine:

   a. The need for training or retraining (and/or)

   b. A temporary change of shift, duty hours, partner or duty assignment may occur to assist the employee (and/or)

   c. That closer supervision or other action deemed appropriate by the commanding officer is warranted (or)

   d. That the EIP officer, in consultation with the Occupational Medical Director, shall initiate an appropriate intervention through the Employees Assistance Unit that may include referrals to a number of internal and external resources (or)

   e. That no action is warranted

2. If intervention by the EIP office is appropriate, the EIP officer shall submit monthly progress reports to the Occupational Medical Director for a minimum of six months.

IV. Exiting the Early Intervention Program

A. After six months, the EIP officer, in consultation with the member and the Occupational Medical Director, shall determine whether the member should exit the program or continue on a month-to-month basis.

B. Upon concluding the program, the EIP officer shall forward to the Occupational Medical Director an EIP summary report, including program synopsis, actions taken and results.

C. Upon concluding the program, the Occupational Medical Director shall advise the member's commanding officer of the final outcome of the member's involvement in the EIP.

MM/LM/JCO/mg
Policy & Procedures Unit

CLEVELAND DIVISION OF POLICE

EARLY INTERVENTION PROGRAM
Notification and Tracking Form

CONFIDENTIAL

Date	*Tracking Number*
Member's Name	*Badge Number*

INDICATOR(S):

Date	*Incident*	*Description*	*X*

('X' Indicates reports are attached)

	Signatures	*Date*
Commander notified by:	*EIP Member's signature*	
Member does not want to participate:	*Member's signature*	
Member voluntarily withdrew from plan of action:	*Member's signature*	
Intervention merited, reports are attached:	*Supervisor's signature*	
Intervention NOT merited (synopsis attached):	*Supervisor's signature*	

MM/TAH/JCO/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 1, 2002	September 10, 2012	1 of 1	1.1.21

SUBJECT:	
MAIL SERVICE	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are italicized

PURPOSE: To establish guidelines for the use of Cleveland Division of Police Mail Service *and the acceptance of United States Postal Service (USPS) mail*.

POLICY: Members shall use the Division Mail Service in a responsible and professional manner, *as well as accept certified mail as described herein*.

PROCEDURES:

I. Members shall use the Division Mail Service and Division letterhead **only** for official Division business.

II. Members shall route Division mail through the Division Mailroom.

III. Members shall **not** send personal mail at the City's expense.

IV. Mailroom personnel shall notify their supervisor upon receipt of unauthorized mail.

V. *Members shall accept certified mail only in the following circumstances:*

A. *Mail addressed to a specific City department (e.g. City of Cleveland Law Department). The word "Cleveland" must appear as part of the addressee*.

B. *Mail addressed to City officials at the commissioner/commander level or higher*.

MM/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 1, 2002	March 22, 2013	1 of 3	1.1.22

SUBJECT:	
DEADLY FORCE INVESTIGATION TEAM, USE OF (UDFIT)	
ASSOCIATED MANUAL:	RELATED ORDERS:
UDFIT MANUAL	1.3.16, 2.1.01, 2.1.02, 2.1.03, 2.1.06, 3.2.10, 4.1.05
CHIEF OF POLICE:	
Michael McGrath, Chief	

Substantive changes are italicized

PURPOSE: To establish *the authority and* duties of the Use of Deadly Force Investigation Team (UDFIT).

POLICY: The team shall be led by the Officer-in-Charge (OIC) of the Homicide Unit and be comprised of officers from the Homicide Unit, the Technical Section, and the *Integrity Control Section*. *When the team is deployed, it shall be recognized as having been granted full investigative authority by the Chief of Police. The team OIC shall report directly to the Chief of Police*.

DEFINITION:

Officer Involved Shooting *is an event that irrespective of injury, involves any firearm discharge by a police officer other than: authorized firearms training, an accidental shooting not resulting in injury or death, or the necessary destruction of a sick or injured animal.*

PROCEDURES:

I. The UDFIT shall immediately investigate the following:

A. All police officer involved shootings occurring within the jurisdiction assigned to the Cleveland Division of Police , regardless of the "on duty" or "off duty" status of the officer involved. The term police officer includes, without limitation, all City of Cleveland police officers and any other law enforcement officers (including federal agents, state and county enforcement officers, and any other police officer of a foreign agency.)

B. *Any discharge of an officer's firearm where the citizen or suspect is in control of or attempting to control the officer's firearm*.

C. Accidental firearm discharges resulting in injury or death.

D. *Firearm discharges as a defensive/enforcement action taken by a police officer against an animal taking aggressive action or being used as a weapon against the officer or innocent person (e.g. an attacking dog).*

E. Accidental firearm discharges occurring proximate to a citizen or suspect *where the officer was in control of the firearm*.

F. Striking a suspect with a firearm.

G. Head strikes with an impact weapon (e.g. ASP baton or any hard object).

H. *Any officer action that results in or is likely to cause death or serious physical injury. This includes any force or instrument of force (e.g. vehicle, edged weapon) that caused the death or serious injury.*

I. Use of the Beanbag Shotgun when a beanbag round has caused death or serious physical harm. Refer to General Police Orders 2.1.02 and 1.3.16 when death or serious physical injury does not result.

J. Use of a *Conducted Electrical Weapon (CEW* - Taser) that has caused death or serious physical injury. Refer to General Police Order 2.1.06 when death or serious physical injury does not result.

K. Use of a Division canine that has caused death or serious physical injury. Refer to General Police Order 3.2.10 when death or serious physical injury does not result.

L. In-custody incidents that result in death or serious physical injury.

M. Investigations as determined by the Chief of Police.

II. *The Use of Deadly Force Investigation Team (UDFIT) supervisor, or their designee, shall take over the Crime Scene Entry log when arriving on scene and note in the log any personnel not already listed. The UDFIT supervisor or their designee shall cause the log to be included in the investigative package.*

III. *UDFIT investigators have complete investigative authority to inspect any weapon or equipment of any officer who is or was at any use of deadly force scene, regardless of rank or position.*

IV. *The OIC or designee from UDFIT shall take custody of all firearms that were used or suspected of being used by Cleveland police officers in a use of deadly force incident. This directive applies to all law enforcement officers' use of deadly force to the extent that jurisdictional considerations allow (e.g. Federal agents, Ohio State Patrol). No firearm shall be surrendered in this manner until the scene is safe and secured.*

V. *Investigators from UDFIT shall cause the involved officer(s) to appear at the Homicide Unit where any or all secured items may be exchanged with replacement items. In addition, UDFIT may direct the involved officers to transfer to the Homicide Unit custody of their body armor, uniform, extra ammunition, leather gear, equipment, or other items as needed.*

VI. *Uses of Less Lethal Force that are immediately related to or occur concurrently with a Use of Deadly Force shall be handled by UDFIT. This is applicable in incidents when an officer employed both non-deadly and deadly force, as well as to officers who employed only non-deadly force during the same deadly force incident.*

VII. *The following incidents are <u>not</u> the responsibility of UDFIT but rather shall be handled through an Integrity Control Section call-up (refer to General Police Order 1.3.16 Integrity Control Section Call-up):*

A. *Accidental firearm discharges not resulting in injury or death <u>and</u> not involving citizens.*

B. *The necessary destruction of a sick or injured animal by a firearm.*

C. *Beanbag deployments not resulting in an injury or death.*

MM/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 1	1.1.23

SUBJECT:	
REPORTING CONTROVERSIAL INCIDENTS TO THE CHIEF'S OFFICE	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To provide Cleveland Division of Police members the ability, at all times, to report possible controversial or unfavorable incidents to the office of the Chief of Police.

POLICY: An incident that may involve the Division in controversy or cause unfavorable publicity shall be immediately reported to the office of the Chief of Police.

PROCEDURES:

I. Members shall immediately complete a Form-1, if they learn of an incident that may cause controversy or unfavorable publicity for the Division of Police. The member shall forward the Form-1 through their chain of command to the Chief's Office.

II. During the hours the Chief's Office is open, the incident shall be reported to the Chief's Office.

III. If the Chief's Office is closed, the incident shall be reported to the Public Information Officer.

EFL/TAH/LM/mg/aaf
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 1, 2002	January 4, 2014	1 of 10	1.1.24

SUBJECT:	
FIELD TRAINING PROGRAM	
ASSOCIATED MANUAL: Field Training Manual	RELATED ORDERS: 1.1.18, 1.1.31, 1.1.45
CHIEF OF POLICE: *Michael McGrath, Chief*	

This General Police Order has been revised in its entirety

PURPOSE: To establish guidelines for administration of the Field Training Program, selection and conduct of the Field Training Officers, and assignment, training and evaluation of Probationary Patrol Officers. It is the goal of the Field Training Program to produce patrol officers that can effectively meet the needs of the Cleveland Division of Police and the community in which they serve.

POLICY: The Cleveland Division of Police recognizes that the development of Probationary Patrol Officers (PPOs) in the field is a critical step in the learning process. Therefore, all PPOs will remain under the command of the Training Section until successful completion of this program. PPOs shall be detailed to Districts based upon the staffing needs of Field Operations. They shall be assigned to Field Training Officers (FTOs) based upon the developmental needs of the PPO as determined by the Field Training Coordinator (FTC). Upon completion of the Field Training Program, successful officers will be permanently assigned to their commands by the Chief of Police.

The selection, training and accountability of PPOs, FTOs, and STOs are vitally important and shall follow the process outlined in this order.

DEFINITIONS:

Field Training Committee: A committee chaired by the Field Training Coordinator responsible for the selection and oversight of Field Training Officers. In addition to the Field Training Coordinator, the committee shall include at least one member from Field Operations, the Training Section, the Fraternal Order of Police and the Cleveland Police Patrolmen's Association.

Field Training Coordinator (FTC): The supervisory officer assigned to the Training Section who is tasked with the administrative and supervisory duties of the Field Training Program.

Field Training Officer (FTO): A certified patrol officer who is tasked with the teaching, coaching, mentoring, and evaluation of the Probationary Patrol Officer.

Probationary Patrol Officer (PPO): A patrol officer, assigned to the Training Section, who is tasked with completing all requirements of the Field Training Program as directed by the Chief of Police.

Supervisory Training Officer (STO): A certified supervisory officer of any rank who is tasked with ensuring that Field Training Officers and Probationary Patrol Officers are adhering to the standards and directives of the Field Training Program. STOs shall take an active role in the mentoring and evaluation of both the PPOs and FTOs.

PROCEDURES:

I. The Field Training Program

A. PPOs will be sworn in and presented their badge after completion of the Cleveland Police Academy prior to beginning the Field Training Program.

B. The Field Training Program will last twenty-five weeks (probationary period) and be broken into five distinctive Phases. The probationary period Phases are an extension of the two basic academy Phases. The Phases are in place to provide guidance for the FTO and PPO as to what skills and tasks they should be focusing on. At no time will completion of Phase requirements supersede safety or tactics.

1. Phase 1 (Basic Academy: Recruit Phase): Phase 1 represents the beginning of the basic academy and focuses on core academy subjects as determined by Ohio Peace Officer Training Academy curriculum.

2. Phase 2 (Basic Academy: Transitional Recruit Phase): Phase 2 focuses on transitioning recruits into the post-academy period where tactics, mindset and critical thinking become a priority.

3. Phase 3 (Patrol: Orientation Phase): Phase 3 lasts one week. The PPO will be assigned as the third officer on a two-officer car with at least one of the officers being a certified FTO. Phase 3 will be for observation and

familiarization. There is no checklist or evaluation associated with the Orientation Phase.

4. Phase 4 (Patrol: Special Response Phase): Phase 4 lasts five weeks. The PPO and FTO are assigned as a Special Response (SR) car to focus on foundational skills. The FTO and PPO will be considered a SR car and shall be considered as such for dispatched assignments and back-up purposes. From this phase forward, the PPO must pass all required task and evaluative standards as outlined in the Field Training Manual. The PPO shall be positively recommended for advancement by the FTO, STO, and the FTC prior to advancement to the next Phase and graduation from the program.

5. Phase 5 (Patrol: Two-Officer Dispatch Phase): Phase 5 lasts eight weeks. The PPO will be assigned as a two-officer car in company with a FTO. Phase 5 will focus on basic two-officer zone car related skills (investigations, interviews, arrest procedures, verbal de-escalation, etc.).

6. Phase 6 (Patrol: Two-Officer Self-Initiated Phase): Phase 6 lasts eight weeks. The PPO will be assigned as a two-officer car in company with a FTO. Phase 6 will focus on advanced two-officer zone car related skills (on-view criminal activity, community policing, drug activity, OVI enforcement, etc.).

7. Phase 7 (Patrol: Shadowing Phase): Phase 7 lasts three weeks. The PPO will be assigned to a FTO. The purpose of this phase is to ensure that the PPO has acquired the skills necessary to perform the tasks of a patrol officer without direct supervision by a FTO. Two of the weeks the PPO and FTO will act as a two-officer car with the PPO taking primary action. One of the weeks the PPO will be assigned as a SR car with the FTO acting as a plain clothes observer. The mandatory one-week assignment as a SR car can be assigned during any of the three weeks of Phase 7 at the discretion of the platoon commander.

C. Failure to Advance Phases: The recommended duration of the Phases can be altered with the understanding that some PPOs will need more attention during particular Phases of the Field Training Program. The FTC will monitor all Phase extensions to ensure the PPO is given every opportunity to successfully complete the program.

1. Beginning with Phase 4, a PPO's failure to accomplish all requirements of the Phase will automatically extend the Phase by two weeks. This can also be accomplished upon recommendation by a FTO or STO. The FTC may reassign the PPO to a new FTO. At the end of the two week extension, the FTO will complete another Phase evaluation.

2. A second failure to graduate from the current Phase shall cause the PPO to be returned to the Police Academy under the care of the FTC for one week. The PPO will be assessed for any deficiencies and provided retraining.

3. Upon completion of the retraining, the PPO shall be returned to the field for another two-week evaluation of the Phase by a FTO.

4. Failure to graduate from the Phase after this reassessment shall be cause for the FTC to recommend termination from the Division.

D. PPOs will be detailed to various shifts and Districts throughout the course of the Field Training Program at the discretion of the FTC. Changes in detail will occur at the beginning of each Phase.

E. Extension of the Field Training Program to allow for successful completion of all Phases shall be scheduled and monitored by the FTC.

F. Court appearances are a necessary part of Field Training. PPOs may attend court in the company of their FTO up to six (6) times and no more than two (2) times per court (Municipal, State and Juvenile). This may be done on either the FTO's or PPO's subpoena. Training opportunities that would exceed the six shared court appearances shall be at the discretion of the Platoon Commander.

G. Upon successful completion of the Field Training Program, the PPOs shall be given their assignments by the Chief of Police.

II. FTO Selection and Certification

A. The FTO selection process shall be done no less than once per year and will be announced by Divisional Notice.

B. FTOs shall be at least a Patrol Officer I.

C. The FTO selection process shall follow these procedures:

1. An application will be completed as directed by Divisional Notice.

2. Two references from direct supervisors must be included.

3. Recommendations will be forwarded through the chain of command for approval to be considered for the program.

4. Background information will be compiled by the FTC for review by the Field Training Committee. That information can include, but not be limited to, discipline history, sick time use, and performance evaluations.

5. The candidate will interview with the Field Training Committee.

6. The Field Training Committee shall approve/disapprove assignment as a FTO.

D. Certification

1. Certification will be conducted by the Training Section using current relevant curriculum as determined by the FTC and approved by the Chief of Police.

2. The certification course will include testing covering the course material, General Police Orders (GPOs) and other policy and procedures. The candidate must pass all testing with a minimum score of 70% to be approved as a FTO.

3. FTO certification is valid for three years.

4. FTOs may be decertified by a majority decision of the Field Training Committee for just cause.

E. Recertification of FTOs will be conducted by the Training Section based on current standards as outlined by the FTC and approved by the Chief of Police.

III. Field Training Officer Responsibilities

A. The FTO will complete the training of the PPO in a manner consistent with certification training, the Field Training Manual and under the direction of the FTC.

B. All FTOs are subject to serve as a FTO for a PPO or for the Return to Duty Program. Refusal may result in decertification of the FTO.

C. FTOs shall wear on their uniform at all times the insignia chosen by the Chief of Police to indicate they are a Field Training Officer. The insignia for a FTO shall be a single blue chevron with a rocker. FTO chevrons are sewed ¼" below the shoulder patch.

D. FTOs may be utilized for training of recruits during Phase I or Phase II. FTOs and STOs who are directly involved in the training of recruits in this manner shall be compensated as a FTO/STO per their Collective Bargaining Agreement.

E. Evaluations

1. FTOs shall complete the Daily Observation Report (DOR) as directed in the Field Training Manual. The DOR (Attachment A) shall be submitted weekly through the chain of command with proper endorsements.

2. FTOs shall complete the End of Phase Observation Report (Attachment B) at the conclusion of all Phases beginning with Phase 4. This report will be submitted through the chain of command with proper endorsements.

F. FTOs will be given priority consideration in temporary details to basic academy classes to act as instructors or role-players. This acquaints the recruits with the FTOs and provides the FTOs with supervised opportunities to learn new teaching and coaching techniques.

G. Conduct

1. All FTOs must commit to the philosophy of teaching. The FTO must realize that training is the first priority and the evaluation is secondary.

2. The FTO will bear responsibility for the progress of the PPO, or lack of it, until the FTO is sure that other factors are the cause of the PPO's performance. The FTO will be expected to assist the FTC with the planning and implementation of retraining a PPO.

3. The FTO must conduct themselves as a role model. The FTO will consistently exemplify the attributes of a professional patrol officer.

4. No officers shall set up live action training scenarios or training exercises in the field.

5. The FTOs will utilize any down time to teach, test, and evaluate the PPOs knowledge in all job tasks.

H. The relationship between a FTO and PPO will be that of a teacher and student. Therefore, the following will be expected:

1. The relationship will be one of mutual respect.

2. PPOs shall not be harassed, intimidated, intentionally embarrassed or treated in a demeaning manner.

3. FTOs and PPOs shall not fraternize while off-duty. This is to maintain a proper teacher/student relationship and to ensure that objectivity is maintained at all times.

I. The FTO will conduct training for the Return to Duty Program and complete all required documentation as outlined in GPO 1.1.45.

J. FTOs shall be compensated per their Collective Bargaining Agreement.

IV. Supervisory Training Officer Responsibilities

A. STOs shall be certified through the same program as the FTO with additional attention to their responsibilities and peer training. Selection to attend the certification training will be made by the supervisor's commanding officer. STO certification will last for three years and be subject to the same recertification process as described for FTOs. STOs may be decertified by a majority decision of the Field Training Committee for just cause.

B. STOs of the rank of Sergeant shall wear on their uniform at all times the insignia chosen by the Chief of Police. The insignia for a Sergeant STO shall be three blue chevrons with a single rocker.

C. Priority for daily assignment as a STO shall be given to <u>certified</u> STOs.

D. STOs shall monitor the progress of PPOs by direct observation, report review, and consultation.

E. The STO shall work one-on-one with the PPO (riding with them) at least once during each Phase.

F. The STO shall ensure that the PPO is progressing according to the current Phase requirements by regular review of the PPO checklist and ensuring that the PPO is engaged in Phase appropriate tasks.

G. If the assigned FTO is absent, the STO shall ensure that the PPO is assigned to a certified FTO as a temporary substitute. If a certified FTO is not available, the PPO can be assigned to a STO or an officer selected by the STO. An absence of the assigned FTO for longer than one week shall be reported to the FTC by the platoon commander.

H. Evaluations

1. The STO shall ensure that the DOR is submitted weekly by the FTO. The STO shall review the form, complete the section intended for the STO, and submit it through the chain of command. The original shall be forwarded to the FTC by the District Commander with additional copies retained by the PPO and the District.

2. The STO shall ensure the End of Phase Observation Report is completed when appropriate. The STO shall review the form and provide recommendations as to whether or not the PPO is qualified for advancement. The original shall be forwarded to the FTC by the District Commander with additional copies retained by the PPO and the District.

3. If the STO disagrees with a FTO's evaluation of the PPO, they are to document it on the observation report in the appropriate section. A Form-1 report may also be submitted with the evaluation if further explanation or documentation is needed. All original forms will be forwarded to the FTC by the District Commander. Under no circumstance shall the FTO's evaluation be altered.

V. Probationary Patrol Officer Responsibilities

A. The PPO will be responsible to the Training Section and the command they are detailed to during the Field Training Program.

B. The PPO shall not engage in secondary employment prior to graduating from the Field Training Program.

C. The PPO shall not be permitted to take a non-emergency discretionary day off without prior approval from the platoon commander. Any days absent from the Field Training Program are subject to being made up by extension of the Field Training Program.

D. The PPO shall obey any lawful order given by their FTO.

E. PPOs who fail to adhere to the direction of their FTO shall be considered insubordinate.

F. PPOs shall maintain a Phase checklist provided by the FTC. The checklists shall be kept in a neat and orderly manner. The checklists must be made ready for inspection at the request of the FTO, STO or any member of the Training Section.

G. PPOs shall maintain a probationary notebook which will include, but not be limited to: all phase checklists, required documentation as indicated on the phase checklist, required documentation as outlined in the Field Training Manual and any other items as instructed by the FTC.

H. The notebook will be provided for inspection at the direction of the FTO, STO or any member of the Training Section. The notebook shall be submitted by the PPO for review when ordered to do so by the FTC and prior to graduation from the Field Training Program.

I. The PPO will complete evaluations of their FTOs as directed by the FTC.

VI. Field Training Coordinator Responsibilities

A. The FTC will report to the OIC of the Training Section.

B. The FTC will be the chairperson for the Field Training Committee and will hold committee meetings for the purposes outlined in this order and the Field Training Manual.

C. The FTC will be responsible for conducting the selection process of FTOs and STOs.

D. The FTC will create and amend the curriculum for the FTO certification classes based on current law enforcement practices and standards. The curriculum will be subject to approval by the Chief of Police.

E. The FTC will be responsible for scheduling and conducting (with the assistance of appropriate instructors) certification classes.

F. The FTC will be responsible for the assignment of PPOs to appropriate FTOs for each Phase. All Phase assignments will be submitted to district commanders no less than fourteen days prior to the beginning of the Phase. Although individual details will be determined by the FTC, the staffing levels will be done based on staffing needs as directed by the Deputy Chief of Field Operations. Details will be made with the following considerations: the learning needs of the PPO, the teaching skills of the FTO, the willingness of the FTO to engage in the program, evaluations of the FTO and consultation with shift supervisors.

G. The FTC will maintain the following records in relation to the Field Training Program.

1. All Daily Observation Reports.

2. All End of Phase Observation Reports.

3. All retraining and assessments of PPOs.

4. Certifications for FTOs and STOs.

5. Lesson plans for all certification and retraining courses.

H. The FTC shall send a copy of the End of Phase Observation Report to the Civil Service Commission and the Personnel Unit.

I. The FTC may conduct on-site evaluations/inspections of PPOs and FTOs.

J. The FTC is responsible for the remedial training of PPOs.

K. The FTC will maintain the Field Training Program and make recommendations for any changes based on the Division's needs or current practices and standards. The FTC may introduce new programs dealing with Field Training for testing on a small scale with the approval of the Chief of Police.

MM/bk
Training Section
(Attachments A-B)

CLEVELAND DIVISION OF POLICE

END OF PHASE OBSERVATION REPORT

PART I - ADMINISTRATIVE DATA

(PPO) NAME OF PROBATIONARY POLICE OFFICER (LAST, FIRST, M.I.)	BADGE	SIGNATURE	DATE
(FTO) NAME OF FIELD TRAINING OFFICER (LAST, FIRST, M.I.)	BADGE	SIGNATURE	DATE

DISTRICT	SHIFT	Z/C #	V-CLASS	PHASE: (CHECK ONE)	☐ PHASE 4 SR CAR	☐ PHASE 5 2PO CAR I	☐ PHASE 6 2PO CAR II	☐ PHASE 7 SHADOW

PART II - PHASE OBSERVATIONS

	1	2	3	4	5	6	7	SCORE
CORE VALUES	☐ Refuses to Work ☐ Grooming ☐ Belligerent ☐ Not Team-Player ☐ Sees Career as Job	☐ Argumentative ☐ Dirty ☐ Arrogant ☐ Antagonistic ☐ Unprofessional	☐ Accepts Criticism ☐ Grooming Within Regulations ☐ Courteous ☐ Follows Chain-of-Command ☐ Active Interest in Career	☐ Applies Criticism in Making Corrections ☐ Uniform / Equipment Clean ☐ Friendly ☐ Respcts FTO/Superiors ☐ Takes New Responsibility Serious	☐ Empathetic ☐ Group Membr	☐ Solicits Criticism to Improve Performance ☐ Tailored Uniform ☐ Rapport w/ Public ☐ Peer Leadr ☐ Furthers Knwledge Off-Duty	☐ Spit-Shined Shoes ☐ Remains Objective ☐ Supprtive ☐ Assists Others ☐ High Ideals	
PATROL PROCEDURS	☐ Improper Search ☐ Contaminates Evidence ☐ Cannot Read Map ☐ Improper Equip Check ☐ Unsafe Traffic Stop	☐ Not Control Suspect ☐ Loses Evidence ☐ Becomes Disoriented ☐ Fails to Bad Order ☐ Doesn't Notify Radio	☐ Proper Search ☐ Properly Marks/Tags/Enters Evidence ☐ Aware of Location ☐ Complete Pre/Post Tour Inspections ☐ Alerts Partner of Suspects/Contraband	☐ Checks Vehicle After Transport ☐ Establishes Crime Scene ☐ Good Sense of Direction ☐ Documents Inspection Results ☐ Stops Vehicle in Proper Area	☐ Completes Pre-Booker ☐ Utilizes Map Effectively	☐ Catalogues Arrests ☐ Uses Field Test Kit ☐ Memorized Streets ☐ Cleans Vehicle ☐ Violator Thanks PO	☐ Keeps Arrest Files ☐ Uses Evidence Tools ☐ Uses Quickest Route ☐ Checks Tire PSI ☐ Assists Into Traffic	
COMMUNCTN	☐ Cannot Use Computer ☐ Uses Incorrect Forms ☐ Duty Rpt Contains Errors ☐ Misses Call # ☐ Omits RMS Report Detail	☐ Forget Passwords ☐ Contains Errors ☐ Needs Assist ☐ Asks for Txmsn Repeat ☐ Poor Spelling	☐ Navigates Databases ☐ Uses Correct Divisional Form ☐ Completes Without Assist ☐ Understands Most Radio Traffic ☐ Report Contains Required Info	☐ Completes Log-On Procedures ☐ Completes Form Accurately ☐ Few (If Any) Errors ☐ Clear ☐ Legible	☐ Uses MDT ☐ Duty Report Concise ☐ Concise ☐ Reasonable Completion Time	☐ Assists Others ☐ Refers to Right Form ☐ Detailed Disposition ☐ Clear Under Stress ☐ Proofreads Report	☐ Troubleshoots Computer ☐ Highly Accurate ☐ Always Caught-Up ☐ Txmsn Thought Out ☐ Easy to Understand	
PROF KNLDG	☐ Cant Recall Case Law When Prompted ☐ Cant Recall Common Criminal Codes ☐ Cant Find GPO's	☐ Unaware of Policy	☐ Applies Case Law to Search & Seizure ☐ Recognizes Common Codes ☐ Knows Essential GPO's	☐ Applies Case Law to Arrest ☐ Easily Locates Codes In ORC/MC Book ☐ Easily Locates GPO	☐ Knows Essential Policy	☐ Self-Initiates Further Education of Case Law ☐ Reviews Codes Daily ☐ Reviews GPO's Daily	☐ Memorized Codes ☐ Memorized GPO's	
TACTICS	☐ Enters Building Alone ☐ Physically Weak ☐ Involved in MVA ☐ Tired ☐ Poor Officer Safety ☐ Cuffs In Front ☐ Misses Weapons or Drugs During Search	☐ Muzzles Partner ☐ Too Little/Much Force ☐ Loses Control ☐ Loses Focus ☐ Ignores Procedures ☐ Cuffs Too Tight / Loose	☐ Notifies Radio of Building Search ☐ Maintains Control ☐ Maintains Control During Emergency Driving ☐ Displays Mental Preparedness ☐ Assesses Situation Accurately ☐ Dbl Locks Cuffs ☐ Proper Search Techniques	☐ Maintains Visual w/ Partner ☐ Properly Uses Techniques ☐ Well Rested ☐ Applies Cuffs Properly	☐ Patient ☐ Notifies Boss of UOF ☐ Reacts Properly ☐ Eagar to Engage in Duty ☐ Follows Accepted Safe Procedures ☐ Cuffs Suspect Behind Back ☐ Controls Suspect During Search	☐ Uses Non-Stand Equip (Mirror, Rope, Etc) ☐ Voice Controls ☐ Abnormal Skills ☐ Anticipates Actions of Others ☐ Always Works Safely ☐ Carries Spare Cuff/Key ☐ Wears Protective Gloves	☐ Controlled Under Stress ☐ Relaxed During Stress ☐ Motivated ☐ Foresees Problems ☐ Key Hole "UP" ☐ Systematic	

CLEVELAND DIVISION OF POLICE

END OF PHASE OBSERVATION REPORT

(PPO) NAME OF PROBATIONARY POLICE OFFICER (LAST, FIRST, M.I.)	BADGE	DISTRICT	SHIFT	Z/C #
(FTO) NAME OF FIELD TRAINING OFFICER (LAST, FIRST, M.I.)	BADGE	PHASE: (CHECK ONE)	☐ PHASE 4 SR CAR ☐ PHASE 5 2PO CAR I ☐ PHASE 6 2PO CAR II ☐ PHASE 7 SHADOW	

PART III - PHASE EVALUATION

CIRCLE THE PERCENTAGE OF WORK ACCOMPLISHED WITHOUT ASSISTANCE

10% 20% 30% 40% 50% 60% 70% 80% 90% 100%

Relies Heavily on FTO for Guidance ⟷ ***Works Independently of FTO***

PHASE COMPLETED ⇨	***PHASE IV - SR CAR Minimum / Actual Scores***	***PHASE V - 2 PO CAR I Minimum / Actual Scores***	***PHASE VI - 2 PO CAR II Minimum / Actual Scores***	***PHASE VII - FINAL EVALUATION Minimum / Actual Scores***
% of Work Without Assistance	***30% / _____%***	***60% / _____%***	***80% / _____%***	***100% / _____%***
Core Values Score	***3 / _____***	***4 / _____***	***4 / _____***	***5 / _____***
Patrol Procedures Score	***2 / _____***	***3 / _____***	***4 / _____***	***5 / _____***
Communication Score	***2 / _____***	***3 / _____***	***4 / _____***	***5 / _____***
Professional Knowledge Score	***2 / _____***	***3 / _____***	***3 / _____***	***4 / _____***
Tactics Score	***3 / _____***	***4 / _____***	***5 / _____***	***5 / _____***

FIELD TRAINING OFFICER (FTO) REVIEW

The Probationary Officer EXCEEDED expectations in the following areas:

The Probationary Officer DID NOT MEET expectations in the following areas:

FTO Recommendation

☐ *I Recommend Advancing the Probationary Officer to the Next Phase*

☐ *I Recommend Addittional Training in the Current Phase*

FTO Name / Badge	FTO Signature / Date

SUPERVISOR TRAINING OFFICER (STO) REVIEW

STO Recommendation

☐ *I Recommend Advancing the Probationary Officer to the Next Phase*

☐ *I Recommend Addittional Training in the Current Phase*

STO Comment(s):

STO Name / Badge	STO Signature / Date

FIELD TRAINING COORDINATOR ENDORSEMENT

☐ *Probationary Officer is Passed to Phase _____*

☐ *Probationary Officer is Retained in Current Phase for _____ Days*

☐ *Probationary Officer is Re-Assigned to the Academy for Further Training*

☐ *Termination is Recommended for Probationary Officer*

☐ *Other _____*

FTC Signature/Badge/Date	Commander BSS/Signature/Date

CLEVELAND DIVISION OF POLICE

FIELD TRAINING PROGRAM DAILY OBSERVATION REPORT

PART I - ADMINISTRATIVE DATA

(PPO) NAME OF PROBATIONARY POLICE OFFICER (LAST, FIRST, M.I.)	BADGE	SIGNATURE	DATE
(FTO) NAME OF FIELD TRAINING OFFICER (LAST, FIRST, M.I.)	BADGE	SIGNATURE	DATE

DISTRICT	SHIFT	Z/C #	V-CLASS	PERIOD COVERED:	FROM	THRU

PART II - DAILY OBSERVATIONS

Complete a rating for each of the skill areas. When providing comments, indicate the number of the skill and then the comment(s)

E = Exceeds Expectations M = Meets Expectations N = Needs Improvement U = Unobserved

		Date →	M:				T:				W:				Th:				F:				Sa:				Su:			
		Task	E	M	N	U	E	M	N	U	E	M	N	U	E	M	N	U	E	M	N	U	E	M	N	U	E	M	N	U
CORE VALUES	1	Acceptance of Constructive Criticism																												
	2	Appearance & Personal Equipment																												
	3	Customer Service																												
	4	Interaction with Police Personnel																												
	5	Reports On-Time																												
	6	Work Ethic																												
PATROL PROCEDURES	7	Arrest Procedures																												
	8	Evidence Procedures																												
	9	Non-Emergency Driving																												
	10	Orientation																												
	11	Self-Initiated Activity																												
	12	Vehicle & Equipment Check																												
	13	Vehicle Stops																												
COMMNCTN	14	Computer / MDT Usage																												
	15	Divisional Forms																												
	16	Duty Reports																												
	17	Radio Communications System																												
	18	RMS Reports																												
PROFSNL KNWLDG	19	Case Law & Legal Knowledge																												
	20	Knowledge of GPO's & Policies																												
	21	Knowledge of Municipal Codes																												
	22	Knowledge of ORC																												

CLEVELAND DIVISION OF POLICE

FIELD TRAINING PROGRAM DAILY OBSERVATION REPORT

(PPO) NAME OF PROBATIONARY POLICE OFFICER (LAST, FIRST, M.I.)	BADGE	SIGNATURE	DATE

PART II - DAILY OBSERVATIONS (continued)

Complete a rating for each of the skill areas. When providing comments, indicate the number of the skill and then the comment(s)

E = Exceeds Expectations M = Meets Expectations N = Needs Improvement U = Unobserved

		Date →	M:				T:				W:				Th:				F:				Sa:				Su:			
		Task	E	M	N	U	E	M	N	U	E	M	N	U	E	M	N	U	E	M	N	U	E	M	N	U	E	M	N	U
TACTICS	23	Building Searches																												
	24	Control of Conflict: Use of Force																												
	25	Control of Conflict: Verbal De-Escalation																												
	26	Emergency Driving																												
	27	Mental Preparedness																												
	28	Situational Assessment																												
	29	Suspect Control / Cuffing																												
	30	Suspect Pat-Down / Search																												

PART III - REVIEW & CORRECTIVE ACTION

FIELD TRAINING OFFICER (FTO) REVIEW	***SUPERVISOR TRAINING OFFICER (STO) REVIEW***
Identify areas that EXCEED EXPECTATIONS (provide examples by task number & date)	*Probationary Officer STRENGTHS:* *Is this trend supported by other FTO reviews?* *YES* ☐ *NO* ☐
Identify areas that DO NOT MEET EXPECTATIONS (provide examples by task number & date)	*Probationary Officer WEAKNESSES :* *Is this trend supported by other FTO reviews?* *YES* ☐ *NO* ☐
Identify areas where RETRAINING MAY BE NEEDED (provide examples by task number & date and the type of retraining you feel is appropriate)	*Identify any RE-TRAINING provided as a result of this evaluation (including type of training performed / who performed training / date training performed / etc…) on a separate Form-1*
	STO Name / Badge | STO Signature / Date

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 01, 2002	June 29, 2010	1 of 6	1.1.25

SUBJECT:	
SECONDARY EMPLOYMENT	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are in italics

PURPOSE: To regulate secondary employment for personnel of the Cleveland Division of Police, and to specifically prohibit certain types of employment.

POLICY: Upon written permission by the Chief of Police and the Director of Public Safety, Division members may engage in secondary employment if the work does not interfere with Division employment and there is no conflict of interest between the work and the Division. The Chief of Police or the Director of Public Safety may at any time revoke authorization to work secondary employment based upon the operational needs of the Division.

The rules and regulations of the Division govern its members when engaged in secondary employment. Violation of the provisions of this order may incur immediate termination of secondary employment permission and subject the member to disciplinary action.

Officers shall carry their Division issued OC Spray, ASP Baton, and Taser. Officers shall wear their issued body armor when working a secondary employment of a police nature.

Secondary employment shall be limited to 16 hours of combined regular duty and secondary employment in any rolling 24 hour period. This provision is not applicable to secondary employment engaged in during weeks of furlough actually taken. Deviation from these limits shall be granted only by written permission of the Chief of Police.

The Cleveland police uniform is authorized for approved secondary employment of a law enforcement nature within the City of Cleveland. Officers shall not wear the Cleveland police uniform for employment outside of the city. The use of Division issued firearms and intermediate weapons for secondary employment outside the City of Cleveland is prohibited.

DEFINITION: Secondary Employment - any occupation, vocation, profession, trade or business (other than Division employment) for which wages or anything of value is received. This includes any work, business or activity for profit including self-employment that is not performed for the Division. Secondary Employment includes voluntary, uncompensated law enforcement or security related work performed while wearing the Cleveland police uniform (or any other police or security uniform) or any insignia representative of the Division (or other police agency or security employer).

PROCEDURES:

I. Requesting Permission to Engage in Ongoing Secondary Employment

A. Members shall complete the structured form (Attachment A), and obtain an endorsement and recommendation of the district or bureau commander. The officer's supervisor shall review the request and if qualifications are met, grant temporary permission to engage in the secondary employment. Approval shall be noted on the bottom of the form before the member forwards it. Officers are granted permission to continue their temporary employment until they receive permission or denial from the Chief or Director of Public Safety.

B. Members shall submit a Secondary Employment Sick Use Review form (Attachment B) to the Medical Unit for certification of sick time used. The Medical Unit will return the completed form to the member who shall then attach the completed form to each request for Secondary Employment before forwarding the package through their chain-of-command.

C. Medical Unit personnel shall complete the remaining fields and return the form to the officer expeditiously.

D. Officers who have used more than 120 hours of sick time during the last 12 month period (not to include hazardous duty injuries [HDI] or verified FMLA) will be requested to supply a written explanation of that sick use prior to approval at the bureau level. Unsatisfactory explanations or refusals will require a review for sick abuse prior to forwarding by the affected commander. All documents relating to the investigation (Form 1s, Sick Review Calendars, etc.) will be forwarded to the deputy chief along with the request form, to include recommendations from the bureau commander.

E. Upon receipt of final approval from the Director of Public Safety, the Personnel Unit shall enter the employment information into a computerized database maintained by that unit for secondary employment.

F. Personnel who terminate secondary employment shall forward a Form-1 stating such to the Personnel Unit.

G. Authorization to engage in secondary employment expires annually on June 30. New and renewal requests shall be submitted between March 15 and June 15 and shall expire the following year.

II. Temporary Duration Employment

A. Temporary secondary employment, not to exceed two weeks, which becomes available with insufficient time to secure written authorization under standard procedures may be approved as follows:

1. The member shall complete the structured form request and submit it to their superior officer.

2. After review and approval at the district or bureau level, the superior officer shall initiate a telephone request to the deputy chief within the member's chain of command. If employment becomes available at a time when the office of the deputy chief is closed, the district or bureau commander, the platoon commander or section officer-in-charge within the chain of command may approve the request. The approving superior officer shall ensure the deputy chief is notified at the start of the next business day.

3. The affected deputy chief’s office will maintain a written or computerized database of temporary requests to include the officer’s name, location of employment, purpose of employment, and dates of temporary employment.

III. Traffic Controllers and Dispatchers

Traffic controllers and dispatchers shall not wear their City of Cleveland uniforms while working secondary employment as security officers. Traffic controllers may wear their City of Cleveland uniforms if they are working approved secondary employment as traffic control officers within the city limits of Cleveland.

IV. Prohibited Secondary Employment

A. Employment where officers are involved in the direct or indirect purchase, manufacture, sale, dispensing or delivery of alcohol.

B. Employment in an establishment where the primary business is the sale of alcohol. Officers may perform police related duties while working inside establishments that possess liquor permits when dispensing alcoholic beverages is not the establishment's primary business. This includes hotels, restaurants, and convention or sports facilities when the officer is performing such duties as crowd control or general security, provided the officer does not work in the area where the alcohol is dispensed.

C. Employment whose nature or hours is such that job performance with the Division could be adversely affected. Included is employment that could reduce efficiency of personnel while on duty, results in visits, telephone calls or other preoccupation while on duty, or result in duty time lost.

D. Employment where the function or business involves illegal activity or where the activities engaged in are of such a nature that they may bring disrespect to the Division. This includes establishments that have a history of violating obscenity, gambling or liquor laws, or that have a reputation for condoning criminal activities of their employees or clientele.

E. Employment by an individual under indictment for, or previously convicted of, any felony or crime involving criminal intent, when association with that individual may bring disrespect to the Division.

F. Employment by credit agencies for the purpose of investigating or collecting accounts, including repossession of automobiles and collection of bad debts.

G. Any type of work related to bail bond or bounty hunting.

V. *Members working in an armed capacity in a school or at a school related event, whether on or off school grounds, shall do so only in a fully uniformed capacity*.

VI. *Members shall adhere to Rule 18 of the City of Cleveland Civil Service Rules regarding Political Activity of City Employees*.

VII. Members shall not act as an officer of a political organization or take part in a political campaign, or serve as a member of a committee of any such organization, or circulate or seek signatures to any petition provided for by primary or election laws, or act as a worker in favor of or in opposition to any candidate for public office.

VIII. Sick Time, Restricted Duty, Probation or Suspended Status

A. Personnel may not engage in secondary employment if on probation, sick leave, extended illness or suspended from duty. Permission to engage in non-police related secondary employment, however, will not be denied to CPPA civilian members based solely on suspension from duty.

B. Permission to engage in secondary employment is revoked if a member is at step two or above in sick time abuse and shall not be approved until this classification no longer applies.

C. If a member is on restricted duty status or administrative leave, permission to engage in secondary employment is revoked until returned to regular duty status. Upon return to regular duty status, permission will be reinstated if the normal yearly period has not expired. If the expiration period has passed, the officer may apply for approval. Personnel assigned to the police gymnasium due to a use of deadly force incident are on restricted duty.

D. Non-police related secondary employment may be approved while an officer is on restricted duty. Officers shall submit such requests to the Deputy Chief in their chain of command.

IX. Secondary Employment During Strikes

Authorization for secondary employment is suspended during a strike and not reinstated until the strike concludes and a normal working environment resumes. Unless provided in an official capacity, advisory service to either labor or management during a strike is a violation of this section.

X. Liabilities for Injuries

A. To safeguard personnel from expenses or losses incurred due to injury sustained during the course of secondary employment, requests for approval shall be accompanied by one of the following:

1. A letter from the perspective employer that shows Workers' Compensation is being provided.

2. A letter that indicates the member is self-insured. The letter includes the Workers Compensation risk number and the expiration date.

B. If personnel have contracted to provide their services, the accompanying letter shall specify who is providing the coverage.

C. Officers injured while responding to criminal activity that is unrelated to secondary employment are eligible for hazardous duty pay and benefits.

XI. Civil Liability

A. The City of Cleveland will not defend members in lawsuits brought against them as a result of actions taken during secondary employment. It is recommended that members performing private police or security work have an understanding with their secondary employer that they are covered by the employer's general comprehensive liability insurance.

B. The following stipulations shall be contained within all requests to engage in secondary employment: "I am aware that in my secondary employment, the City of Cleveland has no responsibility for my actions or any liability resulting thereof, and that I must personally assume that responsibility or obtain other liability insurance."

C. The City of Cleveland shall continue to defend officers working secondary employment who become involved in lawsuits that result from that officer taking a law enforcement action that is unrelated to the officer's secondary employment. Issues of legal representation are at the discretion of the City Law Director.

MM/TAH/JCO/ajg
Policy & Procedures Unit
Attachments A & B

CLEVELAND DIVISION OF POLICE

Secondary Employment Request

Member Information

Name: _____ Badge: _____ Appointment Date: _____

Present Assignment: _____ Date of Request: _____

Sick ***hours*** used in the prior year that are not HDI and not FMLA: _____ hours

Check if any of the following are attached:

☐ Sick Use Review Form ☐ Sick Use Review Calendar ☐ Form-1 Sick Use Documentation

Weapon and Uniform

Cleveland Police Uniform Worn? ☐ Yes ☐ No Other non-CPD Uniform? ☐ Yes ☐ No

Division Issued Firearm to be Carried? ☐ Yes ☐ No ☐ Other Division Authorized Firearm

Employment Information

☐ New Request *(Submit anytime)* ☐ Renewal *(Submit between 3/15 & 6/15)* ☐ Temporary Duration: _____ *(14 Days or Less)* *(Dates involved)*

Employer: _____ Address: _____

Employer Contact: _____ Phone: _____
(Full name required)

Name of Business: _____

Address: _____ City: _____

Check if applicable: ☐ Various Locations in City of Cleveland

Check all that are applicable:

☐ Paid Position ☐ Volunteer/Uncompensated ☐ Non Police-Related ☐ Worker's Comp Letter

- *I understand and agree to comply with the all the directives contained in General Police Order 1.1.25.*
- *I authorize the Secondary Employer, referenced above, to release to the City of Cleveland any and all records, documents, and/or other data compilations regarding the specific days on which I will perform or performed work for the Secondary Employer and the exact hours of work I will perform or performed for the Secondary Employer (i.e., starting time, ending time, total number of hours worked, etc.). The authorization covers all information regardless of how the Secondary Employer maintains the information in the ordinary course of business (e.g., paper, electronic, or other data compilation format). The request may, but is not limited to, the production of the following types of records, documents, or data compilations utilized by the Secondary Employer to record the days and hours of work I will perform or performed for the Secondary Employer: payroll records, work schedules, time cards, etc.*
- *I am aware that in my secondary employment, the City of Cleveland has no responsibility for my actions or any liability resulting thereof, and that I must personally assume that responsibility or obtain other liability insurance.*

_____ Date: _____

Requesting Member's Signature *Badge #*

CLEVELAND DIVISION OF POLICE

Secondary Employment Request

Endorsements

_____ ☐Temporary Permission Granted ☐Recommend Disapproval
Unit Supervisor Signature *Date*

_____ ☐Recommend Approval ☐Recommend Disapproval
Lieutenant Signature (write N/A if not applicable) Date*

_____ ☐Recommend Approval ☐Recommend Disapproval
Captain Signature (write N/A if not applicable)* *Date*

_____ ☐Recommend Approval ☐Recommend Disapproval
Commander Signature (write N/A if not applicable)Date*

_____ ☐Recommend Approval ☐Recommend Disapproval
Deputy Chief Signature *Date*

_____ ☐Recommend Approval ☐Recommend Disapproval
Chief of Police Signature *Date*

** Supervisory position does not exist in this chain of command*

CLEVELAND DIVISION OF POLICE
Medical Unit: Secondary Employment Sick Use Review

To be completed by the member:

Member Name: _____ Badge: _____
PRINT

_____
SIGNATURE

Present Assignment: _____ Date: _____

To be completed by the Medical Unit:

12 month period of Sick Time Review:

From: _____ To: _____

Total sick hours: _____

Qualifying Family Medical Leave Act (FMLA) hours: _____

Qualifying Hazardous Duty Injury (HDI) hours: _____

Member is currently:
Check all that are applicable

On Restricted Duty Status ☐

On Extended Illness ☐

A Sick Time Abuser ☐ Date Issued: _____

Medical Unit records indicate that this officer is in possession of his/her issued service weapon.

YES ☐ NO ☐

Information provided by: _____

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 01, 2002	September 16, 2015	1 of 3	1.1.26

SUBJECT:	
OVERTIME CARD	
ASSOCIATED MANUAL:	RELATED ORDERS:
TIMEKEEPING	
CHIEF OF POLICE:	
Calvin D. Williams, Chief	

Substantive changes are in italics

PURPOSE: To establish guidelines for approving overtime and completing the overtime card.

POLICY: The Cleveland Division of Police shall restrict overtime to the absolute minimum required to perform official duties essential to meet the Division's needs. Supervisors, higher ranking than the requesting member, shall review overtime cards for completeness, accuracy, and necessity of the overtime prior to signing and placing their badge number in the **Recommended By** and **Approved By**, or **Denied by** fields. Overtime shall not be recorded (posted) until a command officer signs in the **Approved By** field.

PROCEDURES:

I. Members shall complete an overtime card (C of C 71-OT-2) when overtime is worked, compensatory time is taken or Personal Holiday used. Range time and canine contractual time are not overtime and are exempt from this requirement.

II. *Supervisors, higher ranking than the requesting member*, shall verbally approve **ALL** requests for overtime *(including letters received from prosecutors requesting a consultation)* and the use of compensatory time prior to a member working or taking off the time. The approving *supervisor* shall be documented in the "Reason" space of the overtime card. The approving *supervisor* shall also be documented on the requesting member's duty report if the overtime is for an extended tour or lunch denial. *The verbal approval requirement shall not apply to subpoenas entered in the subpoena log book and issued to members by a supervisor.*

III. All overtime related forms (*e.g., overtime card, "blue card", subpoenas, duties, letter from prosecutor*) shall be completely filled out and consistent with one another prior to forwarding. Any areas of discrepancy (*e.g., times, names, locations*) shall be corrected and/or thoroughly explained on the back of the overtime card or blue card by the member prior to forwarding for signatures. The recommending or authorizing supervisor may require a more detailed Form-1 from the member if the discrepancy is not sufficiently explained on the back of the card.

IV. Requests for approval of overtime and the use of compensatory time require the signature and legible badge number of a higher ranking member than the requesting member in the **Recommended By** field. If a member is detailed or designated to a specific event the officer-in-charge of the detail or specific event shall sign in the **Recommended By** field.

V. Requests for approval of overtime and the use of compensatory time for members require the signature and legible badge number of the Commander of the bureau or district to which the member is assigned or detailed. Command officers shall review overtime cards and if the overtime is warranted, place their signature and legible badge number in the **Approved By** field.

A. The Chief's Executive Officer shall review and sign for the Chief's staff members. The Safety Director's designee shall review and sign for the members assigned to the Office of Professional Standards and any such other units outside the Division's chain of command.

B. If a member reports directly to a command officer, that command officer shall sign in both the **Recommended By** and **Approved By** fields.

VI. When a request for overtime, compensatory, Personal Holiday, or other is denied:

A. The *supervisor* denying the request shall:

1. Make a notation in the "Reason" space detailing the reason for denial.

2. Place a signature and legible badge number in the **Denied By** field.

3. Make a copy of the overtime card and provide the requesting member the copy.

4. Forward the denied card through the chain of command to the commander's office for filing or final forwarding to the timekeeper.

B. *Timekeepers shall log denials by making the appropriate timekeeping entry*.

VII. The **code** is determined from the codes on the back of the overtime card.

A. When consulting a prosecutor, the "P" code shall be selected along with the code for the most serious crime for which the prosecutor is being seen. For example, consulting a prosecutor on a suspect for rape and theft would be entered as "PB" in the code field.

B. When the overtime is reimbursable, the "R" code shall be selected along with a numeric code (appearing as R1, R2, etc.). This numeric code indicates which outside entity will be reimbursing the City of Cleveland. Prior to each event, command officers shall obtain the numeric code from the Timekeeping Unit to ensure the use of proper numeric codes for all overtime generated by each specific event. When consulting the prosecutor regarding a reimbursable event, members shall enter the reimbursable code.

C. *When the overtime requires tracking and is not reimbursable, the "T" code shall be used along with a numeric code (T1, T2, etc.). The numeric code indicates which event resulted in the overtime. Prior to each event, command officers shall obtain the numeric code from the Timekeeping Unit to ensure the use of proper numeric codes for all overtime generated by each event.*

D. "Special Events" may include sporting events, performance events, fairs, holiday events, etc. Members shall **not** use the "Special Events" code when *"R" or "T"* is applicable.

VIII. The **date involved** is the date on which the member's shift began.

IX. The **type** is determined from the types on the back of the overtime card.

X. Members shall print the reason, including the name of the primary person(s) involved and the task causing the overtime. Members shall complete the **reason** field in all circumstances before submitting the overtime card for approval. Examples: "WDO: Assigned to car *5A23"* or "Juvenile Arrest: (Complainant: Mike Jackson, Arrested: Lou Smith), notified parents, completed juvenile fact sheet, completed RMS #00-000000, property MTE, juvenile conveyed to DH and summons issued to parents."

XI. Members who attend court *or meeting/interview requested by a letter from a prosecutor* shall submit the completed Court Information Card (*i.e., C of C 71-2194 or "blue card"*) with the overtime card.

XII. *Timekeepers shall comply with the directives contained in the Timekeeping Manual.*

CDW/jeh
Policy Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
OCTOBER 23, 2002	OCTOBER 21, 2002	1 of 2	1.1.27

SUBJECT:
REQUESTS FOR REPAIRS AND IMPROVEMENTS OF POLICE FACILITIES

ASSOCIATED MANUAL:	RELATED ORDERS:

CHIEF OF POLICE:
Edward F. Lohn, Chief

PURPOSE: To establish guidelines for members of the Cleveland Division of Police to request repairs and improvements of police facilities.

POLICY: City of Cleveland tradesmen shall conduct the improvement or repair of heating, air conditioning, electrical, plumbing, carpentry and other maintenance of police facilities. Division of Police members shall not repair, remodel, or modify Division equipment or facilities

PROCEDURES: A structured, pre-numbered work order form shall be used to request repairs or improvements. The form is available from Administrative Operations or the Supply Unit. Complete the form, retain the yellow copy and return the original form and the pink copy to Administrative Operations. When work is completed, forward the yellow copy to Administrative Operations.

I. Routine Work Order (Non-emergency repairs)

A. Safety personnel in charge of a building, (District and bureau commanders, officer-in-charge, civilian supervisors, etc.), shall direct routine work order requests to Administrative Operations.

B. Refer to the work order number when making any inquiries.

C. District and bureau commanders shall designate one person to oversee work orders and check for accuracy and completeness of work completed before forwarding the yellow copy to Administrative Operations.

II. Emergency Work Orders

A. During the hours of 0700 to 1600 hours, Monday through Friday, excluding holidays, the Superintendent of Public Safety Buildings shall be contacted directly on line 664-2273.

B. At other times the Telephone Exchange shall be contacted and they shall contact the Superintendent or his designee.

C. Complete a work order request and forward it to Administrative Operations.

.

EFL/TAH/MB/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
DECEMBER 16, 2002	June 22, 2009	1 of 5	1.1.28

SUBJECT:	
GROOMING STANDARDS	
ASSOCIATED MANUAL	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are in italics

PURPOSE: To define grooming and personal appearance standards for *members* of the Cleveland Division of Police.

POLICY: It is the policy of the Division to ensure that *all* its *uniformed members, as well as non-uniformed civilian members whose duties place them in contact with the public*, present a neat, clean, professional appearance while on duty or otherwise representing the City of Cleveland or the Division of Police. These grooming standards apply to Division uniformed members during on-duty/secondary employment, field force duties, special ceremonies, funerals and any other related police functions while representing the City or the Division.

With the exception of the beard rule, commanders may allow a temporary exemption from grooming standards for *law enforcement* purposes. Commanders shall forward a written report of the exemption to the appropriate Deputy Chief.

PROCEDURES:

I. Grooming standards for uniformed *and non-uniformed civilian members of the Division whose duties place them in contact with the public*

A. Hair shall be neatly groomed, and its length and bulk shall not be excessive.

B. *For uniformed members, the bulk of the hair shall not be so excessive as to prevent the eight-point cap from being placed squarely on the head with the center of the visor directly in line with the nose, nor shall the hair interfere with the wearing of personal protection equipment (i.e. gas mask)*.

C. *Wigs or other hair pieces shall present a natural appearance and conform to the same standards as natural hair*.

D. *Extreme or faddish hairstyles are prohibited, including but not limited to*

styles that incorporate designs or sculptures using the hair and/or cut into the hair, and any style that presents an unprofessional or disheveled appearance. Hairstyles that include unnatural hair coloring (i.e., purple, green) are prohibited.

E. After-shaves, perfumes, colognes or other artificial scents shall not be *so excessive as to cause annoyance to others*. *Members shall also maintain appropriate personal hygiene in a manner to prevent body odors from causing offense or annoyance to another*.

F. Fingernails shall be trimmed to present a professional appearance. They shall not threaten safety, nor restrict job performance.

G. Unusual body adornment or jewelry is prohibited. Multiple or *garishly* colored rings, watches, bracelets, pins, large neck chains and earrings beyond one pair of earrings for female members is prohibited. Earrings shall be of a simple stud design and shall not extend below the earlobe.

H. Male uniformed members shall not wear any type of earring or ear adornment.

I. *Male members are prohibited from wearing any makeup unless the member can show cause that it is necessary for a duty related function (as approved by the member's commanding officer) or is otherwise doing so for a medically valid reasons (severe acne, injury, scarring, ...).*

II. Grooming standards specific to male uniformed *and male non-uniformed civilian members of the Division whose duties place them in contact with the public*

A. Fingernails shall not extend beyond the fingertip.

B. Hair shall be evenly tapered on the sides and back. The hair outline shall follow the contour of the ear, and shall not fall over the ears nor touch the collar except for the closely cut hair on the back of the neck. *Hair that has been styled into heavily matted coils of hair (dreadlocks) where the locks exceed ½ inch in diameter (the approximate width of a standard pen or pencil) is prohibited, as well as any gathering of hair in a tie, clip, twist, lock, ponytail, or braid.*

C. Sideburns shall be neatly trimmed, and their bulk shall not be excessive nor extend below the earlobe. The base of the sideburns shall be a clean horizontal line.

D. The face shall be clean-shaven.

E. Mustaches shall be neatly trimmed and shall not extend below the upper lip. They shall not be styled or pointed away from the contour of the face.

F. Beards are prohibited except for covert operations approved by the Chief of Police or for medical reasons as approved by the Medical Director.

1. Wearing a beard while engaged in a covert police assignment requires written approval of the Chief of Police. The Officer-in-Charge (OIC) of the unit involved shall request approval. Requests must specify the period of time involved and how wearing a beard will aid the operation.

2. A uniformed member who reports a diagnosis of a skin disorder by his personal dermatologist, and the recommended treatment is to wear a beard, shall be placed on sick leave and report to the Medical Unit at the next scheduled sick call. The member shall submit to the Medical Director written documentation from his dermatologist stating the diagnosis, extent, and degree of skin disorder, length of treatment, and alternatives to wearing a beard.

3. A uniformed member may be referred to the Medical Unit's approved dermatologist for evaluation. The dermatologist shall prepare a written report for the Medical Director.

4. If the Medical Director determines that the only successful treatment is wearing a beard, the Medical Director shall make a recommendation to the Chief of Police.

5. *Upon approval of wearing a beard, members shall clip the beard as close as medically permissible, generally ¼ inch in length. Special designs, custom trims, goatees or other styles cut into or using facial hair is prohibited*.

6. The Medical Director shall maintain medical documentation of an officer's continuing need to wear a beard, and review each officer *annually* unless requested otherwise by the Chief of Police.

III. Grooming standards specific to female uniformed *and female non-uniformed civilian members of the Division whose duties place them in contact with the public*

A. Fingernails shall not exceed one-quarter inch beyond the fingertip. Nail polish colors must be conservative. *Nail colors other than neutral flesh tones (pink, tan…) are prohibited*. The nails shall be free of designs *and unnatural adornments*.

B. Hair shall be kept in a short or medium style and shall not extend below the lower edge of the shirt collar.

1. Bangs shall be neat and maintained above the eyebrows.

2. Longer hair may be brought into compliance by being worn up.

3. *Braiding, twisting and locking hairstyles are permitted provided they are conservative and professional in appearance. An example of a hairstyle that is not conservative is braided hair that has been sculpted to extend beyond the natural contours of the head or hair that has been styled into heavily matted coils of hair (dreadlocks) where the locks exceed ½ inch in diameter (the approximate width of a standard pen or pencil).*

4. *Pins, barrettes, bands, and clips are permissible to the extent that they are: inconspicuously placed for the sole purpose of holding hair in place, are conservative in design and color, and do not interfere with the wearing of issued head gear or personal safety equipment.*

5. *Sworn and civilian female personnel are exempt from hair length restrictions when they are in civilian dress*.

C. Makeup shall be subtle and professional in appearance. Heavy or gaudy facial makeup is prohibited. Lipstick shall be subdued and *flesh toned (pink, tan ...).*

IV. *Tattoos, Piercings, and other Body Modifications*

A. *Tattoos or Body Markings*

1. Any visible tattoos or body markings that are deemed offensive, profane, unprofessional, inappropriate or objectionable shall be covered while on-duty. This requirement does not apply to officers whose primary duties are undercover in nature.

Examples of prohibited tattoos or body markings include:

- *those that indicate a criminal gang affiliation*
- *depictions of sexually explicit art, nudity, or violence*
- *words, art, or phrases that are considered vulgar; or symbols such as swastikas, pentagrams, SS thunderbolts, spider webs, and logos associated with hate groups*

- *criminal or supremacist groups or initials, acronyms, or numbers such as "KKK", "666", "MS-13", "14", and "88" that represent hate, criminal or supremacist groups.*

2. *Tattoos or body markings of any kind that in their totality cover more than one third of the area of exposed skin on an arm or leg shall be deemed excessive and shall be covered while on-duty. This requirement does not apply to officers whose primary duties are undercover in nature.*

3. *Tattoos or body art on the face and/or neck are prohibited for all members.*

4. *Approved forms of cover and concealment for tattoos or body art that are prohibited or excessive include long sleeve shirts, elastic arm/shoulder bands, flesh-tone elastic wraps, appropriately sized bandages or other solid or opaque coverings.*

5. *The Chief of Police or designee is the final authority as to the appropriateness of any tattoo(s) or body art.*

B. *Piercings*

1. *With the exception of female members wearing one pair of earrings of simple stud design, members shall not display, while on duty, any body piercings of any kind that may be visible to the public.*

2. *This requirement does not apply to officers whose primary duties are undercover in nature.*

C. *Body Modifications/Other Prohibited*

1. *Any body modification other than for medically necessary rehabilitative purposes or common cosmetic procedures is expressly prohibited.*

2. *Purposeful body modification that includes any outwardly visible branding, scarring, resection, subcutaneous implantation or other extreme forms of "body art" is prohibited.*

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
APRIL 28, 2003	JUNE 26, 2009	1 of 7	1.1.29

SUBJECT:	
HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Changes/Additions are in Italics

PURPOSE: To establish guidelines for compliance with the HIPAA of 1996, and establish disciplinary action for violations and non-compliance with the privacy and disclosure mandates required of the City of Cleveland.

POLICY: The Division shall comply with the HIPAA, which is designed to protect individually identifiable health information that is transmitted or maintained in any form or medium.

DEFINITIONS:

Protected Health Information (PHI): Includes individually identifiable health information that is transmitted or maintained in any form or medium, including electronic, oral, or written. PHI does not include employment records held by a covered entity in its capacity as an employer.

Individually identifiable health information: Information that is created or received by the covered entity that relates to past, present or future physical or mental health or condition of an individual; or the rendering of health care to an individual; or the present or future payment for healthcare rendered to a person.

PROCEDURES:

I. Administrative Requirements.

A. The city has designated the Officer in Charge of the Personnel Section as the privacy official/contact person, responsible to:

1. Develop and implement these policies and procedures.

2. Receive complaints under HIPAA and provide information about matters covered by the notice requirements contained within 45 Code of Federal Regulations (CFR) Part 164.520.

3. Train all members of the workforce on the policies and procedures with respect to the PHI covered by the Act.

4. Mitigate, to the extent possible, any harmful effect that is known to the City of Cleveland of a use or disclosure of PHI in violation of these guidelines or the requirements of the Act.

5. Document sanctions/discipline resulting from violations of or non-compliance with these policies.

6. Comply with all requirements of 45 CFR Part 164.530.

B. The Medical Unit Coordinator is the designated privacy official/contact person for the Safety Medical Unit under the guidance of the Medical Director.

II. Disciplinary Guidelines.

A. Disciplining an employee who violates these guidelines (or any of the requirements of HIPAA) regarding the use and disclosure of PHI is necessary for order and efficiency to prevail in the work place.

1. Intentional misuse or disclosure of PHI: First offense – up to suspension pending discharge.

2. Negligent misuse or disclosure of PHI:

- First offense - Verbal instruction and cautioning.
- Second offense - Written reprimand to personnel file.
- Third offense - Five day suspension without pay.
- Fourth offense - Ten day suspension without pay.
- Fifth offense - Suspension pending discharge.

3. Accidental or inadvertent misuse or disclosure of PHI:

- First offense - Verbal instruction and cautioning.
- Second offense - Written reprimand to personnel file.
- Third offense - Five day suspension without pay.
- Fourth offense - Ten day suspension without pay.
- Fifth offense - Suspension pending discharge.

4. Threatening, intimidating, retaliating, coercing or discriminating against any individual for exercising rights established under the Act or against others for testifying, assisting or participating in an investigation, compliance review, proceeding or hearing: First offense - up to suspension pending discharge.

B. The City of Cleveland may not require individuals to waive their rights under 45 CFR Part 160.306 of the Act as a condition of the provision of treatment, payment, enrollment in a health plan, or eligibility for benefits.

III. *Law Enforcement Access to Protected Health Information (PHI): HIPAA regulations provide for law enforcement access to Protected Health Information under several circumstances. If the information sought from a Covered Entity is covered under one of the following sets of circumstances, then generally the information will be available.*

A. *Pursuant to Law §164.512(a) and §164.512(c): If the PHI sought is in regards to, for example, gunshot wounds, child abuse or neglect, or domestic abuse as it relates to what is necessary for a law enforcement investigation then it is allowed to be supplied to a law enforcement officer.*

B. *Pursuant to Court Order, Subpoena, or Administrative Request §164.512(E): The PHI is allowed to be supplied to a law enforcement officer if it is the result of:*

1. *A court order or court-ordered warrant*

2. *A subpoena or summons issued by a judicial officer*

3. *A grand jury subpoena, or an administrative request, including an administrative subpoena or summons, a civil or authorized investigative demand, or similar process under state or federal law?*

C. *In addition to the above, the information sought in those circumstances must also be:*

1. *Relevant and material to a legitimate law enforcement inquiry.*

2. *Specific and limited in scope to the extent reasonably practicable in light of the purpose for which the information is sought.*

3. *For a purpose for which de-identified information could not be reasonably used.*

D. *PHI under this section is the minimum information necessary for a law enforcement investigation.*

E. *Identification and Location Purposes §164.512(f)(2): If the PHI sought in response to a law enforcement officer's official request for the purpose of identifying or locating a suspect, fugitive, material witness, or missing person, the Covered Entity may disclose only the following information:*

- *Name and Address*
- *Date and Place of Birth*
- *Social Security Number*
- *ABO blood type and rh factor*
- *Type of injury*
- *Date and time of treatment*
- *Date and time of death, if applicable*
- *A description of distinguishing characteristics, including height, weight, gender, race, hair and eye color, presence or absence of facial hair (beard or mustache), scars, and tattoos*

F. *Note that PHI relating to DNA or DNA analysis, dental records, typing, and samples or analysis of body fluids or tissue (except as allowed above in ABO and rh factor) is specifically excluded under this section.*

IV. *Identification and Location of Victims §164.512(f)(3) covers the PHI sought in response to a law enforcement officer's official request for such information about an individual who is, or is suspected to be, a victim of a crime.*

A. *PHI may be provided if the individual agrees to the disclosure.*

B. *In the event of the individual's incapacity or other emergency circumstance, the information may be provided if:*

1. *The law enforcement officer represents that the information needed to determine whether a violation of law by a person other than the victim has occurred, and such information is not intended to be used against the victim.*

2. *The law enforcement officer represents that immediate law enforcement activity that depends on the disclosure would be materially and adversely affected by waiting until the individual is able to agree to the disclosure.*

3. *The disclosure is in the best interests of the individual as determined by the Covered Entity, in the exercise of professional judgment.*

C. *PHI under this section is the minimum information necessary for a law enforcement investigation.*

V. *Information Relating to a Death §164.512(f)(4)**:** PHI may be supplied by a Covered Entity for the purpose of alerting or reporting to a law enforcement officer the suspicion that a death may have resulted from criminal conduct. The Covered Entity determines the nature and extent of PHI that they will provide for law enforcement to conduct a criminal investigation.*

VI. *Suspected Crime on Premises of Covered Entity §164.512(f)(5)**:** PHI may be released if the Covered Entity believes in good faith that the PHI is evidence of a crime that may have occurred on the premises of the Covered Entity. The Covered Entity determines the nature and extent of the information which will be disclosed for the purposes of a law enforcement investigation.*

VII. *Information in Response to Medical Emergency §164.512(f)(6)**:** PHI may be provided by a Covered Entity in response to a medical emergency off the premises of the health care provider or Covered Entity. The health care provider may provide the following information:*

- *Commission and nature of crime*
- *Location of such crime or of the victim(s) of such crime*
- *Identity, description, and location of the perpetrator*

VIII. *Information to Avert a Serious Threat to Health Or Safety §164.512(J)***:** *PHI may be released if the PHI is necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public and is law enforcement reasonably able to prevent or lessen the threat, including the target of the threat; or The PHI is necessary for law enforcement authorities to identify or apprehend an individual because of a statement by an individual admitting participation in a violent crime that the covered entity reasonably believes may have caused serious physical harm to the victim or where it appears from all circumstances that the individual has escaped from a correctional institution or from lawful custody.*

IX. *Information to Correctional or Custodial Facility §164.512(k)(5): For a person who is in lawful custody at a correctional or custodial facility, the PHI may be released for the purposes of:*

- *Provision of health care to the individual.*
- *The health and safety of other inmates.*
- *The health and safety of officers or other employees of the correctional or custodial facility, or persons transporting the individual.*
- *Other activities necessary to the maintenance of safety, security and good order of such facilities.*
- *PHI received by an officer under these circumstances shall be transported with the individual and immediately turned over to the staff of the custodial facility (jail) upon arrival. Generally speaking, the PHI will pertain to the care of the individual while in the facilities custody, so there should seldom be a need for the Division to maintain a copy of such information.*

X. *Information from Other than a Covered Entity: Information from victims, relatives, suspects, witnesses, and others.*

A. *Information that may otherwise have been PHI, but has been given to a Division member in the course of their duties or investigations, is not covered by HIPAA regulations, only if it is obtained from a source other than a Covered Entity.*

1. *When PHI obtained under this section is relayed or reported by a Division member to representatives of a Covered Entity, the information is protected under HIPAA regulations only as it appears in the Covered Entity records.*

2. *Information obtained in questioning of victims, relatives, suspects, witnesses, and others.*

3. *Information that may otherwise have been PHI, but has been given to a Division member in the course of questioning persons during a criminal investigation, is not covered by HIPAA regulations if it is obtained from a source other than a Covered Entity.*

B. *When PHI obtained under this section is relayed or reported by a Division member to representatives of a Covered Entity, the information is protected under HIPAA regulations only as it appears in the Covered Entity records.*

XI. *Information Obtained by Employee Personal Observations: Information that may otherwise have been PHI, but is based on the personal observations of the member, is not covered by HIPAA regulations. This exclusion does not apply if the member is summarizing or basing his or her personal observations on the actions, treatment, or records of a Covered Entity.*

An officer investigating a traffic accident may make observations of a victim's injuries that are readily evident to a layman. An arm or leg may appear as contorted into unusual angles, leading even a layman to conclude that the limb is broken. The member may report that the victim had a fractured limb, and such statement is not PHI. Observations of cuts and bleeding, bruises, or even the victim's verbal reports of pain are things that may be reported by the member, and are not subject to HIPAA regulations.

XII. *Any questions regarding HIPAA shall be directed to the Officer-in-Charge of the Medical Unit.*

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
July 28, 2003	May 27, 2016	1 of 3	1.1.30

SUBJECT:	
INSPECTING, SERVICING, AND REPAIRING DIVISION VEHICLES	
ASSOCIATED MANUAL:	RELATED ORDERS: *3.2.20*
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

Substantive changes are in italics

PURPOSE: To set guidelines for members to *properly bad order vehicles for* service and *routine maintenance*.

POLICY: *Members* of the Division shall regularly check vehicles for appropriate fluid levels. Service appointments shall be made by *the designated member* through the *Officer-in-Charge (OIC) of the Transportation Unit*. Investigations *shall* be conducted *by the district/unit OIC* if abuse or neglect is suspected.

PROCEDURES:

I. Members shall inspect vehicles and check fluid levels *to ensure the safety and proper maintenance of Division vehicles*.

A. *Members shall inspect their assigned vehicle before and after each use and document the inspection on the Daily Duty Report. Inspections shall include a 360 degree walk around inspection (recorded on wearable camera system, if assigned) looking for objects protruding from the body of the vehicle, fluid leaks, tire wear, broken or missing light lenses, and/or malfunctioning equipment* (*e.g., lights, audio, gun racks, turn signals, seatbelts*).

B. Check for proper fluid levels (*i.e.*, oil, antifreeze, and transmission). *Members shall not add any fluid to the engine compartment area other than windshield washer fluid. If low on transmission fluid, oil, or coolant fluid; the member shall bad order the vehicle.*

C. *Any damage or problems discovered during an inspection shall immediately be reported to the member's officer-in-charge (OIC). The OIC shall:*

1. *Check if the damage or problem is documented in the Vehicle Damage Log Book.*
2. *If not previously reported, determine the next course of action.*

    a. *If no additional investigation is needed; follow the procedures for bad ordering the vehicle.*

    b. *If additional investigation is needed; follow the procedures described in General Police Order 8.1.01 Damage to City Vehicles.*

D. *Members shall complete a Motor Vehicle Maintenance Service Report form (bad order form) if service is required.*

II. *Members operating Division vehicles shall have access to windshield washer fluid at their district, unit, or the Charles V. Carr Municipal Center (E. 55th Street Garage) 5601 Carnegie Avenue*.

III. To order *windshield washer* fluid, the administrative supervisor of the district *or unit* shall contact the foreman or leadman from the *Charles V. Carr Municipal Center*.

IV. Service or Repair (**park vehicles outside *in the maintenance center parking lot***).

A. The Transportation Unit, at the *Charles V. Carr Municipal Center*, serves as the liaison between the Cleveland Division of Police and Motor Vehicle Maintenance.

B. *Members shall* direct service requests, other than preventive maintenance, to the Transportation Unit Office, **not to garage mechanics.**

1. Complete a Motor Vehicle Maintenance Service Report form with *the* officer's name and badge number, district/unit and telephone number, date, vehicle code, license plate number and mileage, and submit the vehicle keys to initiate the requested work.

2. To assist mechanics, the nature of the problem shall be given in detail such as "problem begins after operating the vehicle for a few minutes",

or "transmission slips when shifting gears."

3. *Members* bringing a vehicle in for a recurring problem shall note and circle this on the form.

C. *If a Division vehicle has sustained damage from a motor vehicle crash or other damage that is not normal wear and tear, a copy of a completed EAC-1 shall be turned in with a Motor Vehicle Maintenance Service Report form. If the vehicle was towed after hours, a copy of the EAC-1 shall be delivered to the Transportation Unit office on the next business day. Repairs cannot be started without a copy of the EAC-1.*

V. Preventive Maintenance.

A. *Commanders shall designate a member under their command to schedule preventative maintenance appointments*.

B. Drive-ins (*e.g.*, w*iper blades, lens light, spot light*) are serviced as time permits *during normal business hours (0730-1500 hours).*

VI. *Members* waiting for service shall restrict their activities to the Transportation Unit Office or the *garage* lunchroom. Congregating in the garage area is prohibited.

VII. Suspected abuse or neglect (*e.g., damaged seatbelts*, three quarts low on oil, undocumented damage, missing fuses requiring vehicles to be taken out of service) *is a violation of the Manual of Rules and* may result in discipline.

CDW/jeh
Policy Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
AUGUST 11, 2003		1 of 2	1.1.31

SUBJECT:	
MENTORING PROGRAM	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To establish procedures for the Cleveland Division of Police Mentoring Program.

POLICY: The Cleveland Division of Police shall provide a Mentoring Program to ensure that newly promoted sergeants, assigned to the patrol section, are properly mentored by their contemporaries.

PROCEDURES:

I. Patrol officers promoted to the rank of sergeant will be detailed to the Police Academy for an initial training period of one week and will receive 40 hours of training.

II. After the initial training period, each new sergeant may be assigned to the patrol section in one of the six neighborhood police districts.

III. The Mentoring Program encompasses the first six days the new sergeant is assigned to the patrol section.

A. During the first six working days the sergeant may be assigned to work four days alongside the Officer-In-Charge (OIC) of the district station, and two days alongside a sergeant or lieutenant acting as a sector supervisor. The incoming sergeant will observe, assist and learn the duties required.

B. Assignments during the mentoring period shall be at the discretion of the district commander based on operational needs.

IV. District commanders shall ensure that the patrol captain within each district provides the necessary support to ensure the new sergeant may be directed and have questions answered by supervisors assigned to their platoon.

V. During the initial mentoring period, probationary sergeants will not be counted as either the OIC or sector supervisor. Veteran supervisors will fill these positions.

VI. Non-probationary sergeants newly assigned to the patrol section may request to participate in the Mentoring Program if they have not been recently assigned to the patrol section.

VII. District commanders shall ensure that non-probationary sergeants, who fit one of the above requisites, and request the program, may attend the Mentoring Program.

EFL/TAH/MB/jsb
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
JANUARY 19, 2007	JANUARY 11, 2007	1 of 2	1.1.32

SUBJECT:	
WELLNESS PROGRAM	
ASSOCIATED MANUAL:	RELATED ORDERS: GPO 1.1.20
CHIEF OF POLICE: *Michael McGrath, Chief*	

Revisions are printed in Italic

PURPOSE: To institute the Cleveland Division of Police Wellness Program, an extension of the Employee Assistance Unit (EAU). This proactive program based on the National Institute of Justice's peer support model is designed to enhance the well being and welfare of Division members. The Wellness Program is a confidential voluntary program of peer support to provide members support and alternative resources in times of stress as well as information, literature and training. Contact is voluntary and confidential.

POLICY: The Division strives to create the best working environment for its members. By assisting members, when they are in need emotionally, physically, spiritually, financially or socially, the health of the member prevails. Healthy members are generally more safe, productive, compassionate and responsive to others.

PROCEDURES:

I. The Wellness Program shall:

A. Provide members with a trained peer support officer to whom they can express frustration, fear and other concerns.

B. Promote trust, anonymity and confidentiality for members who use the Wellness Program.

C. Support the member in determining their needs and the immediacy of seeking professional help.

D. Be in contact with those on sick leave to offer support and assistance.

E. Provide options to assist the member in resolving their concerns in a timely and appropriate manner, including but not limited to:

1. Off Site Support Groups

2. Information

3. Training/Opportunities

II. Contact the Wellness Program

A. *Members may contact the Wellness Program by telephoning 623-5142.*

B. Through the Medical Director's office telephone number at 623-5676.

C. The Employee Assistance Unit (EAU) telephone number is 623-5678 and may be utilized 24 hours a day.

MM/TAH/JCO/JM/pmz
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
APRIL 27, 2004	June 11, 2015	1 of 2	1.1.33

SUBJECT:	
SEPARATING FROM THE CLEVELAND DIVISION OF POLICE	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

Substantive changes are in italics

PURPOSE: To establish procedures for separating from the Cleveland Division of Police.

POLICY: *Members separating from the Cleveland Division of Police shall meet with a representative of the Personnel Unit and return Division issued equipment.*

PROCEDURES:

I. *Sworn and civilian employees of the Division of Police separating (i.e., retiring or resigning) from the Division shall*:

A. *Contact the Personnel Unit prior to separating to ensure the separation procedures are followed and for the current list of issued items that shall be returned to the Division upon separation.*

B. *Make an appointment with the Personnel Unit to conduct an in-person separation. Separations shall not be conducted solely by other means (e.g., fax, e-mail, mail, memorandum, telephone call).*

C. *While at the Personnel Unit, complete the Resignation from the Division of Police Form-1 and the Inventory of Returned Police Equipment Form (IRPEF). Current forms shall be provided by the Personnel Unit.*

D. *Return issued equipment to the Personnel Unit with the proper form signed*.

E. *Complete an incident report for issued equipment not returned.*

1. Members reporting lost or stolen equipment shall reimburse the City of Cleveland. Payment and a copy of the incident report shall be submitted to the Division of Police, Safety Payroll Department.

2. A copy of the incident report shall be turned in to the Personnel Unit with the remaining equipment.

F. Turn in equipment from a specialized unit to the Officer-in-Charge (OIC) of that specialized unit.

G. *Void Minor Misdemeanor Citations, Parking Infraction Notices and Uniform Traffic Tickets in their possession and turn them into their OIC.*

II. The Personnel Unit shall:

A. *Conduct an exit interview and collect Division property from the member.*

B. *Provide and review the completed* IRPEF with the separating member. A copy of the completed form shall be given to the separating member as a receipt. If the service weapon has been purchased, the Personnel Unit member shall verify the purchase with the Ordnance Unit.

C. Forward the original IRPEF to the Chief's office and forward copies to the Ordnance Unit and Training Section.

D. Convey equipment to the Property Unit and obtain the receiving member's signature on the IRPEF. Once the equipment is delivered and a signature is obtained, the form shall be returned to the Personnel Unit and a copy retained in the Property Unit files.

E. Include a copy of the IRPEF in the member's departure package and forward it to the Safety Director's Office.

F. Make a Record Management System entry in connection with an employee separating from the Division.

III. *Other units retrieving equipment shall sign the IRPEF when retrieving it.*

CDW/jeh
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 23, 2005	September 9, 2015	1 of 1	1.1.34

SUBJECT:	
AUTOMATED EXTERNAL DEFIBRILLATORS	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

PURPOSE: To assign responsibility for proper maintenance of the Automated External Defibrillators (AEDs) located within Division of Police facilities.

POLICY: The Cleveland Division of Police shall routinely check the working condition of the AED machines located within its facilities and ensure that all AED machines are in proper ready condition.

PROCEDURES:

I. *The officer-in-charge (OIC) of districts, bureaus, or units located in Division of Police facilities with AED machines shall ensure that performance checks are conducted. Division of Correction personnel will ensure that performance checks are conducted on AED machines located within Police Headquarters, excluding the AED located in the Gymnasium Unit.*

II. *AED performance checks shall be conducted at least once a month.*

A. Performance checks and notations of the expiration of the pads and batteries shall be documented on the "Operator's Checklist".

B. If the LED message, on the handle of the AED, indicates anything other than "**OK**", Emergency Medical Services (EMS) shall be notified immediately at *664-6029 or* 664-2555, *if previous number is not answered*.

III. The Communications Control Section (CCS) shall be notified immediately if an AED is deployed and used for an emergency situation. CCS shall notify EMS and advise them of the use of the AED machine.

CDW/jeh
Policy Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
JANUARY 16, 2006	JULY 27, 2011	1 of 2	1.1.35

SUBJECT:	
POLICE OFFICER TRAINING STANDARDS	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive Changes are in Italics

PURPOSE: To establish mandatory in-service training standards for police officers of the Cleveland Division of Police and to establish an In-service Training Review Committee.

POLICY: The Ohio Peace Officer Training Commission (OPOTC) is the governing agency for all peace officer training in the State of Ohio. The Division of Police, consistent with OPOTC and the Ohio Administrative Code, requires police officers to meet and exceed the minimum training standards required.

PROCEDURES:

I. The mandatory training standards for police officers shall include attendance at the annual in-service training program provided by the Police Academy and the review of all video roll call training items (video tapes, teleconference items etc.) provided by the Police Academy. The annual in-service training program shall include the following:

A. **Use of Force Training:** Officers shall be trained and tested yearly on the law and Division policy regarding the use of force, appropriate methods to effect arrests, and the apprehension of fleeing subjects. Immediate supervisors are responsible for clarifying misunderstandings associated with policy and training.

B. **Tactical Training**: Officers shall be trained yearly on the use of proper police tactics, including building searches, vehicle approaches and vehicle stops.

C. ***Continuing Professional Training****: The Ohio Peace Officer Training Academy requires a mandatory number of training hours on a variety of law enforcement subjects. Subject matter and number of hours may differ from year to year*.

D. **Leadership/Ethics Training**: Division supervisors shall be trained yearly in leadership and ethics to ensure an understanding of their role in the organization.

II. The In-service Training Review Committee shall be chaired by the Deputy Chief of *Administrative Operations* and include the following: *Deputy Chief of Field Operations*, Commanding Officer of the *Bureau of Support Services*, Commanding Officer of the Bureau of Special Investigations, Officer-in-Charge of the Inspections Section, Officer-In-Charge of the Training Section, a representative/designee appointed by the Director of Public Safety, and the Executive Assistant to the Chief of Police.

A. The Committee shall meet quarterly to review the curriculum and lesson plans of the Division's training programs and provide a written report for the Chief of Police. The Committee shall ensure that the curriculum and lesson plans comply with Division policy, Federal laws, State laws and the Charter and Ordinances of the City of Cleveland.

B. The Committee's third quarter review shall ensure that the goals of the Division were met during the current training program and to provide recommendations to the Chief of Police for the following years training programs.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
June 15, 2006		1 of 2	1.1.36

SUBJECT:	
TRAFFIC VIOLATIONS INCURRED WITH CITY VEHICLES	
ASSOCIATED MANUAL:	RELATED ORDERS: 3.4.13 8.2.08
CHIEF OF POLICE: *Timothy A. Hennessey, Acting Chief*	

PURPOSE: To establish guidelines for Division employees in the event an automated traffic enforcement camera identifies a Division of Police vehicle driven by an employee violating a traffic law while on duty or commuting.

POLICY: Cleveland Division of Police employees are required to operate vehicles in a safe manner according to traffic laws and posted speeds.

PROCEDURES:

I. The Clerk of Courts shall issue a citation to the City of Cleveland if an automated traffic enforcement camera identifies a Division of Police vehicle driven by an employee who violates a traffic law while on duty or commuting. This citation will be forwarded to the Chief of Police through the Department of Public Safety.

II. The citation will be forwarded, as a Chief's Inquiry, to the district/bureau where the vehicle is assigned. If the driver of the vehicle cannot be immediately determined or the vehicle is used by a pool of drivers, the District/Bureau Commander shall cause a supervisor to track the use of the vehicle and determine the driver. Where a vehicle is used by a pool of drivers, supervisors shall implement a system where the identity of the driver of the vehicle can be determined.

III. The supervisor of the employee responsible for the violation shall order the employee to pay the fine within the allotted time and present proof of payment. After compliance the supervisor shall complete a report indicating the citation has been paid, along with proof of payment, and forward the information to his/her commander for return with the Chief's Inquiry.

IV. If the employee believes they received the traffic citation in connection with the operation of a Division vehicle in error or that the citation is improper, they may challenge that citation through the normal appeal process for traffic citations (i.e. In-Person Hearing Request, Ex-Parte Hearing Request, or Affidavit For Request of

Ticket Dismissal of Government Agency). If the employee chooses to challenge, the supervisor shall complete a report indicating such, along with proof of challenge, and forward this information to their commander to be returned with the Chief's Inquiry. The supervisor shall report the final disposition of the challenge, along with all necessary documentation or proof of payment through the chain of command.

V. Failing to pay a citation or continuing to incur citations while driving Division vehicles in the performance of their duties may subject employees to discipline.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	EFFECTIVE DATE:	NUMBER:
June 27, 2006	April 15, 2014	1.1.37
SUBJECT: BUSINESS CARDS		NO. PAGES: 1 of 1
CLASSIFICATION:	CHIEF OF POLICE: *Calvin D. Williams, Chief*	

Substantive changes are in italics

PURPOSE: To state guidelines for obtaining and disbursing Cleveland Division of Police business cards.

POLICY: Division members shall use a standardized business card to project a professional image to the public and to members of other agencies.

PROCEDURES:

I. *Upon request, business cards shall be provided to* Command Staff Members and Section *or Unit* Officers-in-Charge (OIC). *Other members may be provided business cards with the approval of the Deputy Chief in their chain of command.*

A. Members requesting business cards shall complete the requisition form C of C 71-64 and forward it through the chain of command to the Chief's Office.

1. A maximum of 250 cards may be ordered *using* the following format: full name (John P. Smith), rank (lieutenant), assignment (Bureau of …), Division of Police, 1300 Ontario Street, Cleveland, Ohio, 44113, (216) phone #, (216) fax #, city e-mail address. Other information *shall not* be printed on the card.

2. After approval by the *respective Deputy Chief* and Chief, the form shall be forwarded to the Budget Unit *for processing*.

B. Members *shall* be notified by the print shop *when the business cards are complete*.

II. Other Division members may utilize a generic business card available from the Supply Unit through the normal supply requisition process. The generic business card provides blank lines for members to write their name. Districts and *units* shall maintain a supply of generic business cards for members assigned there.

III. The Division does not authorize the use of any other business cards.

CDW/jeh
Policy & Procedures

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
September 14, 2006	March 2, 2015	1 of 5	1.1.38

SUBJECT:	
POST TRAUMATIC INCIDENT PROTOCOL	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.1.22, *1.1.45*, 2.1.01, 2.1.02, 2.1.06, 4.1.05
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

Substantive changes are in italics

PURPOSE: To establish a support protocol for members of the Division who have been involved in a traumatic incident.

POLICY: The Division shall strive to create processes that promote a healthy and productive workforce. The procedures contained herein are not intended to be critical of a member's actions surrounding a traumatic incident. Rather, these procedures address an administrative concern for the physical and emotional welfare of a member involved in a traumatic incident, especially one resulting in another person's death or serious injury. The Chief of Police, in consultation with the Division's Stress Consultant, shall be the final authority in determining what constitutes a traumatic incident.

PROCEDURES:

I. A "traumatic incident" is an event that can cause great distress or disruption in a member's life. "Traumatic incidents" may include, but are not limited to:

A. A member involved in a use of deadly force incident, *with or without death or physical harm.*

B. Members involved in or witness to an incident *resulting* in the death *or serious physical harm* of another person.

C. *A member experiences an incident that exposed the member to potential serious physical harm or death*.

II. *Supervisors shall notify Communications Control Section (CCS) to contact the Employee Assistance Unit (EAU) in the following situations. EAU shall monitor the situation and determine an appropriate response*.

A. *Line of duty death.*

B. *Serious line of duty injury.*

C. *Suicide of a co-worker.*

D. *Multi-casualty incident.*

E. *Officer-involved incident that results in the serious injury or death of anyone.*

F. *Death or violence involving a child victim.*

G. *A prolonged event, with negative results.*

H. *Incident with extensive media attention.*

I. *Incident charged with profound emotion (e.g. witness suicide or perform CPR).*

J. *Serious off-duty injury.*

K. *Any incident that an on scene supervisor reasonably believes a member should consult with EAU for the member's emotional health*.

III. Use of deadly force incidents resulting in death or *serious* physical harm.

A. The Chief of Police or Deputy Chief of *Homeland* Special Operations shall ensure the member is *not scheduled for duty on the next* three *calendar* days immediately following the event. Those days that are not regularly scheduled days off shall be entered as paid administrative leave.

B. The member shall remain on paid administrative leave until the member meets with the Division's Stress Consultant. The EAU shall schedule this meeting to occur within three days of the critical incident event.

C. EAU shall notify and provide updates to the member's commanding officer regarding the member's *initial days off, administrative leave, and/or duty status throughout the process*.

D. The involved member shall on the next business day after meeting with the Stress Consultant also meet with the Medical Director.

E. *At the request of the member and/or the recommendation of the Stress Consultant, the Chief of Police may extend the duration of paid administrative leave or inclusion in the post-traumatic event recovery program.*

F. After meeting with the Stress Consultant and the Medical Director, the member shall be detailed to the *EAU* on restricted duty status for a *minimum* period of *14* days, and *shall* participate in a post-traumatic event recovery program that *includes:*

1. *Regular consultation with the Stress Consultant during the first 30 days. The follow-up intervals shall be 2 months, 4 months, and 11 months post incident or at a frequency determined by the Stress Consultant and the member.*

2. Regular consultation with EAU peer counselors.

3. Participation in a physical conditioning program in the Gymnasium Unit *and/or the Division scheduled individualized EAU program.*

4. Spending additional personal time with family members.

5. *Participation in resilience training as determined by the Stress Consultant.*

G. *Members may be placed into transitional duty or other duty status as determined by the Chief of Police upon completing the EAU detail.*

H. After the member is cleared by the Stress Consultant to progress further in the *post-traumatic event* recovery program, the Medical *Director* shall schedule an appointment for the member to consult an outside *psychiatrist*.

I. Upon being notified by the outside *psychiatrist* that the member is cleared, the *Medical Director will notify the member to report to the Medical Unit*.

J. *Upon recommendation of the Medical Director, the Chief of Police may return the member to regular duty status or place the member into transitional assignments for varying periods of time at the member's request and at the discretion of the Chief of Police.*

K. *The Chief of Police shall consider assignment recommendations from the Medical Director, Stress Consultant, EAU, and the needs of the member and the Division.*

IV. Use of deadly force incident with no resultant death or *serious* physical harm.

A. The Chief of Police or Deputy Chief of *Homeland* Special Operations may place the member on paid administrative leave not to exceed three *calendar* days.

B. *Members shall consult with the EAU, Stress Consultant, and Medical Director within three calendar days of the incident, with mandatory follow-up sessions to be determined by the Stress Consultant.*

C. Members may request to be detailed to a temporary transitional assignment selected by the Chief of Police, but only after meeting with the Stress Consultant. The EAU shall schedule any required appointments.

D. *After meeting with the EAU and the Stress Consultant, the member shall meet with the Medical Director prior to returning to full duty status*.

V. Traumatic incidents not related to use of deadly force.

A. The member may be placed on paid administrative leave by the Chief of Police.

B. *If on paid administrative leave, the member shall meet with the Division's Stress Consultant and Medical Director*. EAU shall schedule these meetings to occur within three *calendar* days of the critical incident event or date that the member first seeks assistance of a past critical incident event.

C. EAU shall notify and provide updates as applicable to the member's commanding officer regarding the member's duty status.

D. The Stress Consultant may *recommend to the Chief of Police that* a member be *returned* to regular duty, additional paid administrative leave days, sick leave, and/or *detailed* to a temporary transitional assignment. The Chief of Police, in consultation with the Stress Consultant and EAU, shall be the final arbiter in the disposition of the member's status.

VI. *Members placed into transitional duty, as determined by the Chief of Police, may be detailed to a section or unit that includes, but is not limited to:*

A. *Communications Control Section*

B. *Training Section*

C. *Crime Scene and Records Unit (Administrative duties)*

D. *Forensic Unit (Front office)*

E. *Financial Crimes Unit*

F. *Personnel Section*

G. *Property Section*

H. *Supply Unit*

I. *Mounted Unit*

J. *Record Section*

K. *Special Victims Section*

L. *Fugitive Unit (Administrative research on wanted persons)*

VII. Secondary Employment - Members shall not engage in any security or law enforcement secondary employment while on *Restricted Duty, Transitional Duty, or paid administrative leave. Members required by this order to take part in the post-traumatic event recovery program or that request to be on paid administrative leave because of a traumatic incident shall have their secondary employment temporarily revoked until notified by EAU of re-instatement.*

CDW/jeh
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
JANUARY 29, 2007		1 of 3	1.1.39

SUBJECT:	
OHIO LAW ENFORCEMENT GATEWAY AND OHIO LOCAL LAW ENFORCEMENT SHARING INFORMATION NETWORK (OLLEISN)	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.3.02
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To inform Division members of and set guidelines for using the Ohio Law Enforcement Gateway (OHLEG) network and the Ohio Local Law Enforcement Information Sharing Network (OLLEISN).

POLICY: Authorized sworn and non-sworn members of the Division may use OHLEG and OLLEISN for law enforcement purposes only, exercising diligence to ensure system security. Individuals are provided access under the terms and conditions of this order and the **OHLEG Participation Agreement.**

Use of any information obtained is for authorized law enforcement purposes of criminal justice, counter terrorism, public safety and/or national security. Use for personal benefit is strictly prohibited. Violation of this policy may result in losing access to OHLEG by the entire Division or by specific individual(s) within it. Improper use of the OLLEISN network may result in violation of the public records laws, invasion of privacy, loss of productivity, or jeopardize network security.

DEFINITIONS:

Ohio Law Enforcement Gateway (OHLEG) is a secure, web-based information system.

Agency Point of Contact: Individual assigned by the Chief of Police to serve as the contact with the OHLEG project staff.

Law Enforcement Purposes: For carrying out official law enforcement duties.

Ohio Local Law Enforcement Information Sharing Network (OLLEISN) is a network established by the Ohio Association of Chiefs of Police to facilitate information sharing among Ohio local law enforcement agencies. Computer Aided Dispatch and Record Management System data is shared among 900 plus, local Ohio law enforcement agencies.

PROCEDURES:

I. OHLEG

A. The Chief of Police or the Chief's designee will:

1. Grant authority to individuals within the Division who may access OHLEG.

2. Assign one individual as the **Agency Point of Contact** for all matters related to OHLEG participation. The agency point of contact or designee is responsible for reviewing this policy with all authorized OHLEG users.

3. Request revocation of an individual's access by submitting a written request to the OHLEG Director. Access may be revoked either by the Chief of Police or the Ohio Local Law Enforcement Information-Sharing Network (OLLEISN) Steering Committee.

B. Individuals

1. May access OHLEG via the Internet (www.ohleg.org) or through the link provided on the Division's intranet website (http://10.41.1.119).

2. Individuals accessing OHLEG will be assigned a user name and a password. The authorized user shall be held accountable for all transactions occurring while logged onto OHLEG.

C. The agency point of contact, or designee, shall review the list of authorized users annually to confirm continuing member authorization.

D. Access to individual applications is based on the agency to which the user is assigned at the time of use.

1. OHLEG users who participate through multiple agencies shall only log on to OHLEG using the ORI number for the agency for which they are working at the time of access.

2. The **ORI** for the **Cleveland Division of Police is OHCLP0000.**

II. OLLEISN

A. Each participating agency will contribute and allow dissemination of information to all other members of the OLLEISN network.

B. Information retrieved through OLLEISN shall not be disseminated outside of the participating agencies.

C. Information must be confirmed with the originating agency for accuracy, must be used as summary data only, and must not be released in its original format.

D. If a recipient of information from OLLEISN determines that the information involves the actual or potential threat of terrorism, imminent danger, death, physical harm to any person, or imminent danger to national security, **and immediate** dissemination to the proper authorities is required, the recipient may disseminate the information to prevent or respond to the threat. The agency that originally entered the information in OLLEISN shall be notified immediately of the dissemination under this exception.

III. Public Records Requests

A. Requests for information from OLLEISN by a non-member entity shall immediately be referred to the head of the agency that entered the information.

B. Recognition of public records.

1. All information, with the exception of the information outlined in the Ohio Revised Code Section 149 as being “not public” is deemed public records.

2. In accordance with the Ohio Revised Code Section 149, the records shall be processed through the Originating Agency.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
October 24, 2007	November 24, 2015	1 of 3	1.1.40

SUBJECT:	
ACTING OUT OF RANK/CLASSIFICATION	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

Substantive changes are in italics

PURPOSE: To establish guidelines for authorizing requests for compensation for members who are required to act or perform in a higher rank.

POLICY: Certain Collective Bargaining Agreements (CBAs) allow their members additional compensation when required to act or perform duties of a higher rank or classification. The Division of Police shall compensate at the rate of pay for the higher rank or classification as directed by the respective CBA.

The Division of Police shall not compensate a member at a higher rate of pay when the member is not actually acting or performing the duties of the higher rank or classification (e.g. any time period that contains days or hours when the member is not present for duty for any reason, is attending training, seminars, conferences, negotiating committees, public boards, assessments or any other function or activity not directly related to the duties of the higher rank or classification for which compensation is claimed).

PROCEDURE:

I. The following shall apply when a *member* requests compensation for acting out of rank/classification for any reason, including extended periods of time as a result of a vacancy in that rank/classification.

A. *Members shall receive approval, from a command officer, to act as a higher rank* ***prior to*** *performing any duties of that higher rank.*

B. Only one subordinate supervisor may request acting pay for the same superior supervisor on any single calendar day.

C. No more than two subordinate supervisors may request acting pay for the same superior supervisor in any pay period.

D. Within seven calendar days after the end of the pay period during which acting pay is claimed, the acting supervisor shall complete the *pre*-structured Form-1 (Attachment).

1. *The Form-1 shall be forwarded through the chain of command.*

2. *When overtime is earned at an acting rate, a copy of the overtime card shall be attached to the Form-1.*

3. *The Form-1 shall not be forwarded prior to the end of the pay period during which acting pay is claimed.*

E. The Daily Duty Report of the subordinate supervisor acting in a higher rank shall begin with the notation, "Reported for Duty as Acting…"

II. *Sergeants shall not act or perform work for a rank/classification higher than lieutenant.*

III. Sergeants whose *lieutenant* is on unscheduled leave and they are required to act or perform the designated duties of the *lieutenant* on leave may submit a written request to their district or bureau commander to act or perform the duties of the *lieutenant* **prior to** acting or performing those duties. Only the senior *sergeant* present for duty may request to act or perform the duties of the *lieutenant* through their commander. The district or bureau commander may grant or deny the request.

IV. Lieutenants and above who will be absent from duty for any scheduled leave (e.g. in-service training, furlough, compensatory time off, family day, bridge day, personal holiday, Family Medical Leave Act) shall review their prospective calendar to determine if, and/or when, a subordinate supervisor will be required to act or perform the designated duties of their office.

A. If the supervisor determines that their designated duties are required to be performed during the leave, the supervisory officer shall review their subordinates' compensatory time and furlough calendars to make a recommendation for a subordinate supervisor to act or perform the designated duties of their office.

B. The supervisor shall submit a Form-1 recommending the subordinate supervisor, as well as outline the duties required to be performed, through the chain of command to the commander of the district or bureau.

C. The commander shall notify the subordinate supervisor of their approval ***prior to*** *the lieutenant or above being absent*.

V. *When a lieutenant is acting as a higher rank/classification for a short duration (e.g., furlough, in-service), a sergeant shall not act as that lieutenant.*

VI. *When a lieutenant is acting as a higher rank/classification for a long duration (e.g., vacant position, extended illness), a lieutenant may request a sergeant to act as that lieutenant. The sergeant shall not act as the lieutenant until approved by the deputy chief in the chain of command*.

VII. Civilian employees who are required to act out of their classification shall be compensated as governed by their Collective Bargaining Agreement. Civilian employee requests for additional compensation when acting out of classification shall be directed through the appropriate commander and forwarded through the chain of command to the Deputy Chief of Administrative Operations for approval.

CDW/jeh
Policy Unit
Attachment

CLEVELAND DIVISION OF POLICE

CLEVELAND, OHIO

DIVISIONAL INFORMATION

DIST./BUR. ZONE/UNIT Date:

EXAMINED BY: RANK: Date:

FROM: BADGE: TO:

SUBJECT: Request to Carry Acting Rank (GPO 1.1.40)

COPIES TO: Chief's Office, Unit Files, Timekeeping Unit

Sir/Ma'am:

I request permission to carry the acting rank of: _____

Name of the superior supervisor for whom I will be acting: _____

No more than two subordinate supervisors may request acting pay for the same superior supervisor per pay period.

Acting dates: Start: End:

For each day of the pay period circle the reason the superior officer was off duty, and insert the number of regular and overtime hours (if any) worked in the higher class into the appropriate space.

F = Furlough Day **H** = Holiday **S** = Sick Day **P** = Personal Day **C** = Compensatory Time

J = Jury Duty **D** = Funeral Leave **O** = Detailed to_____ V = V-Day c/w_____

Week One:	Monday			Tuesday			Wednesday			Thursday			Friday			Saturday			Sunday		
The superior officer for whom I claim acting pay was absent from duty. Reason:	F	H	S	F	H	S	F	H	S	F	H	S	F	H	S	F	H	S	F	H	S
	P	C	J	P	C	J	P	C	J	P	C	J	P	C	J	P	C	J	P	C	J
	D	O	V	D	O	V	D	O	V	D	O	V	D	O	V	D	O	V	D	O	V
Total Regular Hours:																					
Total Ext. Tour Hours:																					
Total X-Time Hours:																					

Week Two:	Monday			Tuesday			Wednesday			Thursday			Friday			Saturday			Sunday		
The superior officer for whom I claim acting pay was absent from duty. Reason:	F	H	S	F	H	S	F	H	S	F	H	S	F	H	S	F	H	S	F	H	S
	P	C	J	P	C	J	P	C	J	P	C	J	P	C	J	P	C	J	P	C	J
	D	O	V	D	O	V	D	O	V	D	O	V	D	O	V	D	O	V	D	O	V
Total Regular Hours:																					
Total Ext. Tour Hours:																					
Total X-Time Hours:																					

I request the Timekeeping Unit be notified in accordance with the FOP contract.

Respectfully, _____

District or Bureau Commander:_____ Date:_____ (Approved) (Disapproved)

Deputy Chief:_____ Date:_____ (Approved) (Disapproved)

Chief of Police:_____ Date:_____ (Approved) (Disapproved)

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
December 24, 2010		1 of 2	1.1.41

SUBJECT:	
EMPLOYEE ASSISTANCE AND SUPPORT	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.1.20, 1.1.32
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To establish support services and communicate the existence of resources that members of the Division can utilize when members experience declining job performance, self-destructive habits and dependencies, strained interpersonal relationships or other manifestations of stress.

POLICY: The Division of Police not only has the responsibility to meet the needs and expectations of the citizens they serve, but the Division also has a great degree of responsibility to its members to ensure that they are high functioning contributors to the protection of those citizens.

The law enforcement profession is demanding, challenging and often dangerous. Stress is a natural result of police work. It is our reaction to stress that is the key to our ability to deliver superior services to our citizens and the key to our own mental and physical health. Cumulative stress makes police officers more vulnerable to the normal pressures and traumatic events of life. Failure to manage this stress can have catastrophic consequences.

Therefore it is the policy of the Division of Police to have in place or provide access to resources that members may utilize to promote their mental wellness and resultant physical health.

PROCEDURES:

I. The Employee Assistance Unit

A. The Employee Assistance Unit (EAU) shall be comprised of sworn members whose duty is to provide direct assistance or act as intermediary to other resources for members seeking assistance in dealing with personal issues that are affecting the well being of the member. EAU shall carry out their duty primarily through peer counseling and referral to a wide range of resources. EAU services are also available to any person in the member's household. Also refer to General Police Order 1.1.32 Wellness Program.

B. The Employee Assistance Unit shall be directly under the chain of command of the Office of the Chief of Police

1. All member interactions with EAU shall be strictly voluntary, confidential and anonymous.

2. In instances involving a disciplinary action, a member may, by written request, divulge efforts at rehabilitation relative to the issue for which the member is seeking assistance.

3. EAU may be contacted directly at 623-5678 or 5679. Outside of normal business hours, voicemail will direct callers to EAU cell phone numbers. Members may also contact the Communications Control Section for EAU contact information.

C. The Police Psychologist is a full time stress consultant located in Police Headquarters that shall be available to members for any assistance. The Police Psychologist shall be available during general business hours and be contacted at 623-5670.

D. The Department of Public Safety has an employee "CARE-Line" (664-CARE) that enables other caring employees to anonymously report members who may be exhibiting stress indicators, inappropriate behaviors, diminished interpersonal skills or unexplained declines in personal appearance. The use of this resource shall never be used for punitive purposes but rather for rehabilitative purposes.

E. The EASE@Work Employee Assistance Program

1. The EASE@Work Employee Assistance Program is a program that provides the services of qualified professionals who can assist on a wide variety of issues such as stress, alcohol abuse, financial counseling, elderly concerns, personal health, legal issues, mental wellness and other sources of employee concern.

2. EASE@Work services are available 24 hours a day and are private and confidential. EASE@Work may be contacted at (216) 241-3273 or 1-800-521-3273, or contact EAU for additional information.

MM/TAH/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
January 12, 2012		1 of 3	1.1.42

SUBJECT:	
UNIFORM CLOTHING COMMITTEE	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: The Uniform Clothing Committee shall evaluate clothing and equipment currently in use and proposed for use by the Division of Police.

POLICY: The Division of Police shall establish a committee of members reflective of the makeup of the Division whose duties shall be evaluating and recommending items for the annual clothing allowance.

PROCEDURES:

I. Members of the Division of Police Uniform Clothing Committee

A. The Uniform Clothing Committee shall be comprised of representatives from the below list as approved by the Chief to evaluate duty related items and uniforms.

1. Field Operations (1 supervisor designated by the Deputy Chief of Field Operations to serve as committee chairperson)

2. Patrol (1 male officer and 1 female officer)

3. Policy & Procedures Unit (Project Director and/or Unit OIC)

4. Special Operations (1 male officer and 1 female officer)

5. Training Section (1 officer)

6. Traffic Bureau (1 officer)

7. Bureau of Communications and Property Control (1 officer or dispatcher)

8. Fraternal Order of Police (1 officer)

9. Cleveland Police Patrolmen's Association (1 officer)

10. Black Shield Police Association (1 officer)

II. Duties of the Division of Police Uniform Clothing Committee

A. The Uniform Clothing Committee shall:

1. Be chaired by a designated supervisor from Field Operations.

2. Meet no less than three times per year ending on the last day of each trimester ending in April, August, December, and as needed to discuss new proposals for uniforms or other duty related items.

3. Make written recommendations to the Chief for additions or deletions of uniform items and duty related items.

4. Be responsible for wear testing clothing and field testing duty related items.

5. Ensure that commanders are informed of any members under their command who are testing items; explaining what those items are and the length of the testing period.

6. Establish the length of time required to wear test items and submit a written evaluation of the items to the Project Director documenting the review of an item.

7. Review written reports evaluating items tested by specialized units and proposals submitted by members of the Division of Police.

8. Review and respond to member comments or suggestions regarding the annual list of uniform clothing items.

B. The Project Director assigned to the Policy and Procedures Unit shall:

1. Process the necessary paperwork and submit same in a timely manner through the chain of command to the Department of Public Safety.

2. Ensure that the annual "clothing pick-up" period commences following the ordering process as soon as the items become available from the respective vendors.

3. Review bids submitted for the annual clothing allowance and make recommendations to award contracts in accordance with law and established purchasing procedures.

4. Submit all new and current clothing specifications annually by January 31. These specifications shall be forwarded to the Bureau of Support Services for review and endorsement.

C. The Chairperson shall submit a written report via the Project Director to the Chief of Police following each trimester meeting of the Uniform Clothing Committee summarizing the findings of the committee.

D. The Officer-in-Charge (OIC) of the Policy and Procedures Unit shall oversee the entire procurement and disbursement process and ensure that it is completed in a timely manner and in compliance with all contractual obligations as well as the Divisional rules and regulations; and ensure that all related Divisional Notices are issued in a timely manner.

E. All new items must be approved by the Chief of Police. Replacement items that are substantively similar in specifications and price to a discontinued item or less desirable item do not require approval from the Chief of Police

F. Upon receiving specifications from the chairperson, the Project Director shall immediately submit these specifications through the chain of command to the Department of Public Safety for the bidding process.

III. Members of the Division may comment on or make item recommendations to the annual list of uniform clothing items by submitting a Form-1 through the chain of command to the "Uniform Clothing Committee" in care of Field Operations.

Members eligible for a Uniform Clothing Allowance shall complete their selections no later than as directed by Divisional Notice.

MM/AJG/jsb
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
September 16, 2013		1 of 3	1.1.43

SUBJECT:
DISTRIBUTIVE FACTUAL ANALYSIS CRIMINAL THREAT SOLUTION (DFACTS)

ASSOCIATED MANUAL:	RELATED ORDERS:

CHIEF OF POLICE:
Michael McGrath, Chief

RESCINDED EFF. 09/16/13
PROGRAM DISCONTINUED

PURPOSE: To inform Division members of and set guidelines for using the Ohio Attorney General's Office/Bureau of Criminal Investigation and Identification (OAG/BCI) Distributive Factual Analysis Criminal Threat Solution (DFACTS).

POLICY: Authorized members of the Division shall use DFACTS for law enforcement purposes only, exercising diligence to ensure system security. Members with approved access to DFACTS shall be strictly governed by the terms and conditions of this order and the **DFACTS User Agreement.**

Use of any information obtained can be used only for legitimate law enforcement investigative purposes. Use for personal benefit is strictly prohibited. Violation of this policy may result in losing access to DFACTS by the entire Division or by specific member(s) within it.

DEFINITIONS:

Distributive Factual Analysis Criminal Threat Solution (DFACTS): DFACTS accesses databases built from public records, commercial data sets, and data provided by various government agencies. This collection of data is combined into a massive dataset enabling queries on many disparate databases in one step.

Agency Point of Contact: A member of the Record Management System (RMS) Support Unit shall serve as the contact with OAG/BCI DFACTS.

Legitimate Law Enforcement Investigative Purpose: Directly linked to a law enforcement agency's criminal investigation or to prevent a criminal act.

PROCEDURES:

I. Conditions of Access and Use

A. The Chief of Police or the Chief's designee will:

1. Grant authority to members within the Division who may access DFACTS.

2. Assign a member as the **Agency Point of Contact** for all matters related to DFACTS participation. The agency point of contact or designee is responsible for reviewing this policy with all authorized DFACTS users.

3. Perform background checks on Division personnel who will have access to DFACTS, information, and remote access rights; consisting of a fingerprint based records check and an active warrants check (local, state, and federal).

4. The agency point of contact shall review the list of authorized users annually to confirm continuing member authorization.

5. Request revocation of an individual's access for non-compliance with the User Agreement by submitting a written request to the OAG/BCI. Access may be revoked either by the Chief of Police or the OAG/BCI.

B. DFACTS Users:

1. Shall be assigned a user name and password, and may access DFACTS via the available software client.

2. Shall be held accountable for all transactions that occur using DFACTS under that member's log-in credentials.

3. Shall utilize information accessed within DFACTS only for authorized legitimate law enforcement investigative purposes.

4. Shall not distribute or disclose any information retrieved from the DFACTS system without prior approval from the Chief or Chief's designee, and shall not be disseminated to unauthorized persons.

5. Shall comply with all requirements within the DFACTS user agreement.

RESCINDED EFF. 09/16/13
PROGRAM DISCONTINUED

II. Dissemination Log

A. DFACTS information may be disseminated only to a law enforcement agency for law enforcement investigative purposes. DFACTS users shall maintain a record (log) of any secondary dissemination of information when it includes criminal history information, personal identification information obtained in connection with a motor vehicle record for at least 5 years. This log shall be maintained in a manner and in a place where it may be readily audited by the RMS Support Unit as may be required.

B. This record will reflect:

1. Date of Release

2. To whom the information relates

3. To whom the information was released (including address and telephone number)

4. The State Identification (SID) and/or the FBI number(s) or other information that clearly identifies the data released.

5. The purpose for which the information was requested.

III. Disclaimer

A. The Division acknowledges the law enforcement data and commercially available data sources used in the DFACTS system may contain errors, and that the Division remains solely responsible for the interpretation, dissemination, and use of any information derived from the DFACTS system. The DFACTS system should not be relied upon as absolutely accurate, complete, or current.

B. The Division acknowledges that before taking action in reliance on any data in DFACTS, the Division shall independently verify the data is accurate, complete, and current.

RESCINDED EFF. 09/16/13
PROGRAM DISCONTINUED

GENERAL POLICE ORDER
CLEVELAND POLICE DEPARTMENT

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
September 27, 2013	March 10, 2015	1 of 6	1.1.45

SUBJECT:	
RETURN TO DUTY PROGRAM (RTDP)	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.1.05, 1.1.20,1.1.31, 1.1.24,1.1.32, 1.1.38, 1.1.41,1.1.25, 2.1.01
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

This General Police Order has been revised in its entirety

PURPOSE: To establish a Return to Duty Program (RTDP) that promotes a healthy return to duty or transfer process in the Division of Police for all sworn members absent from duty for an extended period of time or reassigned to first responder duties after a long absence from those duties.

POLICY: The Cleveland Division of Police recognizes the importance of the physical, mental, and emotional health of its officers. It also recognizes that many stressors are placed on officers and their families when officers are seriously injured, have been away from duty for an extended period of time, or return to first responder duties after having been away from those duties for an extended period of time. To help decrease the impact of stress in these instances, the Division shall utilize the RTDP.

DESCRIPTION:

Return To Duty Program (RTDP) - The RTDP is under the immediate supervision of the Officer-in-Charge (OIC) of the Employee Assistance Unit (EAU) and shall be managed by the RTDP Coordinator, in conjunction with the Stress Consultant. The RTDP Coordinator is assigned to the EAU and also serves as the Military Liaison Officer.

The RTDP supports the psychological needs of officers and their families through evaluation, counseling, and consultation. The RTDP addresses the numerous changes in laws, Division policies and procedures, technology, tactics, and possible diminished first responder skills. The RTDP is designed to assist the officer's re-introduction to first responder duties or other duties as so assigned. The RTDP also provides the officer and their family supportive counseling services, if necessary, to help the officer and their family cope and recover from any serious injuries or trauma.

The RTDP provides training assessment and field work through the Field Training Officer (FTO) Program, designed to assist officers with returning to their assigned duties. The RTDP is designed to satisfy Division and community expectations that officers have been properly cared for, trained, and are capable of returning to their duties as police officers.

PROCEDURES:

I. Criteria For RTDP Placement

A. Officers returning to duty after any extended leave of absence (e.g. extended illness, military leave, lay off, restricted duty, traumatic injury, use of deadly force) of more than 90 consecutive calendar days shall be placed into the RTDP.

B. An officer who has been transferred to the Patrol Section first responder duties from another section/unit due to organizational realignment or duty reassignment shall be placed into the RTDP.

C. Officers returning to duty from a suspension, no matter the length, may be placed into the RTDP. Based on the totality of the circumstances related to the suspension and the return to duty, the Chief of Police may place an officer into the RTDP. The officer will receive additional training and/or supervision to ensure the activity that led to the suspension does not continue or has been appropriately corrected. The length of the program will be decided on a case by case basis as determined by the Chief of Police.

D. Officers who witness or are involved in a violent traumatic incident involving death or serious bodily injury, whether on or off duty may be placed into the RTDP.

E. Commanders may request through the RTDP Coordinator that an officer who does not meet any of the above requirements but who they believe would benefit from participation in the RTDP be placed into the RTDP.

F. Officers may be placed into the RTDP at the discretion of the Chief of Police.

II. RTDP Administrative Procedures

A. An officer placed into RTDP shall report to the EAU prior to their next scheduled shift and meet with the RTDP Coordinator. The meeting shall be considered the officer's tour of duty.

B. Timekeeping for an officer placed into the RTDP shall be kept by the officer's commander's office.

C. The Medical Unit OIC shall route any related documentation through the chain of command to the Chief of Police or designee within 7 days AND forward a copy to the RTDP Coordinator.

III. RTDP Coordinator Responsibilities

A. The RTDP Coordinator shall implement a plan designed to assist officers with returning to police duties.

B. An individual training program shall be established for each officer based on the officer's needs and the reason for the officer's entry into the RTDP. The training will be customized for each officer and will consider such variables as length of time away from the job, the nature, extent, and seriousness of any traumatic and/or bodily injury sustained, and duty assignment.

C. The RTDP Coordinator shall structure the individualized RTDP into three phases: Assessment, Training, and Field Training/Observation

IV. Phase I – Assessment

A. During Phase I the RTDP Coordinator shall assess the needs of each individual officer and reason for entry and begin developing a customized plan. During this phase the RTDP Coordinator may schedule the officer to participate in a variety of services (i.e. counseling, stress management, etc.)

B. Upon successful completion of this phase the RTDP Coordinator shall assign the officer to Phase II.

V. Phase II – Training

A. Phase II will be conducted at the Training Section and may include, but not be limited to, state laws, city ordinances, criminal procedures, General Police Orders and other written directives of the Division, physical training, tactics, firearms proficiency, and driving.

B. Training Section instructors shall document in writing all training provided to the officer. All documents shall be kept in the officer's training file with copies being forwarded to the RTDP Coordinator.

C. Upon successful completion of this phase the RTDP Coordinator shall assign the officer to Phase III.

VI. Phase III – Field Training/Observation

A. Phase III will be conducted with the officer returning to their assigned district/section/unit for field training/observation.

B. Supervisors of officers in the RTDP may be required to provide more detailed descriptions of the officer's progress through the program than the RTDP Observation Report. The RTDP Coordinator shall advise the supervisor when this is required.

C. Officers returning to the Patrol Section shall be assigned to working in the field with an FTO/STO.

1. The FTO shall complete the RTDP Observation Report (Attachment A) each week the officer rides with an FTO and forward it, through their immediate supervisor, to the RTDP Coordinator. Officers returning to the Patrol Section shall be evaluated on tasks 1-14 (Part II) of the RTDP Observation Report.

2. At the end of thirty (30) calendar days of first responder duties, the FTO and STO shall complete the Review & Corrective Action (Part III) and shall determine whether the officer requires additional training or if the officer is able to return to regular assigned duties.

3. At the completion of the RTDP, the FTO and STO shall complete the End of RTDP Summary (Part IV) and forwarded the RTDP Observation Report to the officer's commander for review and endorsement. The commander shall then forward all related documentation to the RTDP Coordinator within 7 calendar days.

D. Officers returning to a non-Patrol Section unit shall be under the direction of their immediate supervisor, acting as the FTO described in VI. C. of this order, for at least thirty (30) days. Officers shall be evaluated on tasks 1-16 (Part II) of the RTDP Observation Report. After the thirty (30) days, the immediate supervisor shall make a written recommendation (the officer should remain in their assigned duties or requires additional training) on the RTDP Observation Report (Part III). The RTDP Observation Report shall be forwarded as described in VI. C. 3. of this order.

E. Supervisors returning to patrol duties shall be assigned to participate in the Mentoring Program as outlined in General Police Order 1.1.31 Mentoring Program and shall be monitored for at least thirty (30) days. Supervisors participating in the RTDP shall be evaluated by their immediate supervisor, acting as the FTO described in VI. C. of this order, on tasks 1-20 (Part II) of the RTDP Observation Report. The RTDP Observation Report shall be forwarded as described in VI. C. 3. of this order.

F. Supervisors returning to a non-Patrol Section unit shall be assigned to their previous unit under the direction of their immediate supervisor, acting as the FTO described in VI. C. of this order, for at least thirty (30) days. The immediate supervisor shall make a written recommendation (the supervisor should remain in their assigned duties or requires additional training) on the RTDP Observation Report (Part III). The RTDP Observation Report shall be forwarded as described in VI. C. 3. of this order.

VII. Final Evaluation

A. Upon completion of Phase III, the RTDP Coordinator shall review all documentation provided by the FTO, STO, and the recommendation of the Stress Consultant to determine if the officer has completed all requirements of the RTDP and forward a recommendation to the Chief of Police.

B. The Chief of Police may determine that the officer:

1. Successfully completed the RTDP,

2. Receive additional training,

3. Receive additional counseling,

4. Enter into the Officer Intervention Program,

5. Receive a Fitness for Duty Evaluation in accordance with Rules and Regulations and the Collective Bargaining Agreement and the Civil Service Commission Rules.

VIII. Stress Consultant Responsibilities

A. The Stress Consultant shall conduct counseling services with the officer participating in the RTDP. Psychological counseling services may include, but are not limited to, personal and/or family counseling as well as critical incident stress management and other counseling services.

B. Officers in the RTDP shall meet with the Stress Consultant during their individual training program and as determined by the Stress Consultant and/or the RTDP Coordinator.

IX. The OIC of the EAU shall provide the Chief of Police or designee with monthly updates and/or status reports on the RTDP.

CDW/md
Employee Assistance Unit
Attachment A

CLEVELAND DIVISION OF POLICE

RETURN TO DUTY PROGRAM OBSERVATION REPORT

PART I - ADMINISTRATIVE DATA

NAME OF RTDP PARTICIPANT (LAST, FIRST, M.I.)	BADGE	SIGNATURE	DATE
(FTO) NAME OF FIELD TRAINING OFFICER (LAST, FIRST, M.I.)	BADGE	SIGNATURE	DATE

DISTRICT	SHIFT	Z/C or UNIT #	V-CLASS	PERIOD COVERED:	FROM	THRU

PART II - DAILY OBSERVATIONS

Complete a rating for each of the skill areas. When providing comments, indicate the number of the skill and then the comment(s)

E = Exceeds Expectations **M = Meets Expectations** **N = Needs Improvement** **U = Unobserved**

		Date →	M:				T:				W:				Th:				F:				Sa:				Su:			
		Task	**E**	**M**	**N**	**U**	**E**	**M**	**N**	**U**	**E**	**M**	**N**	**U**	**E**	**M**	**N**	**U**	**E**	**M**	**N**	**U**	**E**	**M**	**N**	**U**	**E**	**M**	**N**	**U**
GENERAL	1	Acceptance of Constructive Criticism																												
	2	Appearance & Personal Equipment																												
	3	Building Searches																												
	4	Control of Conflict: Use of Force																												
	5	Control of Conflict: Verbal De-Escalation																												
	6	Customer Service																												
	7	Divisional Forms																												
	8	Interaction with Police Personnel																												
	9	Knowledge of GPO's & Policies																												
	10	Mental Preparedness																												
	11	Reports On-Time																												
	12	Situational Assessment																												
	13	Suspect Control / Cuffing																												
	14	Work Ethic																												
DET. ONLY	15	Case Law & Legal Knowledge																												
	16	Case Preparation																												
SUPERVISOR ONLY	17	Case Law & Legal Knowledge																												
	18	Investigative Packets																												
	19	Knowledge of Municipal Codes																												
	20	Knowledge of ORC																												

CLEVELAND DIVISION OF POLICE

RETURN TO DUTY PROGRAM OBSERVATION REPORT

NAME OF RTDP PARTICIPANT (LAST, FIRST, M.I.)	BADGE	SIGNATURE	DATE

PART III - REVIEW & CORRECTIVE ACTION

FIELD TRAINING OFFICER (FTO) REVIEW	SUPERVISOR TRAINING OFFICER (STO) REVIEW	
Identify areas that ***EXCEED EXPECTATIONS*** *(provide examples by task number & date)*	*Comments:*	
Identify areas that ***DO NOT MEET EXPECTATIONS*** *(provide examples by task number & date)*	*Identify any RE-TRAINING provided or recommended:*	
Identify areas where ***RETRAINING MAY BE NEEDED*** *(provide examples by task number & date and the type of retraining you feel is appropriate)*	**STO Name / Badge**	**STO Signature / Date**
	RTDP Coordinator Signature/Date	

PART IV - END OF RETURN TO DUTY PROGRAM SUMMARY

THIS SECTION TO BE COMPLETED ONLY AT THE END OF THE RTD ASSIGNMENT

FIELD TRAINING OFFICER (FTO) REVIEW		SUPERVISOR TRAINING OFFICER (STO) REVIEW	
FTO Comment(s):		*STO Comment(s):*	
FTO Recommendation ☐ ***I Recommend Completion of the RTDP*** ☐ ***I Recommend Addittional Training in the RTDP***		*STO Recommendation* ☐ ***I Recommend Completion of the RTDP*** ☐ ***I Recommend Addittional Training in the RTDP***	
FTO Name / Badge	**FTO Signature / Date**	**STO Name / Badge**	**STO Signature / Date**
COMMANDER'S ENDORSEMENT		***RTDP Coordinator Review***	
Signature / Date		**Signature / Date**	

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 01, 2002	MARCH 18, 2014	1 of 12	1.2.01

SUBJECT:	
ORGANIZATIONAL STRUCTURE	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

Substantive changes are in Italic

PURPOSE: To delineate the organizational structure of the Cleveland Division of Police.

POLICY: The Division of Police is under the direct command of the Chief of Police. The Deputy Chiefs and the Executive Officer report directly to the Chief of Police.

PROCEDURES:

I. Organizational Chart

A. The organizational structure shown in the Attachment reflects the organization of the Division of Police and is an integral part of this order.

B. The Division shall be divided into three areas of responsibility:

1. Administrative Operations.

2. Field Operations.

3. Homeland Special Operations

C. Each operation shall be divided into districts or bureaus under a Commander who shall report to a Deputy Chief.

D. Districts and bureaus are divided into sections.

E. Sections are divided into units under the command of an officer-in-charge (OIC).

II. Office of the Chief of Police

The Chief of Police is responsible for the daily operation of the Division, assignment and transfer of personnel, the discipline of employees, and any other duty as authorized by the Charter of the City of Cleveland. The following report directly to the Chief of Police:

A. Executive Officer: the Executive Officer shall hold the rank of Deputy Chief and shall work directly under the Chief of Police and be responsible for the daily operation of the Chief's Office including the Case Preparation Office, the Public Affairs Office, and the Council Liaison.

B. Deputy Chiefs of Administrative, Field, and Homeland Special Operations: responsible for the daily activities of districts, bureaus, or sections.

C. Case Preparation/Equal Employment Officer: handles administrative disciplinary hearings held by the Chief of Police, Director of Public Safety, and/or designees; responsible for the processing of racial, sexual or age discrimination complaints.

D. Public Affairs Office: liaison between the Division and the media.

E. Council Liaison: liaison between the Division and City Council.

F. Employee Assistance Unit: provides peer counseling and referral service for members of the Division and their families.

G. *Bureau of* Integrity Control consisting of the following units:

1. Internal Affairs Unit: responsible for investigating allegations of felony crimes committed by police officers and incidents of Domestic Violence involving members of the Division.

2. Inspection Unit: conducts inspections designed to maximize the performance of police personnel by securing compliance with Division rules, regulations, policies and procedures; as the custodian of public records, maintains the Division's archives and disposes of obsolete records.

3. Overtime Review Unit: responsible for the oversight and review of all overtime generated within the Division of Police; and the investigation of any overtime irregularities.

III. Administrative Operations

The Deputy Chief of Administrative Operations is responsible for the bureaus and functions that assist the Chief of Police in maintaining the day-to-day operation of the Division of Police. The following report directly to the Deputy Chief of Administrative Operations:

A. Commander of the Bureau of Support Services

1. Record Section

a. Mail Center: delivers and collects mail throughout Police Headquarters; prepares mail for U.S. Postal Service delivery and inter-office mail delivery.

b. Record Unit: Maintains and distributes criminal history records, accident records and crime reports. Enters property into computer systems.

c. Report Intake/Review Unit: responsible for computer entry of police reports and maintenance of LEADS records.

d. Court Unit: maintains court attendance log sheets, logs and distributes subpoenas, maintains court vouchers.

e. Warrant Unit: processes bonds, enters and removes warrants into and from computer systems, validates warrants, Temporary Protection Orders and missing persons.

f. Public Records Unit: responds to public record requests.

g. Record Management System Support Unit: coordinates and maintains the Record Management System, LEADS, and produces statistical data.

2. Personnel Section

   a. Medical Unit: maintains medical records, tracks employee sick time, is responsible for pre-employment medical exams and provides other medical services.

   b. Personnel Unit: maintains personnel records, conducts background investigations, coordinates employee benefits and retirements, and is responsible for the hiring process.

   c. Timekeeping Unit: maintains timekeeping records for Division personnel (except civilian employees in CCS and Record File) and ensures accurate payment of wages and benefits; distribution of payroll checks.

   d. Budget Unit: responsible for fiscal operations within the Division of Police (excluding payroll and benefits).

   e. Policy and Procedures Unit: researches, drafts and develops procedural orders and policies for the Division; administers the clothing allowance.

3. Training Section

   a. Academy Unit: trains and tests police recruits; develops, implements, and documents on-going training for Division personnel. Responsible for Field Force training.

   b. Gymnasium Unit: is responsible for the physical training and testing of police recruits; develops and implements physical fitness and self-defense training programs for members of the Division; completes research and training associated with the Taser and other intermediate weapons or devices.

   c. Ordnance Unit: administers firearm and ordnance training and testing for police recruits and sworn members of the Division; also responsible for issuing, maintaining, storing, testing, and making recommendations involving Division-issued firearms, ordnance, and OC sprays.

B. Commander of the Bureau of Communications and Property Control

1. Communications Control Section

   a. Call Takers: receive calls for service, ensure correct priorities, and forward calls to dispatchers.

   b. Dispatchers: assign calls for service.

   c. Expeditors: handle reports that do not require the dispatch of a police officer.

   d. Telephone Exchange: accepts internal and external non-emergency calls, routing same to the appropriate administrative office or city service; answers the Public Safety Helpdesk hotline and creates trouble tickets for computer related service.

2. Logistics Section: purchases, deploys and maintains vehicles and ancillary equipment assigned to the Division of Police.

   a. Transportation Unit: ensures that Division vehicles are properly equipped and maintained; acts as liaison between Division of Police and Department of Motor Vehicle Maintenance.

   b. Mobile Support Unit: provides the installation, maintenance, and repair of MDC and Digital Video equipment; provides training and instruction in their use.

3. Property Section

   a. Property/Forfeiture Unit: maintains and disposes of property and evidence for the Division; processes and maintains forfeiture requests and records.

   b. Supply Unit: orders and distributes office supplies for the Division; provides bulk property and evidence storage.

   c. Impound Unit: maintains inventory and performs related services, including release and disposal of vehicles towed by the Division of Police.

d. Vehicle Custodial Unit: provides a secure setting for vehicles held for processing and safekeeping until released to the owner.

IV. Field Operations

The Deputy Chief of Field Operations is responsible for the neighborhood police districts and personnel, responding to citizen calls for service, public order maintenance, traffic flow and control, and the community policing strategies for the Division of Police. The following report to the Deputy Chief of Field Operations:

A. Special Events Coordinator: responsible for planning and staffing for major sporting and entertainment events, demonstrations and protests occurring within the City of Cleveland, and *Field Force coordination*; supervisory oversight of the Ceremonial Team.

B. Commander of the Bureau of Community Policing

1. Community Relations Section

a. Auxiliary Police Unit: assists district patrol officers with a variety of functions, primarily involving traffic control, through the use of unarmed volunteers.

b. Community Relations Unit: increases community awareness through crime prevention programs in schools, businesses, and neighborhoods.

c. School Crossing Guard Unit: provides safe street crossings for elementary school children walking to and from school.

d. School Resource and Education Unit: presents classroom instruction to elementary and middle school students designed to help decrease substance abuse, gang involvement and youth violence in the City of Cleveland.

e. Recruitment Unit: processes routine inquiries for employment opportunities, attends job fairs and career seminars to distribute information to interested persons.

C. Commander of each of the neighborhood police districts

1. Patrol Section: the primary responder to dispatched calls for police services.

2. Support Section

   a. Detective Unit: investigates Ethnic Intimidation/Hate Incidents, missing persons, and felonies not assigned to specialized units; investigate all juvenile felony and misdemeanor arrests and named suspect reports not assigned to specialized units; maintain a Missing Persons investigator.

   b. District Traffic: provides enforcement for traffic complaints, traffic control at special events and tows abandoned autos in each district.

   c. Community Services Unit: responds to quality of life issues in identified target areas in the City of Cleveland; serve as the Division's Field Force squads.

   d. Vice Unit: investigates suspected vice activities and enforces laws governing liquor, gambling, prostitution, and drug offenses.

   e. Downtown Services Unit (DSU) (District 3 only): responsible for providing police services in the Downtown Business District. Officers on foot, bicycle, and motor patrol beats provide increased police visibility and handle quality of life issues, parking enforcement, traffic control, and special event staffing as needed.

D. Commissioner of the Bureau of Traffic

1. Traffic Enforcement Section

   a. Motorcycle Unit: enforces traffic laws; provides motor escorts; *manages the Photo Enforcement Program*.

   b. Mounted Unit: enforces parking and traffic laws, provides crowd control, and provides directed patrols in neighborhoods.

   c. Traffic Controllers: direct and control traffic in the downtown area during rush hour and special events.

V. Homeland Special Operations

The Deputy Chief of Homeland Special Operations is responsible for support and follow-up investigative functions and homeland security. Homeland Special Operations supports Field Operations personnel in responding to calls for service, creating and updating the Division's drug enforcement strategies and specialized functions to assist with preserving public order. The following report to the Deputy Chief of Homeland Special Operations:

A. Commander of the Bureau of Special Investigations

1. Administrative Section

a. Central Charging Office: make all computer entries for detectives' felony investigations.

b. Criminal Statement Unit: each morning, supplies the prosecutor with a felony docket and forwards statement packages.

2. Investigative Section

a. Homicide Unit: investigates homicides, police-involved shootings, and felonious assaults on police officers, in-custody deaths of prisoners, deaths of young children and other deaths of a suspicious nature.

b. Financial Crimes Unit: investigates con games, computer-based crime and theft of precious metals; monitors activities of pawn shops, second hand dealers and scrap yards.

c. Accident Investigation Unit: investigates serious non-fatal and fatal traffic accidents and conducts follow-up investigations of hit-skip traffic accidents.

3. Special Victims Section

a. Sex Crimes/Child Abuse Unit: conducts follow-up investigations of felony sex crimes, child pornography cases and misdemeanor sex offenses committed against juveniles.

b. Domestic Violence Unit: responds to Domestic Violence scenes and conducts investigations; work with advocates to provide service to victims and their families.

4. Technical Section

a. Crime Scene and Records Unit: collects and processes crime scene evidence, photographs crime scenes, photographs and fingerprints prisoners and homicide victims, examines and classifies fingerprints, and creates and maintains criminal and civilian files.

b. Forensic Unit: provides scientific analysis needed by any unit within the Division of Police and assists other law enforcement agencies when necessary.

c. Photography Unit: photographs victims, special events, personnel for photo ID cards and maintains files of negatives for future use; provides photos to requesting personnel pursuant to Division policy.

B. Commander of the Bureau of Special Services

1. Strategic Enforcement Section

a. Northern Ohio Law Enforcement Task Force: Multi-agency group of local and federal investigators focusing on major state, national and international drug traffickers.

b. Narcotics Unit: suppresses and mitigates illegal drug activity through the enforcement of applicable laws.

c. Special Weapons and Tactics Unit: resolves hostage situations and barricaded suspect incidents, executes search warrants, and provides dignitary protection.

d. STANCE; Standing Together Against Crime Everyday-This is a cooperative effort (Six City Initiative) between CDP-FBI-CMSD-CMHA-CCSO-Adult Parole.

e. Gang Impact Unit: In cooperation with Homicide and District Investigative Units the GIU proactively addresses violent gang activity while conducting street level narcotics and gun violence interdiction activities.

f. NOVFTF: Northern Ohio Violent Fugitive Task Force-Multi-agency group of local and federal investigators focusing on violent and high profile fugitives.

g. Domestic Violence Warrant Unit: verifies and serves arrest warrants related to Domestic Violence, Menacing by Stalking and Violation of Protection Orders; consults with victim organizations; advises victims.

h. VCTF: Violent Crimes Task Force – targets pattern violent crimes, conducts follow up investigations on cold case missing children, human trafficking cases, and cold case homicides.

i. HIDTA: High Intensity Drug Trafficking Area: Federally funded entity providing direct support on drug investigations for intelligence, training and enforcement on a local and national level.

C. Commander of the Bureau of Homeland Services

1. Intelligence Section

a. Intelligence Unit:

1. In collaboration with the Northeast Ohio Regional Fusion Center (NEORFC), gather, coordinate, and disseminate intelligence information as it relates to Homeland Security.
2. Investigate bombings (or threats thereof), organized crime, and allegations of public corruption.

3. Assist with dignitary protection as directed by the Deputy Chief of Homeland Operations.

4. Participate in State or Federal Task Forces as directed by the Deputy Chief of Homeland Operations.

5. Investigate all other issues of a sensitive nature as directed by the Chief of Police.

6. Ensure that all information of a sensitive nature requiring timely notification is forwarded through the chain of the command to the Chief of Police in real time

b. Crime Analysis Unit: responsible for maintaining and reporting statistical data for the Division. The Division's Missing Person Liaison shall report to the Crime Analysis OIC.

c. Missing Person Liaison: investigates and follows up on missing persons complaints, works with Crime Analysis and the NEORFC.

d. Security Detail Unit

1. Mayor's Security Detail: provides security to the Mayor while in transport to and at Mayoral events and functions.

2. City Hall Security: provides security to City Hall and City Council.

2. Domestic Preparedness Section

a. Bomb Squad: provides bomb technicians to handle suspected explosive devices.

b. Canine Unit: provides trained canine teams for drug enforcement, explosives detection, tracking, searching and criminal apprehension.

c. Police Headquarters Security: coordinate with the Jail Liaison to ensure security at Cleveland Police Headquarters.

3. Ports Section

a. Airport Unit: enforces state laws, city ordinances and FAA regulations at Cleveland Hopkins International Airport.

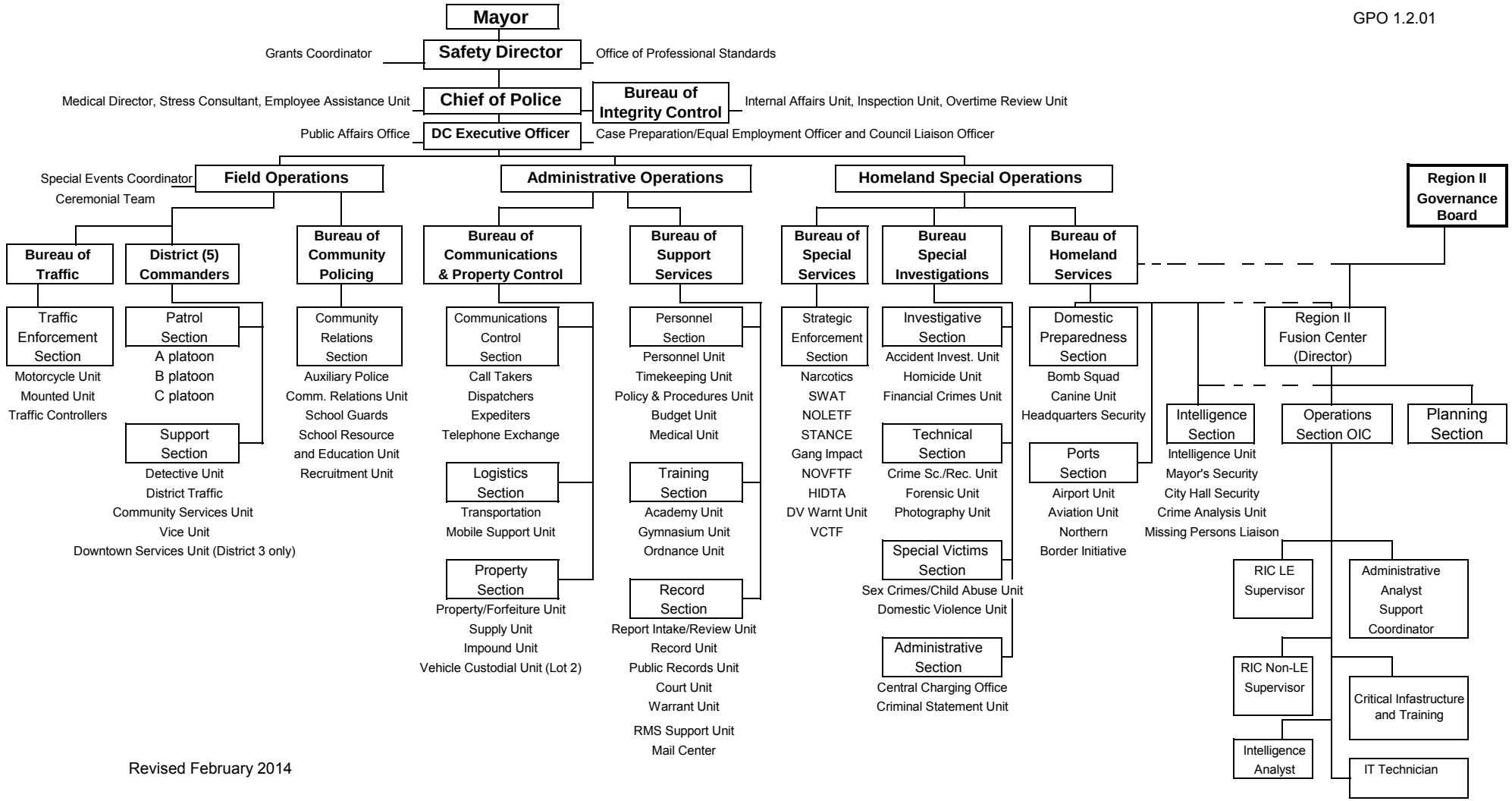
b. Aviation Unit: provides air support to the Division of Police to include search capabilities, detection of criminal activity, and apprehension of criminal offenders.

c. Northern Border Initiative Unit: Police boat patrol to ensure the safety and security of the northern border of the United States.

VI. Reporting directly to the Director of Public Safety but closely associated with the Division of Police are the Office of Professional Standards (OPS) and the position of Grants Coordinator.

CDW/jeh
Policy & Procedures Unit
Attachment

GPO 1.2.01



Revised February 2014

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 01, 2002	November 6, 2013	1 of 2	1.2.02

SUBJECT:	
DISTRICT AND ZONE BOUNDARIES	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

This General Police Order has been revised in its entirety

PURPOSE: To delineate Cleveland Division of Police district and zone boundaries.

POLICY: The Division established geographic subdivisions (Districts and Zones) within the City in order to properly allocate Division resources in the most efficient manner with an emphasis on the public's need for police services.

PROCEDURES:

I. The attachments of this order provide a depiction of the city, district, and zone boundaries used by the Cleveland Division of Police.

II. Members shall remain within their assigned territory unless engaged in a law enforcement related activity (e.g. radio assignments, arrest transports, and booking) requiring them to leave their assigned territory.

III. When a member needs to leave their district for any reason other than a fresh pursuit, which is covered by other orders, they shall:

A. Obtain permission from their supervisor prior to leaving.

B. Complete the tasks without any unnecessary delay.

C. If entering another jurisdiction, ensure the local jurisdiction is notified.

IV. When granting permission for an officer to leave their assigned territory or district the following procedures shall apply.

A. The supervisor considering approval shall:

1. Use discretion in judging the purpose, expediency, and distance involved before granting permission.

2. Grant permission based primarily on Division needs.

B. If the member is leaving the City of Cleveland for a fresh criminal investigation the supervisor shall:

1. Ensure that a uniformed supervisor meets the officer on scene prior to the officer taking any law enforcement action. This requirement shall not keep the officer(s) from taking law enforcement action to protect persons in an emergency situation that requires immediate action.

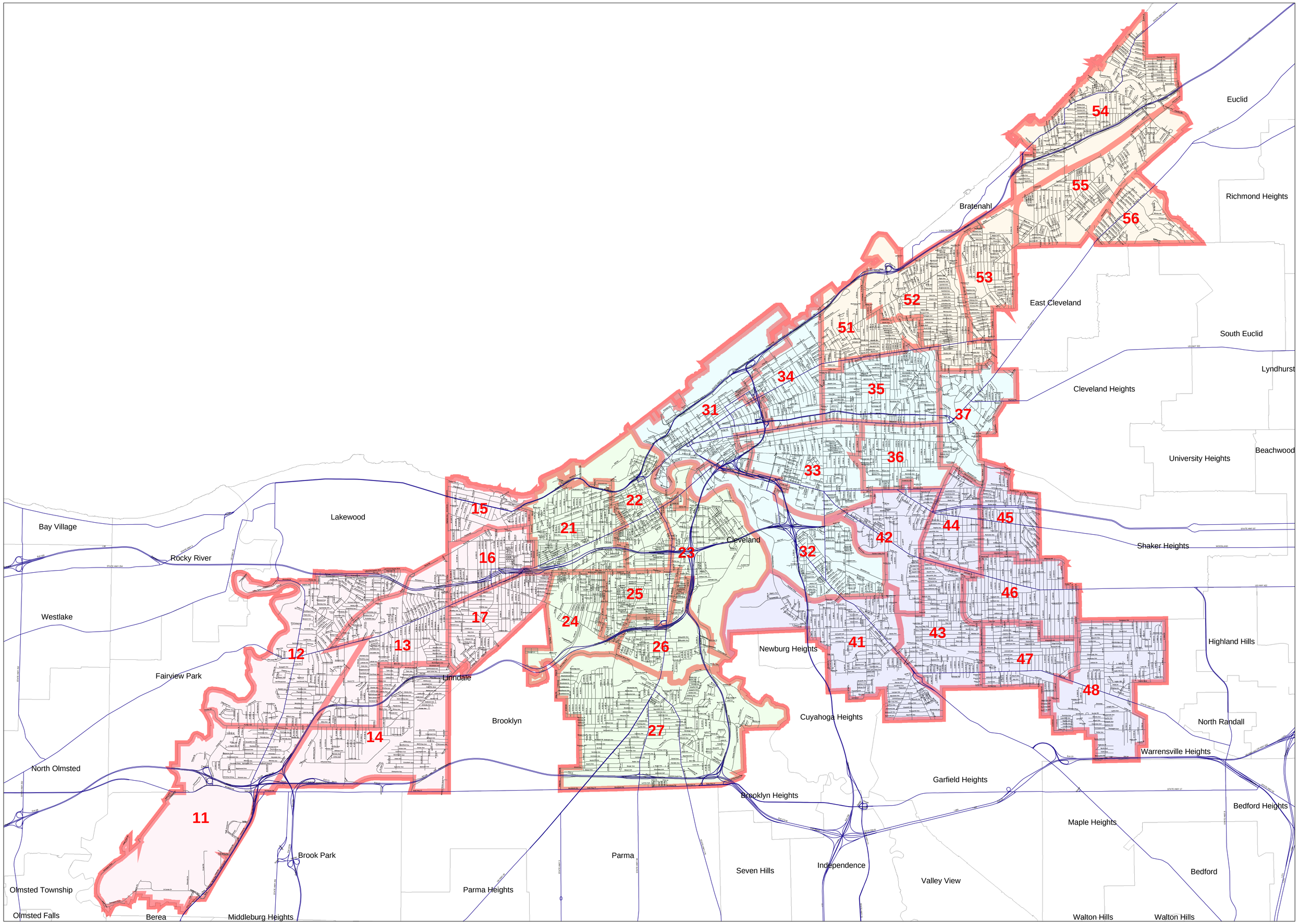
2. Ensure the local jurisdiction is notified about the activities of the Division within their jurisdiction.

3. Request assistance from the local jurisdiction if needed.

4. Ensure that the officer(s) wait for the local jurisdiction to respond to the scene if the local jurisdiction requests to be involved in the actions of the Division within their jurisdiction.

MM/jeh
Policy & Procedures Unit
Attachments (A-F)

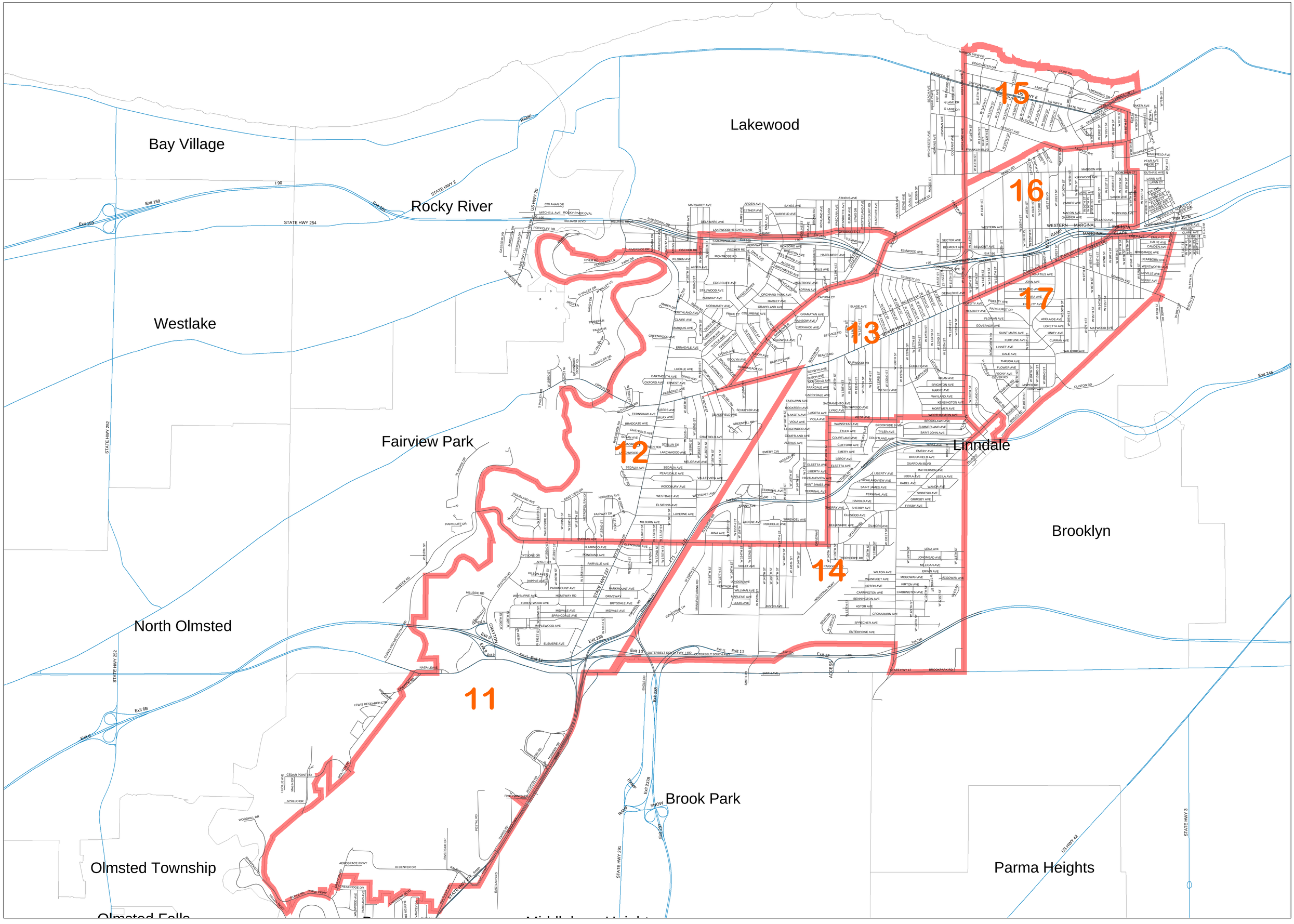
Cleveland Division of Police
District/Zone Boundaries



4/28/2008 - pa

Cleveland Division of Police
District/Zone Boundaries

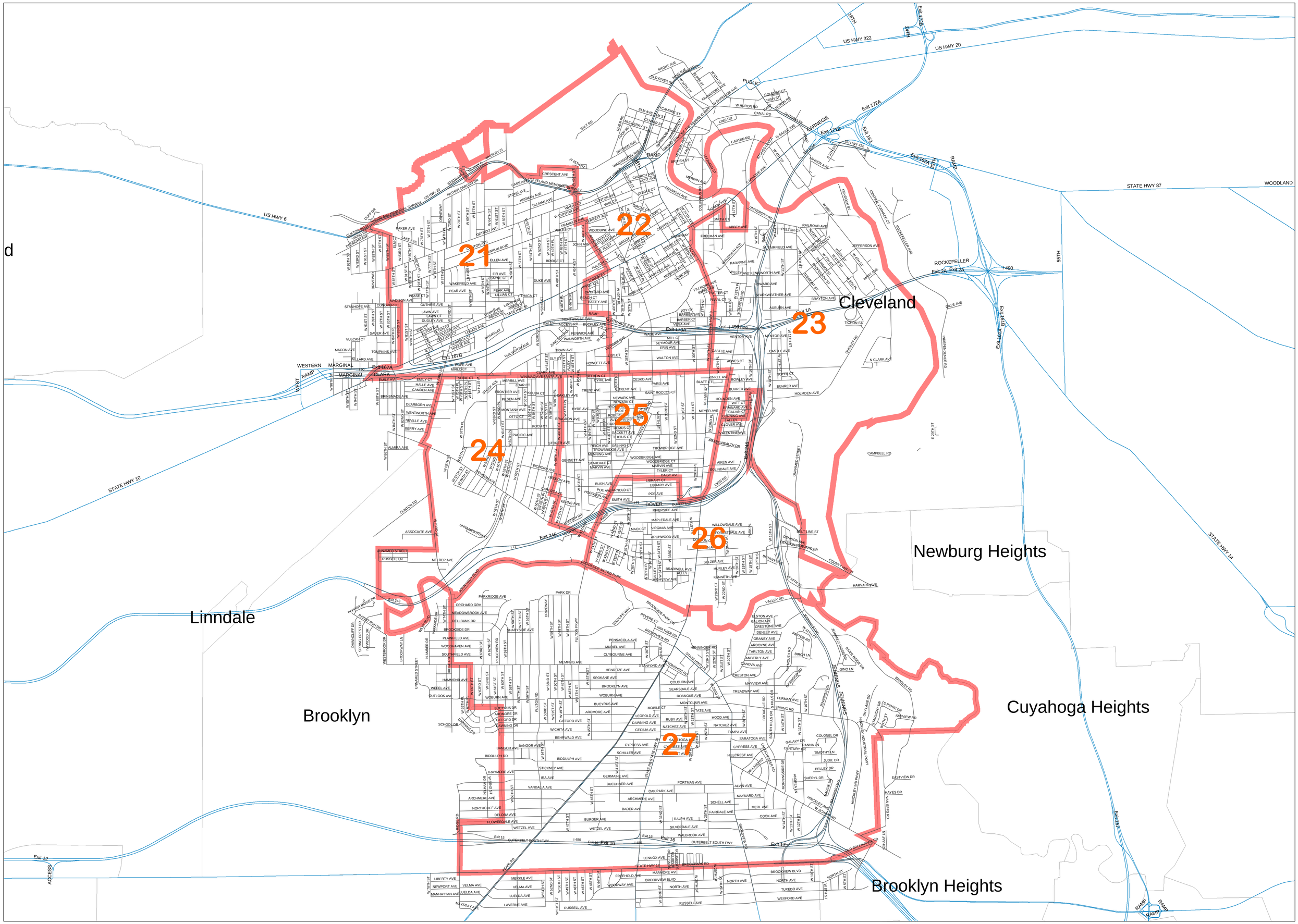
District 1



4/28/2008 - pa

Cleveland Division of Police
District/Zone Boundaries

District 2



4/28/2008 - pa

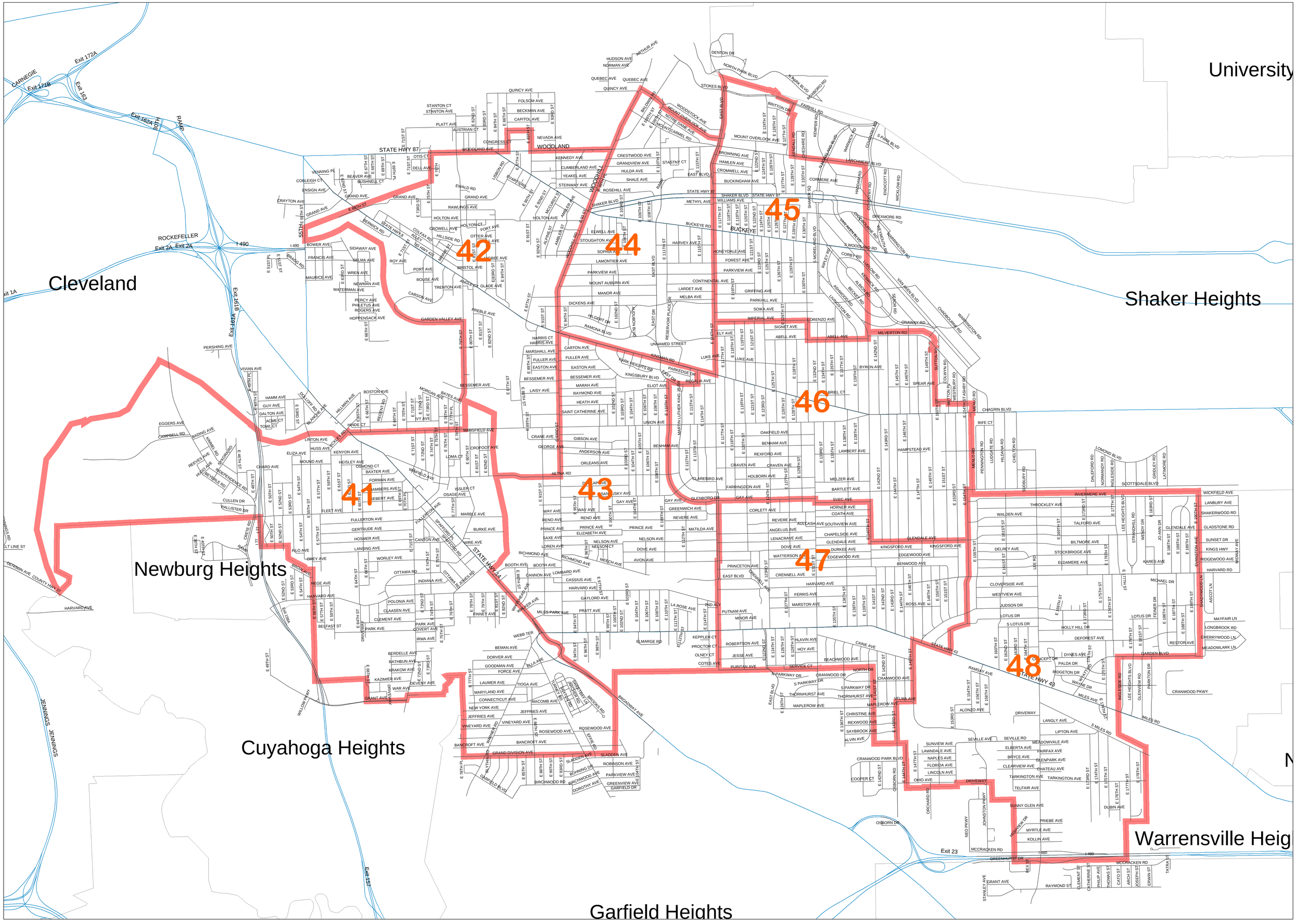
Cleveland Division of Police
District/Zone Boundaries

District 3

4/28/2008 - pa

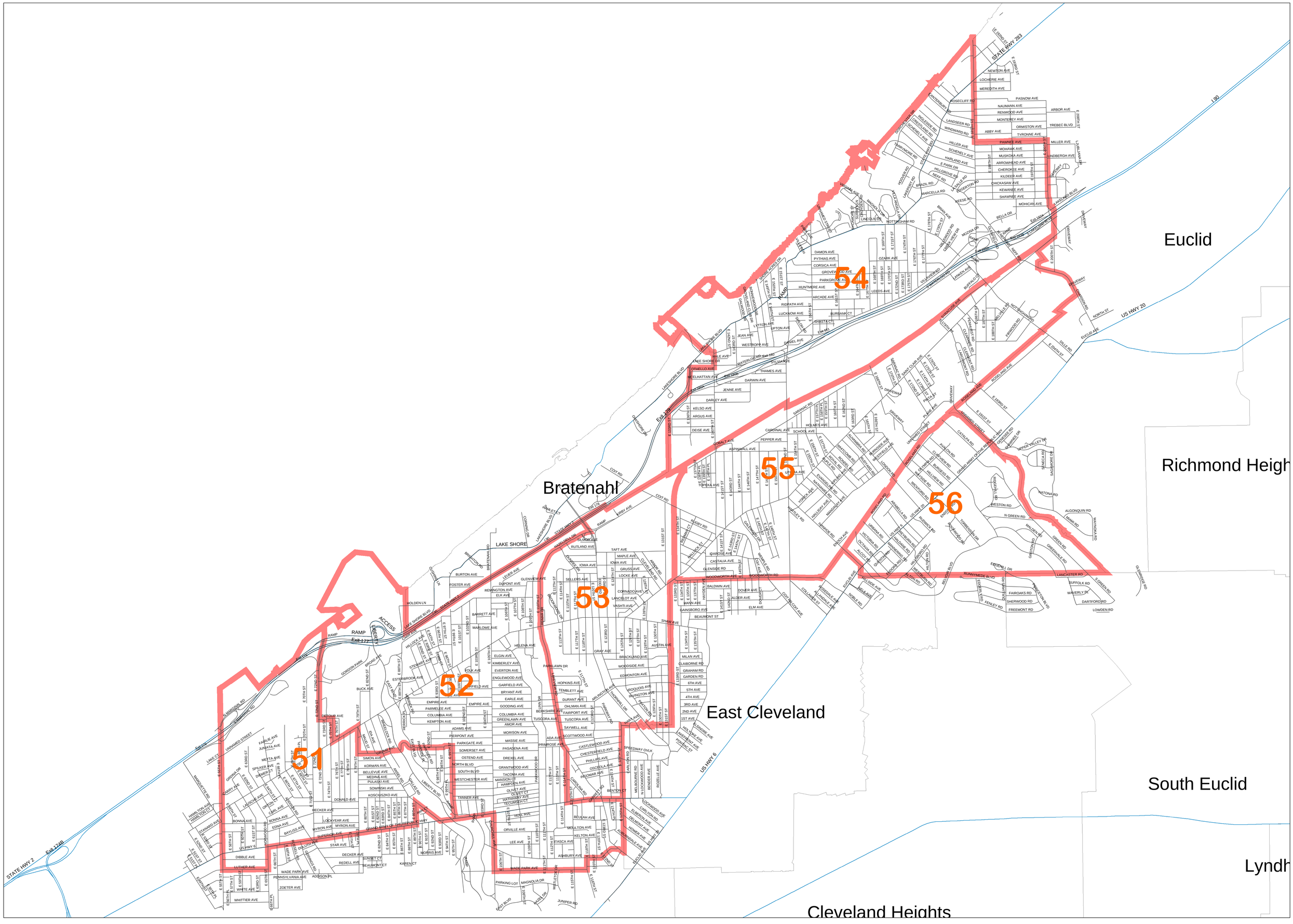
Cleveland Division of Police
District/Zone Boundaries

District 4



Cleveland Division of Police
District/Zone Boundaries

District 5



4/28/2008 - pa

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 1, 2002	October 31, 2012	1 of 2	1.2.03

SUBJECT:	
CLEVELAND POLICE AUXILIARY OFFICER PROGRAM	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes have been italicized

PURPOSE: To provide a means for interested citizens to become directly involved in their community through public service in a voluntary law enforcement program.

POLICY: The Division of Police shall use *Police Auxiliary Officers for the benefit of the community and to relieve police officers of tasks better suited for trained civilians to handle*.

PROCEDURES:

I. The *Police Auxiliary Officer Program* is open to adults over the age of 18 years with a high school diploma or G.E.D.

A. *Police Auxiliary Officers* (PAO) operate unarmed and without arrest powers.

B. PAO's are ordinarily assigned to the area in which they live.

C. The Division of Police shall provide training, uniforms, and equipment.

II. PAO's assist the police and community by patrolling local neighborhoods.

A. PAO's are equipped with 800 MHz radios which monitor the *five* Police Districts, Traffic, and Special Events channels and may be dispatched to:

1. Assist securing the scenes of downed power lines, flooded roads, vehicle tows, *and special events*.

2. Support patrol officers *in any other manner to enable officers to respond to higher priority assignments*.

B. *Patrol and duty hours of PAO's shall vary and be determined by the*

Commander of the Bureau of Community Policing.

C. PAO's shall notify the Communications Control Section (CCS) *when reporting on duty and off duty via telephone (216) 623-5723 primary line or (216) 621-1234 secondary line, and inform CCS how many units and PAO's are available*. *That information will then be routed to the appropriate dispatcher as an "Info No Dispatch" event*.

D. Officers may contact PAO's through the Auxiliary Police Talk Group or *via the CCS supervisor, with sector supervisor approval. When PAO's are requested to respond they shall notify the Auxiliary Police Unit (APU) coordinator of such request*.

E. *If no PAO's are on duty, the sector supervisor will determine if an emergency call-up is necessary and notify CCS. A CCS supervisor shall page the on-call APU coordinator and request that a PAO respond. The APU coordinator shall maintain an on-call list of PAO's.*

F. *The APU coordinator shall contact one or more PAOs and instruct any available to respond. The APU coordinator shall notify CCS of the status of a response.*

G. *The sector supervisor shall monitor and direct the activities of the PAOs at the scene of any incident in which they are requested*.

MM/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	July 8, 2015	1 of 6	1.2.04

SUBJECT:	
POLICE CHAPLAIN PROGRAM	
ASSOCIATED MANUAL: EMPLOYEE ASSISTANCE UNIT	RELATED ORDERS:
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

This General Police Order has been revised in its entirety

PURPOSE: To establish a Police Chaplain Program within the Division of Police.

POLICY: The Police Chaplain Program provides guidance, counseling, and comfort in times of crisis and a response to the social needs of the Division, as well as the overall well-being of its members, their families, and the community.

The Division is encouraged to utilize the voluntary services of the Police Chaplains where the presence or expertise of a Police Chaplain may prove beneficial for the Division.

PROCEDURES:

I. The Chief's Office shall oversee the Police Chaplain Program and maintain a Police Chaplain candidate list. The Chief of Police shall identify ordained or licensed members of the clergy, representing various faiths, who are interested in volunteering their services to the Police Chaplain Program.

A. The Division may designate up to a maximum of 20 Police Chaplains.

B. Recommendations of clergy members for inclusion in the Chaplain Program may come from any source and shall be directed to the Chief's Office. Those recommended shall have sufficient experience in pastoral and parish work so that they may adequately meet the requirements of this order.

C. Recommended candidates shall complete the Human Resources and Civil Service Application available from the City of Cleveland website under the "Forms & Publications" tab. The completed application shall be printed and forwarded to the Chief's Office for consideration.

RESCINDED, EFF. 03/15/18
SEE NEW GPO 4.02.05

D. The Chief shall select the applications for forwarding to the Personnel Unit for a background investigation. The recommendations and investigation results shall be forwarded through the chain of command to the Chief's Office.

E. The Chief or designee shall select a candidate to become a Police Chaplain upon consultation with the Chief Chaplain.

F. Police Chaplains shall be sworn in by the Mayor or the Mayor's designee.

II. The Chief of Police may suspend or remove a Chaplain from the Police Chaplain Program for just cause, including but not limited to:

A. Violations of Division rules, orders, and directives.

B. A lack of active participation in the Police Chaplain Program.

C. Actions that diminish the esteem of the Police Chaplain Program.

D. Failure to provide accurate contact information.

III. The Employee Assistance Unit (EAU) shall work closely with the Police Chaplain Program to ensure that members of the Division receive all the support that is available to them.

IV. The Chief of Police shall appoint a Chief Chaplain from those in the Police Chaplain Program. The Chief Chaplain shall:

A. Serve as a liaison between the Division and all the chaplains participating in the Police Chaplain Program.

B. Assist the Chief in identifying and vetting members of the clergy who are interested in participation in the Police Chaplain Program.

C. Be apprised of all chaplain selections and deletions by the Chief's Office.

D. Provide immediate supervision over the Police Chaplain Program.

RESCINDED: EFF. 03/15/18
SEE NEW GPO 4.02.05

E. Be responsible for administrative matters, including processing requests for services and scheduling assignments.

F. On a monthly basis, designate a police chaplain to be "on call" and advise the Chief's Office of the name and phone number of the selected chaplain. The Chief's Officer shall forward this information to CCS. The CCS supervisor shall have access to the contact information for the on-call Police Chaplain.

V. Police Chaplains are encouraged to be members of the International Conference of Police Chaplains (ICPC). When approved by the Chief of Police, all costs incurred as a result of ICPC membership shall be paid by the Division of Police. Attendance at ICPC training seminars is encouraged but not mandatory. Chaplains desiring to attend such seminars at the expense of the Division shall do so in accordance with General Police Order (GPO) 1.1.17 Travel and Training Requests.

VI. Police Chaplains shall:

A. Report directly to the Chief of Police or designee and hold the honorary rank of captain of police.

B. Be permitted to wear the captain uniform with the chaplain insignia, but only at Cleveland Police ceremonial functions or when specifically approved by the Chief of Police.

C. Be issued a Cleveland Division of Police identification card and gold badge with a chaplain insignia.

D. Be governed by the Manual of Rules, GPOs, and any other such policies, procedures, rules, regulations, and directives of the Division.

E. Maintain high spiritual and moral standards and be in good standing with the religious body they represent.

F. Act as a liaison cultivating good relations between the Division and:

1. The community.

2. Ministerial alliances or associations.

G. Carry the Division issued cell phone at all times when so assigned.

RESCINDED: EFF. 03/15/18
SEE NEW GPO 4.02.05

H. Annually attend the classroom portion of the use of force in-service training.

I. Provide the Chief Chaplain with their current contact information to include a cell phone number and email address.

VII. Police Chaplains may:

A. Attend or participate in National, State and Local Law Enforcement Memorial Day ceremonies, Police Academy graduations, Divisional award or promotional ceremonies, in-house training seminars and/or other similar events and activities where the presence or expertise of a Police Chaplain would promote a positive image of the Division in the eyes of the public. All requests for a Police Chaplain to attend a special event shall be forwarded to the Chief Chaplain.

B. Provide comfort and counseling to members and their families in times of personal stress/crisis.

C. Make presentations to Police Academy recruit classes relative to the Police Chaplain Program and its functions within the Division.

D. Address members at roll calls or within the offices of administrative units relative to the Police Chaplain Program and its function within the Division.

E. Make appointments for Police Chaplain counseling. When circumstances dictate, in concert with EAU and the Division's Stress Consultant, make referrals to professionally accredited counseling services.

F. Assist Division members in making serious injury or death notifications.

G. With the knowledge of the appropriate Officer-in-Charge, a Police Chaplain may participate in any "ride-along" in the same capacity as any other sworn member of the Division.

H. Participate in Divisional training seminars as instructors or as students when information disseminated at such seminars is relevant to the duties and responsibilities of a Police Chaplain, and such attendance has been approved by the Chief of Police.

RESCINDED: EFF. 09/15/18
SEE NEW GPO 4.02.05

I. Visit sick or injured members confined in hospitals or convalescing at home or another location.

VIII. The contact information for the on-call Police Chaplain shall be provided to the Communications Control Section (CCS), EAU, and commanders by the Chief's Office. Members may contact CCS at any time to ascertain which chaplain is currently on-call.

A. The Chief may assign an unmarked police vehicle to the Police Chaplain Program for use by the on-call Police Chaplain. The on-call Police Chaplain may request from a district OIC the use of a vehicle if one is available. Police vehicles used by the Police Chaplain shall be assigned call numbers 7950 through 7959.

B. The on-call Police Chaplain shall serve as first responder to requests for assistance from a member or a member's family.

C. When a member or member's family member expresses a desire to meet with a Police Chaplain of a religious denomination different than the on-call Police Chaplain, the on-call Police Chaplain shall be responsible for making the arrangements.

IX. All matters discussed as a result of a member's interaction with any Police Chaplain shall be treated as privileged communications. The names of people seeking assistance from a Police Chaplain shall be kept confidential.

X. Police Chaplains are available at any time to assist members and/or their families. Police Chaplains may be contacted directly or by calling CCS at 623-5723.

XI. A list of Police Chaplains, their contact information, and religious denominations shall be provided by the Chief Police Chaplain and disseminated through the Chief's Office. The list shall be conspicuously posted in CCS and at each district and bureau. The list shall be made available to any member upon request.

XII. Police Chaplains injured while performing a Police Chaplain related function shall report such incidents at the time of occurrence to CCS.

A. Injury investigations shall be handled in accordance with GPO 1.1.13 Duty Related Injuries.

RESCINDED; EFF. 03/15/18
SEE NEW GPO 4.02.05

B. Injuries to a Police Chaplain that are reported immediately shall be handled by the sector supervisor of the sector of occurrence. The nearest sector supervisor shall investigate injuries sustained outside the city limits.

C. Delayed reporting of injuries of a Police Chaplain shall be forwarded to the commander of the district of occurrence or nearest to the occurrence if outside the city limits who shall delegate the injury investigation.

XIII. Police Chaplains shall be insured by the City of Cleveland while anywhere performing a Police Chaplain function.

XIV. Supervisors shall ensure that proper notification of incidents involving Police Chaplains are promptly reported to EAU, the Chief Chaplain, and the Bureau of Integrity Control as appropriate.

RESCINDED; EFF. 03/15/18
SEE NEW GPO 4.02.05

CDW/jeh
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
FEBRUARY 23, 2006	February 22, 2006	1 of 4	1.3.01

SUBJECT:	
MEDIA RELATIONS	
ASSOCIATED MANUAL: RECORD FILE, CCS	RELATED ORDERS: 1.1.23, 1.3.27
CHIEF OF POLICE: *Michael McGrath, Chief*	

Revisions in italics

PURPOSE: *To establish guidelines for a working relationship with the media.*

POLICY: Cleveland Division of Police personnel shall follow the provisions of this order when attending a meeting or gathering, giving media interviews or otherwise engaging the media. Personnel who make oral or written presentations when presenting themselves as a Division representative must have prior *written* permission of the Chief or the Chief's designee.

PROCEDURES:

I. Media Relations

A. Members of the Cleveland Division of Police shall be courteous and professional with media representatives.

B. At crime scenes and high profile incidents involving the Division, the sector or unit supervisor in charge shall establish a perimeter that authorized personnel may enter. Officers shall not allow representatives of the media within this perimeter. Media representatives may perform assigned tasks outside the perimeter when their activities are within the law and do not interfere with law enforcement operations.

C. The Chief of Police or the Chief's designee is the only source for press conferences, news releases, official interpretations of Division policy and internal investigations.

D. Participation in Formal Media Interviews

1. Members may participate in print, television, radio or other electronic medium interviews (including panel discussions, documentaries, workshops, audience participation programs, etc.), **only** with prior *written*

approval of the Chief of Police or designee when any of the following apply:

a. The member is identified as an official representative of the Division; **or**

b. The member is identified as a spokesperson of the Division; **or**

c. The member will be discussing Division policy; **or**

d. The member is appearing in the uniform of the Division.

2. Approval from the Chief of Police may be obtained by submitting a written request through the chain of command to the Chief's office.

3. Members participating in an interview, whether oral, written, or electronic, to express personal viewpoints and/or opinions shall:

a. Not wear Division of Police uniform clothing or any other apparel with insignia representative of the Division: **and**

b. Not participate in the interview on any property assigned to, associated with or reasonably confused as Division property; **and**

c. Participate in the interview **ONLY** during off-duty hours; **and**

d. Make a statement at the beginning of the interview unequivocally expressing that their comments are a personal point of view and **NOT** representative of the Division's position.

E. Field Release of Public Information

1. At a crime scene, the supervisor in charge may furnish the media with a brief description of the crime and description(s) of the suspect(s). The supervisor shall release this information as promptly as circumstances allow.

2. The supervisor in charge at the scene of a newsworthy event shall furnish the media with a synopsis of the incident.

3. The supervisor in charge at the scene may contact the Communications Control Section (CCS) to request the Public Information Officer respond to the scene for assistance with the media.

II. Release of Public Information

A. Record Management System (RMS) Reports

Some information included in non-supplemental RMS reports is not subject to public disclosure. Questions about the release of particular information shall be referred to the Custodian of Records in Administrative Operations. Information in these records which must be withheld from public disclosure includes, but is not limited to:

1. The identity of a confidential information source or witness.

2. Information provided by a confidential information source or witness that may disclose their identity.

3. Confidential investigation techniques, procedures or work product.

4. Information that would endanger the life or physical safety of law enforcement personnel, a crime victim, a witness or a confidential information source.

5. Social security numbers.

B. In response to a public records request where the Division provides documents of a member's personal service records, Administrative Operations shall send the member a copy of all documents released at the same time the records are provided to the requester.

C. The Chief's Office may release the following information once a suspect is arrested:

1. The suspect's name, age, employment, marital status and city of residence.

2. The substance or text of the offense.

3. The identity of the investigating and arresting officers and their assignments.

D. The following information is **not releasable:**

1. Statements that relate to the character or reputation of the arrested and charged person or prospective witness.

2. Admissions, confessions or the contents of a statement or alibi given by an arrested and charged person (unless the comments were in the original RMS report).

3. Statements that concern the credibility or anticipated testimony of prospective witnesses.

4. Statements of your opinion concerning evidence or whether or not such evidence will be used at the trial.

E. When the Division is involved in a high profile incident, the appropriate supervisor shall notify CCS of the incident's details as soon as possible

F. Personnel shall refer to G.P.O. 1.3.27, Disclosure of Information, when receiving inquiries about computerized, arrest or other sensitive information.

EFL/TAH/ta/jc
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
August 22, 2006	December 28, 2016	1 of 4	1.3.02

SUBJECT:	
USE OF DIVISION COMPUTERS AND EMAIL	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

This General Police Order has been revised in its entirety

PURPOSE: To provide standards of conduct for members of the Cleveland Division of Police who use Division computer hardware and software, access e-mail, and use the internet.

POLICY: Division computer information systems and databases shall be used for law enforcement purposes only. Use of Division computers, including e-mail and internet access, shall comply with the City policy on Employee use of Email and the Internet. Even though the City permits the occasional personal use of all these communications tools, members shall be aware that they have NO expectation of personal privacy in the use of the internet and any e-mail systems when utilizing computers or services that the City provides. **The City of Cleveland may examine any documents or files on Division computers for violations of this policy.**

PROCEDURES:

I. Members shall comply with the City of Cleveland Policy on Employee use of Email and the Internet.

II. Requirements for use of Division computers. Members shall:

A. Use only computer programs or networks for which they are authorized.

B. Not create, modify, copy, move, or delete files or documents on Division computers unless this action is within the scope of their duties.

C. Provide to their direct supervisor all passwords and identifiers they use to access Division computers and the software contained therein.

D. Not copy or install software on a Division computer without permission of the Deputy Chief of Administrative Operations or their designee.

E. Not install or permit unlicensed software on any Division computer.

F. Not use Division computers for excessive personal use that interferes with the performance of City-related use, consumes significant resources, interferes with the activities of other employees, or results in waste of productive work time.

III. Requirements for internet access on Division computers.

A. Members shall:

1. Use the Internet for purposes supportive of the Division's mission. The use of Division internet accounts for personal use is prohibited, and may not be accessed from non-division computers without permission from the Deputy Chief of Administrative Operations.

2. Not access pornographic or offensive material except for legitimate police investigations without **prior written** permission from a deputy chief.

3. Follow copyright guidelines and attribute authorship in software use, information, and transmission or copying texts or files from the internet or other sources.

4. Not create any internet presence (e.g., website, page, blog, social media account) that represents the Division of Police without prior written approval of the Chief.

B. All internet activity from city-owned or leased computers may be monitored for compliance with established policies.

IV. Requirements for city email.

A. City email shall be used for Division business purposes only.

B. Division e-mail addresses and email contents are the property of the City of Cleveland and may be monitored for compliance with established policies.

C. Members shall not circumvent normal channels of communication by composing, forwarding, or sending any mail via the email system in lieu of paper communications if the paper communications are required by policy.

D. Memorandums, directives, or instructions issued by the Division or a supervisor sent via email shall be treated as having received a written order.

E. Members shall access and check their city email account at least once per tour of duty. Exceptions to this requirement include attending training or other activity outside of the member's regular assignment. The checks shall include:

1. Reviewing all unopened emails.

2. Responding to emails requiring a response.

F. Members communicating through a city email account shall:

1. Communicate professionally.

2. Not use profane, obscene, or offensive language or images.

G. No overtime shall accrue as a result of a member checking their city email on-duty or off-duty.

H. The officer-in-charge (OIC) of a unit or shift may require members under their command to check or access their city email account more often based on operational needs.

I. Members using city email shall:

1. Not use Division email for confidential messages. Information protected from public record laws shall not be sent or received via email.

2. Notify their unit supervisor of unwelcome, threatening, or suspicious emails or attachments.

3. Not encrypt email unless specifically authorized by a supervisor, and only after that supervisor is informed of the encryption key or password.

4. Archive all e-mail sent or received when prompted by the computer or more often if needed.

J. Members with advance knowledge that they will be unable to respond to

email for a period that exceeds four business days shall activate the automatic (out of office) reply.

K. Members shall not rely solely on email communication for vital, emergency, or time sensitive communications. These types of communications shall have a telephone or in person follow-up to ensure receipt and understanding.

L. Members may access their city email from any computer or mobile device with internet access.

1. Type "https://mail.clevelandohio.gov" into the web browser address bar.

2. A warning page may appear, click on the "Continue to this Website (not recommended)" icon.

3. A sign-in page will appear, in box labeled "Domain/user name" type "Itsdomain*username*". Most usernames are the first initial followed by the last name of the member, some having a number at the end (e.g., Itsdomain\wjohnson3).

4. Enter the member's personal city email password.

5. Press enter or click the "sign in" icon.

V. Members shall receive permission from the Deputy Chief of Administrative Operations prior to using non-city owned personal computer equipment for critical police tasks.

CDW/jeh
Policy Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 01, 2002	JANUARY 21, 2008	1of 4	1.3.03

SUBJECT:	
POLICE CEREMONIES AND MEMORIAL SERVICES	
ASSOCIATED MANUAL:	RELATED ORDERS:
	1.3.04
CHIEF OF POLICE:	
Michael McGrath, Chief	

Substantive changes are in italics

PURPOSE: To establish guidelines for the Cleveland Division of Police Ceremonial Team.

POLICY: Members of the Ceremonial Team perform appropriate courtesies at ceremonies, memorial services, funerals, and civic events.

PROCEDURES:

I. The Ceremonial Team is comprised of two segments, the Honor Guard, which will serve as the Division's Color Guard, Funeral Detail, Rifle Squad and Marching Unit. The Pipes and Drums of the Cleveland Police will serve as the Division's musical component.

II. The Chief of Police shall:

A. Select the Ceremonial Team based on recommendations from a panel of officers designated by the Chief.

B. Designate a Coordinator of the Ceremonial Team.

C. Determine uniforms that the Ceremonial Team personnel shall wear.

D. Receive all requests for the Ceremonial Team to participate in an event.

III. Participation

A. Active members of the Division, regardless of rank or seniority, who are height and weight proportionate, may volunteer to participate for the Ceremonial Team. Requirements include performing precision movements (marching and military bearing). Grooming and physical conditioning standards are requirements.

B. Participation in the Ceremonial Team's activities *shall be strictly monitored by the Ceremonial Team Coordinator and approved by the Chief*. All participation is voluntary and non-compensable. The only exception shall be participation in sanctioned Division of Police functions such as certain police memorial events, funerals of active or retired Cleveland police officers, mandated training sessions and any other such events as pre-approved by the Chief of Police.

IV. Scheduling

A. Non-compensable participation in a Ceremonial Team event shall not interfere with a member's work schedule.

B. Compensable participation that conflicts with a member's work schedule requires that a member first receive written authorization from the member's supervisor in advance of such participation.

V. Tour of Duty/Compensation

Participation in an approved event shall be considered a tour of duty for the Ceremonial Team member(s). If off duty, the participating member shall receive compensatory time according to the following schedule.

A. Line of Duty Death: All Team members shall be detailed to the funeral of a member who dies in the line of duty, or if off duty, receive compensatory time for the duration of the event.

B. Non-Line of Duty Death (Active and retired member): Team members shall be detailed or receive a minimum of four (4) hours of compensatory time (+4M) and if more than four hours, compensatory time to equal the duration of the event.

C. Other Events: Team members shall receive a minimum of four (4) hours of compensatory time and if more than four hours, compensatory time to equal the duration of the event.

VI. Funerals

The most important function of the Ceremonial Team is to ensure that members who die in the line of duty are rendered all appropriate honors. The Division of Police also recognizes that active and retired members are deserving of certain courtesies at the time of their deaths.

A. Line of Duty Deaths: The entire Ceremonial Team shall be detailed to participate in the funeral ceremonies of a member who dies in the line of duty.

B. Non-Line of Duty Deaths

1. Active Member: A maximum of twenty-one (21) Ceremonial Team members shall be permitted to attend the funeral of an active member.

2. Retired Members: A maximum of sixteen (16) Ceremonial Team members shall be permitted to attend the funeral of a retired member.

C. Ceremonial Team procedures: Specific Ceremonial Team procedures shall be defined in the Ceremonial Team Manual to be maintained by the Ceremonial Team Coordinator.

VII. Training - Compensable training shall be limited to four hours per day, five days per year. The Deputy Chief of Field Operations or designee may allow an exception to these limits.

VIII. Compensation and Attendance

A. The Ceremonial Team shall have a pre-structured Ceremonial Team event sign-in sheet with the name of every Ceremonial Team member participating. Each member shall sign in next to his/her name noting their time of arrival.

B. Members shall accurately document their attendance on a pre-structured Form-1 if attendance is a tour of duty or an OT-2 overtime card if compensation is received for attendance.

1. All members working a tour of duty shall be carried on the Daily Duty Assignment (DDA) of their assigned unit as working an assigned detail.

2. The pre-structured Form-1 must be signed by the member's supervisor. The original approved Form-1 remains with the member's timekeeper.

3. A copy of the approved Form-1 shall be delivered by the participating member to the Ceremonial Team Event OIC.

C. The Ceremonial Team Event OIC shall attach the completed OT-2 cards and copies of the Form-1 to the CT event sign-in sheet and forward the packet to the Ceremonial Team Coordinator who shall ensure that it is complete and

accurate. The Ceremonial Team Coordinator will sign the Form-1's and on the recommended line of the OT-2 cards.

D. The Ceremonial Team Coordinator will forward the completed Ceremonial Team event packet (sign-in sheet, Form-1's and OT-2 cards) to Field Operations to be reviewed and approved by the Division of Police Special Events Coordinator.

E. The Division of Police Special Events Coordinator will then forward the entire Ceremonial Team event packet to the Timekeeping Unit for entry into the timekeeping computer system.

F. The Timekeeping Unit will enter only the OT-2 cards. The District/Unit timekeeper shall enter the time for all detailed personnel.

G. After the Timekeeping Unit has made the appropriate entries, the entire CT event packet shall be returned to the Ceremonial Team Coordinator. The Ceremonial Team Coordinator shall store and maintain the entire Ceremonial Team event packet in a locking file cabinet for future timekeeping audits and disposal in accordance with the Division of Police public records retention schedule.

CLEVELAND DIVISION OF POLICE

CLEVELAND, OHIO

DIVISIONAL INFORMATION

DIST./BUR. ZONE/UNIT _____ 20 _____

EXAMINED BY _____ RANK _____ _____ 20 _____

FROM TO

SUBJECT Ceremonial Detail

COPIES TO Chief's Office, Special Events Coordinator, Ceremonial Unit Files, District/Unit Files

---

Sir/Ma'am:

I respectfully request permission to participate in the below Ceremonial Team event. This event has been authorized by the Chief of Police and I request that my participation be approved as a tour of duty detail.

Ceremonial Event:
Location:
Date: **Times:**
Signature of Team Member Supervisor (name/badge) indicating approval: _____ **Signature of Ceremonial Team Coordinator (name/badge):** _____

Respectfully,

_____

Ceremonial Team member must bring this Form-1 to the Ceremonial Team event and submit it to the Ceremonial Team OIC.

Original: District/Unit Timekeeping Files
Copies: Ceremonial Team Coordinator, Special Events Coordinator

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 01, 2002	August 19, 2015	1 of 14	1.3.04

SUBJECT:	
DEATH AND FUNERAL PROCEDURES	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.3.03
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

Substantive changes are in italics

PURPOSE: The purpose is to establish and ensure procedural uniformity for a life threatening injury, a Line of Duty Death (LODD), an active member's death, a retired member's death, a death related to active military service, or a member's family death.

POLICY: It is the policy of the Division to provide immediate assistance to the family of a member who dies in the line of duty or sustains a life threatening injury. Further, it is the policy of the Division that active and retired members receive appropriate courtesies at the time of their death and that Division personnel are notified upon the death of a family member.

DEFINITIONS:

Line of Duty Death (LODD) - is that which results from any action, purposeful or accidental, which claims the life of a member while performing a function that they are authorized or obligated to perform by law, rule, regulation, or condition of employment whether on or off duty.

Survivor - is an immediate family member of the deceased. The primary adult survivor will make decisions regarding arrangements and the person from whom the Family Support Officer (FSO) will take direction. Should a Division member be single/separated, the FSO will first coordinate with any adult children, then surviving parents or siblings.

Immediate Family Member - is defined as the spouse, child, parent, sibling, grandparent, or grandchild of a member of the Division.

Division Liaison Officer (DLO) - is the Deputy Chief of Field Operations or his designee. The DLO will ensure that the Family Support Officer (FSO), Employee Assistance Unit (EAU), Logistical Officer (LO), Ceremonial Team, and *Bureau of Traffic* perform their duties. The DLO will be responsible for coordinating all activities

of the districts/units of the Division pertaining to funeral arrangements (e.g., media releases, relative reports) and updating Division members of plans and arrangements.

Logistical Officer (LO) - is the Ceremonial Team (CT) Coordinator. The LO will be responsible for meeting with the immediate survivor along with the FSO in order to explain what police honors are available and or appropriate; coordinating all aspects pertinent to the funeral based on the member's wishes as determined by those of the family; all matters related to appropriate honors (Color Guard, Honor Guard, Pipes & Drums, etc.); coordinating with the funeral home, clergy/church, Division's Districts/Units, other law enforcement agencies, military, etc. The LO will work closely with the FSO to ensure that the deceased member's/family wishes are carried out to the extent that they are possible and appropriate.

Family Support Officer (FSO) - is a member of the Cleveland Division of Police, preferably acquainted with the immediate survivor, who will be responsible for attending to the needs of the immediate survivor(s) of the deceased or seriously injured member, coordinating meetings with the LO regarding appropriate ceremonial honors pertaining to the funeral, assisting with selection of the funeral home and meeting with their representatives, arranging for visits to the funeral home and follow-up care/assistance for the family. The FSO shall be accessible to the family at all times for the duration of the funeral and thereafter as necessary. The FSO will ensure that the wishes of the family are followed throughout the funeral planning process and funeral. The FSO will work closely with the DLO, LO, Benefits Officer and EAU.

Benefits Officer - is the Benefits Officer/Bluecoats Liaison. The Benefits Officer shall be responsible for compiling all benefits due the survivor(s), work in conjunction with Bluecoats, Worker's Compensation etc., and provide pertinent information to the survivor(s). The Benefits Officer will prepare and file all applications on behalf of the survivor(s) and monitor the process until all benefits are received. The Benefits Officer, in the capacity of Bluecoats liaison, shall also assist outside law enforcement agencies as requested.

Advance Team - is a team consisting of the DLO, LO, and Bureau of Traffic supervisor that is responsible for planning and coordinating all Division activities regarding the funeral.

Retired Member - is defined as a sworn peace officer who served in the Division and received a pension from the Ohio Police and Fire Pension Fund.

Residential Guard - is a member assigned to the deceased member's home who ensures the safety and security of persons and property.

Funeral Committee - is the Division Liaison Officer (DLO), Family Support Officer (FSO), and Logistical Officer (LO).

PROCEDURES:

I. Incident Protocol.

A. If a member is killed or sustains a life threatening injury in the line of duty, the following protocol should be followed as closely as possible.

1. The name(s) of the officer shall not be used over any radio channel.

2. The senior supervisor on-scene shall take command of the incident by:

a. Securing the scene.

b. Ensuring any arrests are handled in a professional manner.

c. Arranging for follow up by appropriate units.

d. Ensure that a residential guard detail is established as needed.

3. The OIC of the officer's district/unit/bureau shall obtain the emergency information of the officer and relay that information to the on-scene supervisor.

B. Timely notification is critical with a LODD or serious injury. It is preferred that the Chief, or designee, make the notification.

C. If notification must be made by the district/unit/bureau, the most senior ranking supervisor shall accompany other members to the residence/ place of work to make notifications and convey family member(s) to the hospital.

D. A minimum of two members and a supervisor shall make the notification; preferably one of the accompanying members shall be an acquaintance of the family.

E. Supervisors shall be vigilant and sensitive to potential family reaction of unexpectantly seeing uniformed officers approach their home or work place. Supervisors shall:

1. Request admittance into the home or work place. **Do not make notifications at the door.**

2. Gather the appropriate adults in the home and ask them to sit, if possible.

3. Slowly and clearly inform the family of the incident stating only the facts as they are known at the time.

4. If the officer has died, advise them of that fact. Do not encourage unreasonable expectations of officer survival.

5. Use the words "died", "dead", or "killed" rather than "passed away" or "gone."

6. If the officer has not been pronounced dead, promptly convey the immediate survivor to the hospital using an unmarked police car if available. Do not allow the survivor(s) to drive themselves.

F. The supervisor making the family notification shall:

1. Determine if any medical personnel (EMS/Fire) will be needed for any immediate family.

2. If children, dependants, and/or pets are on scene, assign a member to ascertain any immediate child care, dependant, or pet needs.

3. Assign a member to secure and protect the residence.

4. If the member has a surviving parent(s), assign two members to notify them if living within the Greater Cleveland area.

5. If immediate survivor(s) or parents live out of town, notify the law enforcement agency in that area for a personal death notification and assistance with transportation.

II. Hospital Protocol.

A. The following members of the Division shall meet at the hospital with the family.

1. The Chief or designee, if not making the notification at the home.

2. Police Chaplain.

3. The Employee Assistance Unit *shall*:

   a. Act as liaison between family members, the Division, and hospital staff.

   b. *Receive information regarding the member's condition from the family/hospital staff and forward it to the Chief or designee for release to the Division.*

   c. Assign a Family Support Officer (FSO) to the family.

B. The family's needs/wishes at the hospital shall determine the Division's response.

1. Family members shall be afforded the opportunity to see the member immediately or as practical according to medical needs.

2. If death occurs prior to arrival of the family, the family shall be permitted to view the body with the EAU liaison preparing the family for the condition of the member's body.

3. In addition to the EAU liaison, a Police Chaplain and two Division members shall remain at the hospital until the family departs.

4. If the member has not died, at least one uniformed officer shall be posted at the hospital as needed. This officer may be required to assist the EAU liaison, family members, or others who visit.

5. When the family is ready to depart the hospital, the EAU liaison shall convey the family to their destination and remain with the family until relieved by the Family Support Officer.

6. If not required as evidence, the family may receive the member's issued badge, ID, and uniform.

III. Funeral Protocol.

A. The Funeral Committee and the member's commander shall meet with the FSO and member's family within 24 hours to assist with the planning of the funeral.

B. The Division Liaison Officer shall:

1. Advise the family of the assistance available from the Cleveland Division of Police throughout the funeral process.

2. Ensure that the Funeral Committee can perform their duties.

3. Ensure a sufficient number of personnel are assigned to successfully execute all aspects of the funeral.

4. Assist the deceased member's commander with maintaining service for the district/unit.

5. Keep the Chief updated of all activities.

6. Coordinate all activities of districts/units required for the funeral.

7. Complete the Death and Funeral Notice for the Division.

8. Send a state-wide teletype to all law enforcement agencies informing them of the death and funeral services.

9. Keep the Public Information Officer (PIO) informed of any updates for media releases.

10. Have the final authority in determining the extent to which the Division can handle all the family's requests or any issues with outside agencies.

C. The *Family* Support Officer shall:

1. Attend to the needs of the immediate family.

2. Assist the family at all times throughout the funeral process and after as necessary.

a. Assist with selection of the funeral home and meeting with their representatives.

b. Arrange for visits to the funeral home, follow-up care, or any assistance needed by the family.

3. Coordinate meetings with the Division Liaison Officer, Logistics Officer, Benefits Officer, and the Employee Assistance Unit.

4. Ensure that the family's wishes are communicated to the funeral committee.

5. Notify the Division Liaison Officer of complete funeral arrangements for the Death and Funeral Notice.

D. The Logistics Officer shall:

1. Meet with the immediate family and FSO to explain the funeral process and police honors that are available and appropriate.

2. Coordinate all aspects pertaining to the funeral ceremony (wake/memorial service) based on the member's wishes or member's family wishes as conveyed by the FSO.

3. Coordinate the funeral home, church/clergy, CT, member's district/unit, other law enforcement agencies, military, etc.

4. Follow CT procedures as found in the CT procedure manual.

E. The Benefits Officer shall:

1. Compile all benefits due to the survivors.

2. Work in conjunction with Bluecoats.

3. Prepare and file all applications on behalf of the survivor's family.

4. Monitor the process until all benefits are received.

F. The Employee Assistance Unit shall:

1. Provide initial and continued assistance to the survivors.

2. Maintain daily contact with the family and FSO throughout funeral and grieving period.

3. Assist the FSO in his/her duties.

4. Assist the LO with planning and logistics of the funeral ceremony.

5. Inform survivors of all available services both through the Division and outside agencies.

6. Coordinate debriefing by the Cuyahoga County Critical Incident Management Team for:

   a. All officers on scene.

   b. On-duty dispatchers.

   c. All members working the same platoon, other co-workers, and close friends.

IV. Mourning Protocol

A. Flags shall be flown at half staff:

1. On City Hall and all Division of Police buildings from the time of death until ten days after the funeral.

2. On other city buildings from the time of death until the day after the funeral.

B. Mourning Bands are ½ inch black elastic bands covering the center of the breast badge that shall be worn by Division members from the time of death until ten days after the funeral.

C. Mourning Bunting may be displayed on the deceased member's building from time of death until ten days after the funeral.

V. Funeral Logistics.

A. The DLO, LO, and the Bureau of Traffic Commissioner or designee (Advance Team) shall coordinate all of the logistics pertaining to the funeral.

1. An Advance Team representative shall meet with the funeral director to explain Division procedures.

a. Confirm dates, times, traffic escorts, traffic control, and parking control.

b. Determine primary routes from funeral home to church and church to cemetery.

c. Survey various venues for assembly areas.

2. Meet with clergy/church/cemetery staff to ensure that Division procedures do not interfere with church/cemetery policies.

3. Coordinate security sweeps of the funeral home, church, cemetery, and traffic routes.

B. Funeral Home Viewing.

1. All members attending the wake shall attend in the designated uniform of the day.

2. An honor guard consisting of the deceased member's unit shall be posted at the casket during viewing hours.

3. The CT shall provide all necessary flags for the wake.

C. Funeral Ceremony.

1. Members attending shall be in the designated uniform of the day.

2. Only the following personnel shall report to the funeral home on the day of the funeral.

a. Chief and Deputy Chiefs.

b. The deceased member's district/unit.

c. Specified members of the CT. The pallbearers shall be members of the CT unless otherwise requested by the survivor.

d. Members responsible for traffic control.

3. The Division members in attendance shall complete a pass in review and render a salute.

4. Upon completion of the review, all members will assemble outside of the funeral home, as directed, while the casket is placed in the hearse. The assembly will then be ordered to "fall out" and report directly to their vehicles for immediate departure.

5. The police motorcade shall follow the designated route to the church.

6. The funeral motorcade shall follow the police motorcade in the following order:

a. Bureau of Traffic escort lead vehicle.

b. Bureau of Traffic Motorcycle Unit.

c. Deceased member's assigned vehicle (if applicable).

d. Pallbearer's vehicles.

e. Hearse.

f. Family limousine and immediate family vehicles.

g. Member's friends' vehicles.

h. Bureau of Traffic escort vehicle.

D. Religious/Memorial Service.

1. Only family, friends of the deceased, law enforcement personnel, and a limited number of public officials will be permitted inside the church.

2. The CT may pre-seat family and friends, command staff, and public officials not going to the funeral home.

3. News media access to Church or Memorial Service venues shall be at the discretion of the family.

4. The PIO shall designate staging areas for the media and ensure they are kept at a reasonable distance so as not to interfere with the family or funeral proceedings.

E. Cemetery Services.

1. The police motorcade will depart and drive directly to the cemetery. Exceptions may exist as the family may wish the motorcade to pass a location(s) that were of significance to the deceased member.

2. The funeral motorcade will follow the police motorcade with the same escort from the funeral home.

3. Upon arrival, the Logistics Officer will give the commands for all pallbearers, Ceremonial Team members, Honor Guards from other law enforcement agencies, and law enforcement members.

4. The Chief of Police shall present the flag to the deceased member's family representative.

5. The Logistics Officer will give the final command of the ceremony.

F. Upon conclusion of the funeral, the DLO shall schedule a meeting of involved Division units to critique the logistical proceedings.

VI. LODD of a member of another law enforcement agency.

A. If a member of another law enforcement agency is killed within the city, members shall render appropriate assistance with the investigation.

B. Members of the Pipes & Drums shall be detailed to the funeral service, if requested.

C. Members of the Honor Guard shall be detailed to the funeral service, if requested. The DLO shall determine the appropriate number of Honor Guard members per request.

D. Mourning Bands may be worn by members at the wake and funeral of a member of an outside agency.

VII. Death of an Active Member.

A. The district/unit supervisor receiving the information of the death shall make the following notifications.

1. The Chief's Office.

2. Communications Control Section, who shall notify the command staff via a page.

B. The Death and Funeral Notice shall be completed by the deceased member's commanding officer.

C. Members of EAU shall be responsible for:

1. Serving as a liaison with the family.

2. Arranging for any reasonable requests.

3. Assist with setting up a meeting with the Benefits Officer.

D. The Benefits Officer shall be responsible for preparing and filing all benefit reports due to the survivor(s).

E. Mourning Period.

1. Flags shall be flown at half-staff at all Cleveland Division of Police buildings from the time of death until the day after the funeral.

2. Mourning bands shall be worn only for a Line of Duty Death.

F. Funeral Procedures.

1. Members of the deceased member's district/unit shall provide an honor guard to post at the casket during viewing hours.

2. Only the Chief, respective Deputy Chief, members of the deceased member's district/unit, specified members of the Ceremonial Team, and traffic escort personnel shall report to the funeral home.

3. The pallbearers shall be chosen by the family with the Ceremonial Team assisting if needed.

4. A maximum of twenty-one (21) members of the Ceremonial Team shall be detailed to any active member's funeral.

VIII. Death of an active member while on active military service.

A. The same protocol shall be followed as a Line of Duty Death.

B. The Ceremonial Team Coordinator shall work with military representatives to ensure that all appropriate courtesies are rendered.

IX. Death of a retired member.

A. A member receiving information about the death of a retired member shall direct the survivor(s) to the Ceremonial Team Coordinator during normal business hours or to the Record Unit OIC after business hours.

B. The Ceremonial Team Coordinator shall:

1. Verify with the Personnel Unit that the deceased member was a Cleveland Police Officer.

2. Complete the Death and Funeral Notice and forward it to the Record Unit for dissemination.

3. Contact the family to explain the services that the Division can provide and ascertain if any such services are wanted or needed.

4. Contact the funeral home to arrange Ceremonial Team participation.

C. A maximum of sixteen (16) Ceremonial Team members shall be detailed to provide honors (pallbearer, bagpiper, Taps, etc.).

X. Determination of Police Funeral Honors - The Chief has final authority to determine whether, and to what extent, a member will receive police funeral honors. Certain circumstances may exist whereby police funeral honors may not be appropriate for a member. These circumstances include but are not limited to a member's involvement in criminality or other actions that may reflect negatively upon the Division.

XI. Family Death Notification.

A. If a member so desires, the member may notify their immediate supervisor of the death of a family member.

B. The supervisor receiving the information shall complete a Family Death Notice form and forward the form to the Record Unit for dissemination.

C. *Members taking days off to attend the funeral of a family member shall provide proof of the family member death by an obituary, death certificate copy, or a copy of funeral home documentation.*

1. *Members may take up to 5 death days for funerals occurring inside Ohio.*

2. *Members may take up to 7 death days for funerals occurring outside Ohio.*

CDW/jeh
Policy & Procedures Unit
Attachments A and B

CLEVELAND DIVISION OF POLICE
DEATH AND FUNERAL NOTICE

Authority of_____Date_____

_____
(Rank. Name and Badge of Deceased) (Assignment or Retired) (Address - City, State & Zip Code)

Expired_____
(Hours) (Day) (Date) (Where)

Next of Kin contacted_____By:_____
(Name) (Phone Number) (Address - City, State & Zip Code) (Supervisor)

Body may be viewed at_____
(Funeral Home) (Address - City, State & Zip Code)

Between the hours of _____ hours & _____ hours Day_____ Date_____

_____ hours & _____ hours Day_____ Date_____

Services_____
(Church or Funeral Home) (Address - City, State & Zip Code)

Time_____hours Day_____ Date_____

Interment_____
(Cemetery) (Address - City, State & Zip Code)

Date of Birth_____ Date of Appointment_____ Date of Retirement_____

Last Assignment _____

Names of fraternal affiliations_____

Record File Section notified? ☐ Yes ☐ No Who was notified?_____
Picture to be released? ☐ Yes ☐ No (Rank. Name and Badge)
Police Honor Guard and Pall Bearers requested? ☐ Yes ☐ No
Funeral with honors requested? ☐ Yes ☐ No
Remarks:

_____

FUNERAL ESCORT NOTICE

Authority:

Commanding Officers:

Kindly notify the members of the regular funeral escort to report to _____
(01C)

at _____ hours on _____ at the _____,
(Date) (Church or Funeral Home)

_____ to conduct services for the late _____
(Address - City, State & Zip Code) (Name and Rank)

C of C 71-78D Revised (DeathNote) (9/00)

CLEVELAND DIVISION OF POLICE
FAMILY DEATH NOTICE

_____ , _____ of
Name of Deceased — Relationship

_____, presently assigned to_____
Name of Member of Division — District or Unit

Expired on _____
Date and Time

Body may be viewed at _____
Funeral Home

_____
Street Address — City — State — Zip code

Between the hours of _____
Dates and Times

_____
Dates and Times

_____
Dates and Times

Services to be held at_____
Church or Funeral Home

_____
Street Address — City — State — Zip code

On _____ at _____ Interment will be at
Date — Time

_____
Church or Funeral Home

_____
Street Address — City — State — Zip code

_____ _____ _____
Supervisor Completing Form — Date — Time

☐ **DISSEMINATE THROUGHOUT THE DIVISION.**

☐ ***PRIVATE*, FAMILY ONLY, DO *NOT* DISSEMINATE.**

FORM TO BE RETAINED WITH PAYROLL TIMEKEEPING RECORDS

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	March 19, 2012	1 of 3	1.3.05

SUBJECT: DRIVER LICENSE AND IDENTIFICATION CARD INSPECTION

ASSOCIATED MANUAL:	RELATED ORDERS:

CHIEF OF POLICE: *Michael McGrath, Chief*

Changes are printed in Italics

PURPOSE: To establish and maintain a Driver License *and employee identification card (ID)* verification system for personnel of the Cleveland Division of Police.

POLICY: As a term of employment and in accordance with Ohio law, Division members who operate a city vehicle shall maintain a valid Ohio Driver License. *All Division members shall maintain a current employee ID card.*

PROCEDURES:

I. Inspection

A. *Driver Licenses and ID cards shall be inspected twice each year.*

1. Supervisors shall physically view and conduct a status check on the *Driver Licenses* of *all sworn members (not on extended illness or suspension), and only those of civilians who operate city vehicles*, assigned to their unit.

2. *Supervisors shall verify the status of a member's Driver License by utilizing the Ohio Bureau of Motor Vehicles (BMV) online service at www.bmv.ohio.gov. To obtain a status check, click the "Online Services" menu and then click "View an Unofficial Copy of Your Driving Record." Enter the required information and click "Log-in." In the event that the BMV changes this process, supervisors shall use an alternate/revised process as directed by Divisional Notice.*

3. *Supervisors shall **not** use LEADS to perform Driver License status checks when conducting Driver License inspections. The use of the LEADS system for "Administrative purposes" is prohibited.*

4. *Supervisors shall record the badge #, name, DL #, expiration date, valid/invalid status and remedial action taken on the Driver License and Identification Card Inspection Report (attachment).*

5. Supervisors shall verify the status of a member's Driver License by performing a *LEADS check* if the member is involved *as a driver* in *any* motor vehicle accident.

6. *Supervisors shall physically inspect ID cards of all members assigned to their unit to confirm each member is in possession of the appropriate ID, and indicate this information on the inspection report.*

7. *Members not having a current ID card shall complete an RMS report describing the circumstances of their lost/stolen/damaged ID card and shall report to the Photography Unit between 0800-1130 hours, or from 1400-1530 hours, Monday through Friday, to obtain a replacement ID. The Officer in Charge (OIC) shall coordinate the schedule with the OIC of the Photography Unit to insure minimum loss of personnel hours. No overtime shall accrue for this purpose.*

8. *Upon completion of the inspection process, Commanders shall forward a copy of the generated inspection reports and a consolidated inspection report for their entire district/bureau to their respective Deputy Chief. The consolidated report shall include: number of officers assigned, number of civilians assigned, and the number of Driver Licenses inspected. Deputy Chiefs shall forward the consolidated reports and inspection reports to the Inspection Unit before:*

   a) *1st half of the year – June 30th*

   b) *2nd half of the year – December 15th*

II. Restriction or change of status

A. Members who receive restrictions or a change in the status of their Driver License shall immediately submit a Form-1 to their supervisor. The report shall contain the nature of the change or restriction, the cause and the time period involved.

B. The supervisor shall advise the member of the time available to reinstate driving privileges.

1. Three days are allotted to remedy an expired Driver License before disciplinary action may be taken.

2. Thirty days are allotted to remedy restrictions, including a suspended Driver License, before disciplinary action may be taken.

3. *The supervisor shall document this advisement on the member's Form-1* and forward same through the chain of command to the office of their appropriate Deputy Chief.

III. Discipline shall be initiated when:

A. A member does not notify the Division of restrictions on, or changes in the status of their Driver License.

B. A member cannot present a valid Driver License within the time period allowed by the Division.

C. A supervisor discovers restrictions on a member's driving privileges when the member is involved *as a driver* in *any* motor vehicle accident.

IV. Special Conditions

A. Absent special endorsements or conditional driving privileges granted by a court, it is a violation of Ohio law and Division policy to drive a personal vehicle to work if a member's Driver License is suspended or expired.

B. Supervisors and members who observe a member operating a motor vehicle in violation of Ohio law shall take appropriate enforcement action.

MM/jsb
Policy & Procedures Unit

DRIVER LICENSE AND IDENTIFICATION CARD INSPECTION REPORT

District/Bureau: ______________ Platoon/Unit: _________________

Semi-annual Report: __June __December Year: _____

Badge #	Name	DL #	Expiration Date	DL Status Valid/Invalid	I.D. Card Valid/Inv.	Remedial Action Taken

Respectfully Submitted,

____

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 1, 2002	March 14, 2013	1 of 7	1.3.06

SUBJECT:	
SICK LEAVE REVIEW	
ASSOCIATED MANUAL: BUREAU OF SUPPORT SERVICES	RELATED ORDERS: 1.1.13, 1.3.24, 1.3.25
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are italicized

PURPOSE: To eliminate sick leave abuse, increase workforce availability and establish disciplinary action protocols when sick leave abuse occurs.

POLICY: Through sick leave, the Division of Police accommodates employees who cannot report to work due:

- *An actual sickness or injury*
- *Confinement by reason of a contagious disease*
- *Visit to a doctor or dentist for medical or dental care*
- *Serious illness of a member or member's immediate family (emergency)*.

Sick leave shall be monitored *on a quarterly basis wherein every month constituting that quarter is evaluated in the context of the preceding two months*. Employees abusing sick leave are subject to *progressive* disciplinary action.

DEFINITIONS:

Sick Leave Abuse is the use of sick leave for any purpose other than actual sickness, injury, doctor/dental visits, childbearing, or a serious health condition of a member's immediate family (emergency).

For purposes of this General Police Order (GPO), sick leave includes all types of sick leave including Family Medical Leave Act (FMLA), doctor appointments, re-occurring Hazardous Duty Injuries (HDI) and other on-duty injuries.

Immediate family member is defined *as a spouse, mother, father, mother-in-law, father-in-law, child, grandparent, grandchild, brother, sister, or an individual who stood in loco parentis to the employee*. ***The definition of "immediate family member" is different for FMLA***.

PROCEDURES:

I. Sick Leave Abuse is identified by observation of a single instance of abuse or by a pattern that indicates abuse.

A. Single Instance of Sick Leave Abuse

1. A single instance of suspected sick leave abuse requires a supervisory investigation at the time of first suspicion or as assigned. The investigation **shall not** be delayed for the Quarterly Review to be conducted. If the investigation results in a disciplinary recommendation against the member, the hours under investigation shall not count toward the *40 hour* threshold for a Quarterly Review.

2. Examples of a single instance of sick leave abuse include:

a. Using sick leave under circumstances that clearly indicate it is being used to obtain time off work that is unrelated to sickness, injury, doctor/dental visits for the member, serious health condition of family member, or pregnancy.

b. Using sick leave under circumstances that clearly indicate it is being used to avoid difficult or undesirable duties.

c. Engaging in secondary employment that is strenuous or physical (e.g. private security, physical labor) while off on sick leave.

d. Engaging in any secondary employment while on HDI status.

B. Sick Leave Abuse indicated by a pattern of sick leave usage

1. Sick leave abuse is often detected by careful analysis of sick leave use patterns.

2. A pattern of abuse is any of the following that occur repetitively or in combination:

a. Use of sick leave on Fridays, Saturdays, Sundays or days that precede or follow scheduled vacation days, holidays, personal holidays, furloughs, or compensatory time.

b. Use of sick leave after being denied compensatory time off, personal holidays, family day, etc.

c. Use of sick leave when difficult or undesirable duties are scheduled or the weather is inclement.

d. Any other pattern of sick leave use that indicates abuse.

3. *The pattern of sick leave abuse will be established by a review of sick leave usage.*

4. *A member may not conduct a Quarterly Review of a member of the same rank. The next higher ranking supervisor in the member's chain of command shall complete the Quarterly Review.*

5. Sick Time Review Calendar

a. To facilitate detection of a pattern, Commanders shall ensure that a Sick Time Review Calendar (STRC) (sample attached) is completed for all employees under their command who have used *40 hours* or more of sick time for the *rolling* quarter under review. *The STRC is provided as an Excel spreadsheet and is to be completed electronically*.

b. The Policy & Procedures Unit shall update and electronically distribute the STRC forms to all Commanders or designees in February of each year.

II. Quarterly Review

A. Members who have used *40* or more hours of sick leave in *a rolling three month period* shall be reviewed for sick leave abuse. *Example: A review of the First Quarter is comprised of the use of sick leave in the three-month periods of November (prior year) through January, December (prior year) through February, and January through March. The STRC is formatted to allow a two-month look back period*.

B. Commanders shall ensure that a *rolling* Quarterly Review is performed and forwarded to the office of their deputy chief **no later than *40 days*** after the end of each quarter.

1. First Quarter: *(November, December)* January 1 - March 31

2. Second Quarter: *(February, March)* April 1 - June 30

3. Third Quarter: *(May, June)* July 1 - September 30

4. Fourth Quarter: *(August, September)* October 1 - December 31

C. Each Deputy Chief in the appropriate chain of command shall examine the Quarterly Review and the associated documentation. Recommendations for disciplinary action shall be forwarded to the Chief's Office.

D. If a Quarterly Review results in discipline being issued, the Chief's Office shall forward those documents associated with the discipline hearing to the Personnel Unit and the Medical Unit for filing in the member's personnel file and medical file.

III. The Supervisor's Investigation of Sick Leave Usage

A. Members on restricted duty shall also be included in the Quarterly Reviews.

B. The Timekeeping Unit shall supply each Deputy Chief with a list of members under their command who have used *40 hours* of sick time or more for each quarter being reviewed. This list shall be forwarded no later than seven days after the close of the pay period that ends the quarter.

C. Supervisors shall review the 1030 reports and Sick History reports (provided by their unit timekeeper) of each member under review. This information shall be used to fill out the STRC to determine if a pattern of abuse exists and shall become a part of the investigative packet.

The STRC shall be completed for the quarter under review. If a member was reviewed for any other quarter in that calendar year, those quarters must also be completed in the STRC to provide a more comprehensive view of the member's sick use.

D. As part of the investigation, supervisors shall meet with the member under review and consider explanations or mitigating circumstances offered by the member, accept *any return to work/fit for duty documentation from a medical provider, and forward all supporting documentation with the investigative packet through the chain of command.*

Supervisors shall note the officer's medical documentation in the investigative packet but ***not*** *include the actual documentation in the investigative packet. Such medical documentation shall be forwarded directly to the Medical Unit.*

E. The member under review may submit a Form-1 explaining the use of sick leave *or the supervisor may require a Form-1 from the member under review*. The Form-1(s) shall become a part of the investigative packet.

F. HIPAA do not apply to sick time investigations.

G. *In deciding on recommending step discipline, supervisors may consider the following as mitigating circumstances*:

1. *Sick leave taken as the result of a hospitalization*

2. *Sick leave taken as approved FMLA*

3. *Sick leave taken where the member provides medical documentation*

H. If the supervisor determines that there is a pattern that indicates abuse, the supervisor *shall document these findings in the section indicated* on the STRC. Copies of the 1030 reports, Sick History Report, and any Form-1 submitted by the member shall be attached to the STRC and forwarded through the chain of command as part of the Quarterly Review packet. *No other documentation or cover memorandum is required of the investigating supervisor*.

I. *If the supervisor determines that a member using more than 40 hours of sick leave in a calendar quarter did* <u>*not*</u> *abuse sick leave, the supervisor shall complete the STRC indicating in the space provided the reasons for that conclusion. The STRC and any documentation shall be forwarded through the chain of command as part of the Quarterly Review packet*.

IV. Disciplinary Action

A. *Medical documentation will not be accepted at any disciplinary hearing.*

B. Supervisors who fail to take the corrective action required by this directive may be subject to disciplinary action.

C. Members who work secondary employment while on sick leave (as enumerated in section I(A)2(c) of this GPO) shall be subject to administrative charges and criminal charges as applicable.

D. Failure to provide documentation to the Medical Director *while under any of the step disciplines* shall be considered a single instance of sick abuse and shall be subject to the formal discipline process.

E. All recommendations for disciplinary charges of sick leave abuse whether discovered through a single instance, or through the Quarterly Review, are subject to the disciplinary process. Discipline is progressive and is as follows:

1. Step 1: A letter of first warning will be issued requiring the member to provide documentation to the Medical Director prior to being returned to duty for any sick leave taken in a *12 month period*.

2. Step 2: Further abuse while on Step 1 will result in a letter of second warning continuing the requirement for documented sick leave and revoking permission to engage in secondary employment for *12 months*.

3. Step 3: Further abuse while on Step 2 will result in a five day suspension.

4. Step 4: Further abuse while on Step 3 will result in suspension *or possible termination.*

5. *Members who are found to be abusing sick leave within one year of completing any of the 4 Steps shall result in the member automatically escalating to the next higher step of the step just completed*.

V. The Medical Director

A. Members of the Division of Police shall comply with the orders of the Medical Director or the designee regarding the times and dates to report to the Medical Unit for further treatment or examination.

B. Orders issued by the Medical Director or the Medical Director's designee are considered orders from a superior officer.

C. Sick leave with pay shall not be granted for any sickness resulting from moral turpitude, intoxication or use of narcotics. However, sick leave will be granted for treatment or rehabilitation as approved by the Medical Director on the same basis as any other illness.

MM/jco
Bureau of Support Services
Attachment

CLEVELAND DIVISION OF POLICE

SICK TIME REVIEW YEAR: _____ **STARTING:** _____ **ENDING:** _____

NAME: _____ **BADGE:** _____ **ASSIGNMENT:** _____

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	V	-hrs	Sick	Furl
PY Nov																																0	0.00	0.00	0
PY Dec																																0	0.00	0.00	0
Jan																																0	0.00	0.00	0
Feb																																0	0.00	0.00	0
Mar																																0	0.00	0.00	0
Apr																																0	0.00	0.00	0
May																																0	0.00	0.00	0
Jun																																0	0.00	0.00	0
Jul																																0	0.00	0.00	0
Aug																																0	0.00	0.00	0
Sep																																0	0.00	0.00	0
Oct																																0	0.00	0.00	0
Nov																																0	0.00	0.00	0
Dec																																0	0.00	0.00	0
														Suspension Days:	0			**Funeral Leave Taken:**			0			**PH Days Taken:**				0			**TOTALS:**	0	0.00	0.00	0

	Regular Work Day		Weekend	10	Holiday Off	S	Sick Day	F	Furlough Day	13	Suspended	24	WDO		
28	Furlough Day Worked	V	Vacation Day	PH	Personal Holiday	-8	Overtime Taken Off	09	Funeral Leave	07	Jury Duty		Holiday		

Total sick hours used during current evaluation period: **0.00**

Total sick hours used on weekends: _____

Total sick hours used preceeding or following a holiday: _____

Total sick hours used preceeding or following a vacation day: _____

Total sick hours used after denial of time off: _____

Total sick hours used after off-days being cancelled or undesirable duties assigned: _____

A consultation with this officer was held on: _____

A Form-1 report submitted by the officer being reviewed is attached: Yes: ____ No: ____

This officer's sick time useage shows a pattern of sick time abuse as defined in the Divisional Sick Leave Abuse Control Procedures(GPO 1.3.06) Yes: ____ No: ____

Detail Supervisor Recommendation In The Space Below(include an explanation why the officer either complies with or violates the guidelines)

Attachments: Medical Unit Documents ____ Member's Form-1 ____ Doctor Co-Payment Forms: ____ 1030 Timesheets: ____ Other(List in Recommendation): ____

Preparing Supervisor Signature: _____

Commanding Officer Recommendation: _____

Respectfully: _____

Deputy Chief Recommendation: _____

Respectfully: _____

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	DECEMBER 15, 2009	1 of 2	1.3.07

SUBJECT:	
EMERGENCY RELIEF FROM DUTY	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.1.15
CHIEF OF POLICE: Michael McGrath, Chief	

Substantive changes are in italics

PURPOSE: To establish emergency duty relief guidelines for members of the Cleveland Division of Police unfit for duty. To provide for timely documentation to substantiate the reasons for the action and to meet the requirements of Civil Service Regulations and union contract provisions.

POLICY: Supervisors are authorized to relieve members from duty in emergency situations pursuant to Civil Service Regulations 9.20 (B) and Chapter Two of the Manual of Rules and Regulations (Rule 2.12), Administrative Compliance which state:

- Civil Service Rule 9.20 (B) states: When in the opinion of a superior, the conduct of the officer or employee is such as to require that he/she be relieved from duty immediately, such officer or employee may be relieved from duty by oral order…

- Chapter Two of the Manual of Rules (Rule 2.12) states: Command or Superior officers shall relieve from duty for cause any officer or employee of the Division of Police found to be unfit for duty, promptly notify their superior officer of such action and forward a report giving full details concerning the matter.

DEFINITION: Emergency Duty Relief is limited to emergency situations and shall be used only if a member exhibits violent, irrational or insubordinate behavior that threatens to or actually disrupts operations. An example of an emergency duty relief situation *is a circumstance where reasonable suspicion exists that a member has reported for duty while under the influence of alcohol and/or drugs or is suspected of drinking alcohol while on duty*.

PROCEDURES

I. The relieving supervisor shall:

A. Provide oral or written notice to the relieved member of the violated rules.

B. *Relieve the officer of the officer's City-issued firearm and any other firearm found on the officer's person, Cleveland police badge, and City of Cleveland identification card.*

C. Offer the member an opportunity to explain the actions, when circumstances and the physical condition of the member permit.

D. *The supervisor ordering the test shall (before testing) notify the City of Cleveland Labor Relation Manager at (216) 857-1523 or via the Communication Control Section*

E. *Contact the Integrity Control Section Officer-in-Charge (OIC) or designee and transport the member to the designated medical facility for testing during normal business hours, or if after hours, to the designated emergency medical facility. A member of the Internal Affairs Unit shall respond to monitor the testing and investigate the incident for criminal violations. Incidents involving suspected OVI violations shall be handled following standard OVI protocols (i.e. field sobriety test ...).*

F. Complete a Form-1 that details the incident and the action taken including members' statements. The Form-1 shall cite the Division and Civil Service Commission Rules violated. *Forward a copy of the Form-1 and any other supporting documentation to the Integrity Control Section.*

G. Request a hearing before the Chief or Chief's Designee scheduled no later than three working days from the date of relief.

H. Forward all reports through the chain of command to the appropriate deputy chief.

II. If circumstances preclude charges being prepared within the three-day period, the appropriate deputy chief or designee shall:

A. Conduct a hearing within the three-day period to address the facts of the emergency relief.

B. Determine whether the emergency relief is appropriate.

C. Determine if the member may return to duty.

D. Advise the member that a hearing shall be scheduled before the Chief.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 1	1.3.08

SUBJECT:	
MEMBER IDENTIFICATION CARDS	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To ensure that Cleveland Division of Police members maintain current (within five years) photograph identification cards (ID) and display them on the outermost garment in Division buildings or Justice Center Court Towers if not in uniform.

POLICY: The Division shall issue each member an ID as standard equipment and provide a schedule for members to keep it current and require members to display the ID on the outermost garment if not in uniform and in a Division building.

PROCEDURES:

I. Superior officers shall inspect the ID's of members in their unit for date of issue and dispatch the member to the Photo Unit weekdays between 0900 and 1500 hours, if the ID is more than five years old. Alligator clips and a punch die are also available at the Photo Unit.

II. If an ID is lost or mutilated the member shall generate a Record Management System (RMS) report and report to the Photo Unit to obtain a new ID.

III. Newly hired or promoted members shall have their photographs taken immediately when hired or promoted.

IV. The Officer in Charge shall coordinate scheduling to ensure the minimum loss of member hours and to eliminate the accrual of overtime.

V. Members shall display their ID on the outermost garment when not in uniform and in a Division building or Justice Center Court Towers.

VI. Civilian members shall display the ID on the outermost garment when in Division of Police buildings.

EFL/TAH/LM/pmz
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	1.3.09

SUBJECT:	
MILITARY COURTESY AND FORMATIONS	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.3.03, 1.3.04
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To establish protocol for military courtesy and formations.

POLICY: Cleveland Division of Police members shall always act to convey honor to the United States flag and the National Anthem.

PROCEDURES:

Uniformed officers controlling a crowd are not obligated to comply with the following:

I. Military courtesy during the National Anthem

A. Uniformed officers and employees shall stand at attention, face the flag, salute and remain so until the playing stops. They shall not remove their uniform caps.

B. Personnel in civilian dress shall remove their hats and place their right hand on their left breast until the playing has stopped.

II. Military courtesy for the United States flag carried in a parade or procession on a street or in a public place

A. Officers or employees in uniform shall stand at attention and salute the flag at the head of each section when it is within six paces. Officers shall not remove their uniform caps.

B. All officers shall remain at salute until the flag is two to three steps past them.

III. Military courtesy used in formations

A. The ranking officer shall command when officers are required to perform as an organized group. The group shall move in a military manner.

B. The Ceremonial Team Coordinator shall direct personnel acting in concert at a funeral.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
October 29, 2004	February 6, 2006	1 of 3	1.3.10

SUBJECT:	
RIDE-ALONG POLICY	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To provide interested citizens, media, and outside law enforcement agencies the opportunity to observe Division members in their routine activities.

POLICY: It shall be the policy of the Division of Police to promote an environment of mutual trust, understanding and respect among Division members, citizens, media, and outside law enforcement agencies through the implementation of a ride-along observation program whereby the individual will be provided a means to directly observe routine activities of officers.

PROCEDURES:

I. All individuals who wish to ride-along with members of the Division must complete the appropriate Ride-Along Release form (*Appendix A-B-C*) and submit it to the Cleveland Division of Police no later than ten (10) days prior to the proposed ride-along date. Media ride-along requests shall be referred to the Public Information Officer.

A. The prospective ride-along observer must provide acceptable identification when the form is submitted.

1. The officer who receives the Ride-Along Release form shall complete a record check and, if a felony is discovered, perform an SIU check of the prospective ride-along observer. The results of the record check(s) shall be attached to the Ride-Along Release form.

2. Individuals who have felony convictions or have been adjudicated incompetent are not permitted to participate as a ride-along without approval from the Chief of Police. No individual may be denied participation as a ride-along because of a physical handicap.

B. The completed Ride-Along Release form shall be forwarded through the chain of command to the Commander of the requested ride-along district or bureau, who shall approve of deny the request.

1. The Commander shall forward the Ride-Along Release form to the Deputy Chief of the requested operation for final approval.

2. The Commander of the requested district or bureau shall ensure that the prospective ride-along is notified.

II. Ride-Along Release Form

A. The Ride-Along Release form must be completed in full, signed and notarized.

1. Adults shall complete and submit the form shown in Appendix A.

2. Minors 15 years of age and older AND their parents or guardians shall complete and submit the form shown in Appendix B.

3. Civilian Police Academy students and Auxiliary Police Officers shall complete and submit the form shown in Appendix C.

4. *Except for those exempted by Appendix C*, a ride-along shall provide proof of insurance coverage. Members of the media shall provide proof of insurance coverage from their individual sponsoring news agencies.

B. Each district or administrative unit shall retain the original approved release form in its files as follows:

1. If any death or injury occurs on the ride – ten years.

2. If the ride along is a minor – five years from the time of the minor's 18th birthday.

3. All other releases – five years.

III. Restrictions

A. The ride-along shall be permitted to watch the activities of the officers of any unit within the Division **UNLESS** officer's safety is compromised.

1. **No** ride-along observer, media or otherwise, shall enter any private residence or private property that is not otherwise accessible to the general public.

2. **No** ride-along observer shall enter an area that the escorting officer deems inappropriate.

B. The escorting officer may terminate the ride-along at any time and for any reason.

1. The ride-along shall follow the police officer's instructions at all times.

2. Weapons, cameras, video recorders and audio recorders are not permitted.

3. Peace officers authorized to carry firearms in the State of Ohio may be armed with their authorized firearms.

4. The ride-along observer shall not converse with prisoners, suspects, witnesses or other parties contacted on police business unless requested by the officer.

5. Ride-along observers shall not interfere with the officers' activities at any time. Although it is desirable and encouraged for participants to ask questions regarding procedures and activities, it must be done at an appropriate time.

C. Dress Requirements

1. Any ride-along observer whose attire is unbecoming or unsafe may have the ride-along privilege revoked at any time by an on duty supervisor.

2. Male and female ride-along observers shall wear conservative and neat clothing.

3. Police oriented clothing, material or paraphernalia shall not be worn or carried by the ride-along observer.

IV. Cleveland Police Explorers are permitted to ride-along once a month and shall be scheduled through the supervisor assigned to the Cleveland Police Explorers. Other observers shall be permitted to ride-along once every six months or as approved by the Chief of Police.

MM/JK/th
Administrative Operations
Appendix A-B-C

CLEVELAND DIVISION OF POLICE
Adult Ride- Along Release

I, _____ , _____ , _____ ,
(NAME OF PROSPECTIVE RIDE- ALONG) (SOCIAL SECURITY NUMBER) (DATE OF BIRTH)

residing at _____ , _____ , _____ ,
(HOUSE NUMBER AND STREET) (CITY) (STATE)

request permission to accompany officers of the Cleveland Division of Police on a tour of duty

beginning on or about _____ AM/PM _____ , _____ and ending
(TIME) (MONTH AND DATE) (YEAR)

_____ AM/PM _____ , _____ .
(TIME) (MONTH AND DATE) (YEAR)

CAUTION: READ THIS DOCUMENT IN ITS ENTIRETY BEFORE SIGNING

I certify that I am 18 years or more of age and that I have never been convicted of a felony offense.

I have been advised and I understand that emergency personnel employed by the City of Cleveland, including those employed by the Divisions of Police, Fire and Emergency Medical Services, are subject to emergency assignments at any time. I further understand that such personnel are exposed to personal injury in the course of their work and that personnel of such Divisions have been injured and killed in the course of their work.

I acknowledge that I am a lay observer only. As such, I agree not to enter any private residence or private property that is not otherwise accessible to the general public or any area that the escorting officer deems inappropriate. I am aware and understand that the work of the Cleveland Division of Police is inherently dangerous, and that I may be subjected to the threat of death or personal injury, or damage to my property, by accompanying a member(s), employee(s), officer(s), agent(s), of the Division of Police during the performance of their official or unofficial duties. I freely, voluntarily, and with such knowledge assume any and all risks of death, personal injury, or property damage arising from, or in any way connected with the use of weapons, unlawful acts, or resistance by law violators, detainees, or arrested persons. Furthermore, I freely, voluntarily, and with such knowledge assume any and all risks of assault, riot, breach of peace, vehicle accidents, fire, explosion, gas, electrocution, escape of a radioactive substance, or any violation(s) of the Ohio Revised Code or Cleveland Municipal Ordinances while accompanying a member(s), employee(s), officer(s) or agent(s) of the Division of Police during the performance of their official or unofficial duties.

That the City of Cleveland, Chief of Police, his/her sureties, any and all member(s), employee(s), officer(s) or agent(s) of the Cleveland Division of Police, their sureties, and each of them shall not be responsible or liable for any injury, damage, loss, or expense, either to myself or my property, incurred while riding in any vehicle assigned to the Cleveland Division of Police, or while accompanying any member(s), employee(s), officer(s) or agent(s) of said Division during the performance of their official or unofficial duties resulting from any negligent act or omission on the part of any member of the Cleveland Division of Police.

I acknowledge and accept that during any and all time I am riding in any vehicle assigned to the Cleveland Division or City of Cleveland, I am in the status of a guest. As such, my ride-along privileges may be revoked at any time for any reason by member(s), employee(s), officer(s), or agent(s) of the Division of Police.

I for myself, my heirs, executors, administrators, and assigns do release, hold absolutely harmless and forever discharge the City of Cleveland, any and all officer(s) of the Cleveland Division of Police, their sureties and each of them, against any and all claims, suits, debts, demands, actions, causes of action, or liability or expense of every kind and nature incurred or arising by reason of any actual or claimed negligent or wrongful act or omission on the part of any member of the Cleveland Division of Police while riding in any vehicle assigned to the Cleveland Division of Police or the City of Cleveland while accompanying any member(s), employee(s), officer(s) or agent(s) of the Division during the performance of their official or unofficial duties I may now or hereafter have against the City or officers on account of injuries or damages sustained by me arising out of or in any manner connected with the ride- along.

I agree to provide evidence of liability insurance coverage of not less than $1,000,000, combined bodily injury/property damage, which is satisfactory to the Cleveland Division of Police and which shall name the City of Cleveland, its member(s), officer(s), employee(s) or agent(s) as additional named insured(s).

I agree to defend, indemnify and hold the City absolutely harmless from any and all claims related to or in any way arising out of my actions while participating in the ride- along.

I understand that permission to participate as a ride- along is not assignable or transferable and is subject to cancellation at any time by any type of notice.

I further state that I have carefully read this release and understand the contents.

_____
Signature of Ride-Along Applicant Date

Sworn to before me this_____day of_____, A.D., 20__

_____
(Notary Public for State of Ohio)

My commission expires:_____

I ___ would ___ would not like to be issued body armor for the ride- along.

Date:_____ Signature:_____

Phone:_____ Place of Employment:_____

Witness:_____ Address:_____

Witness:_____ Address:_____

Commander's Approval:_____

Deputy Chief's Approval:_____

CLEVELAND DIVISION OF POLICE
Minor Child Ride-Along Release

I, _____ , residing at _____ ,
(NAME OF GUARDIAN OF PROSPECTIVE RIDE-ALONG) (HOUSE NUMBER AND STREET)

_____ , _____ , and the legal guardian of _____ ,
(CITY) (STATE) (PROSPECTIVE RIDE-ALONG)

request permission for said minor to accompany officer(s) of the Cleveland Division of Police

on a tour beginning on or about _____ AM/PM _____ , _____ ,
(TIME) (MONTH AND DATE) (YEAR)

And ending AM/PM _____ , _____ .
(TIME) (MONTH AND DATE) (YEAR)

CAUTION: READ THIS DOCUMENT IN FULL BEFORE SIGNING

I, _____, not yet attaining the age of majority as defined by the Ohio Revised Code, but being at least fifteen (15) years of age, have made a voluntary request to ride as a guest in a vehicle assigned to the City of Cleveland Division of Police and to accompany a member(s), employee(s), officer(s), or agent(s) of the Division during the performance of their official/unofficial duties.

The Cleveland Division of Police is willing to grant me permission to ride as a guest in a vehicle assigned to the City of Cleveland Division of Police, and to accompany a member(s), officer(s), or agent(s) of the Division during the performance of their duties on the conditions listed below.

In consideration of the permission given to me to ride in a vehicle assigned to the City of Cleveland Division of Police, and to accompany a member(s), officer(s), or agent(s) of the Division during the performance of their official or unofficial duties, I, _____, and _____(natural parent, step-parent, guardian of_____), for and on behalf of _____, agree:

I acknowledge that I am a lay observer only. As such, I agree not to enter any private residence or private property that is not otherwise accessible to the general public or any area that the escorting officer deems inappropriate. I am aware and understand that the work of the Cleveland Division of Police is inherently dangerous, and that I may be subjected to the threat of death or personal injury, or damage to my property, by accompanying a member(s), employee(s), officer(s) or agent(s), of the Division of Police during the performance of their official or unofficial duties. I freely, voluntarily, and with such knowledge assume any and all risks of death, personal injury, or property damage arising from, or in any way connected with the use of weapons, unlawful acts, or resistance by law violators, detainees, or arrested persons. Furthermore, I freely, voluntarily, and with such knowledge assume any and all risks of assault, riot, breach of peace, vehicle accidents, fire, explosion, gas, electrocution, escape of a radioactive substance, or any violation(s) of the Ohio Revised Code or Cleveland Municipal Ordinances while accompanying a member(s), employee(s), officer(s) or agent(s) of the Division of Police during the performance of their official or unofficial duties.

That the City of Cleveland, Chief of Police, his/her sureties, any and all member(s) of the Cleveland Division of Police, their sureties, and each of them shall not be responsible or liable

for any injury, damage, loss, or expense, either to myself or my property, incurred while riding in any vehicle assigned to the Cleveland Division of Police, or while accompanying any member(s), employee(s), officer(s), or agent(s) of said Division during the performance of their official or unofficial duties resulting from any negligent act or omission on the part of any member(s), employee(s), officer(s), or agents(s) of the Cleveland Division of Police. I acknowledge and accept that during any and at all times I am riding in any vehicle assigned to the Cleveland Division or City of Cleveland as a guest, and that my ride-along privileges can be revoked at any time by any member(s), employee(s), officer(s), or agent(s) of the Division.

I for myself, my heirs, executors, administrators, and assigns do hereby indemnify, release, hold absolutely harmless and forever discharge the City of Cleveland, any and all officer(s) of the Cleveland Division of Police, their sureties and each of them, against any and all claims, suits, debts, demands, actions, causes of action, or liability or expense of every kind and nature incurred or arising by reason of any actual or claimed negligent or wrongful act or omission of any member(s), employee(s), officer(s), or agent(s) of the Division while riding in any vehicle assigned to the Cleveland Division of Police or the City of Cleveland while accompanying any member(s), employee(s), officer(s) or agent(s) of said Division during the performance of their official or unofficial duties that I may now or hereafter have against the City or said officers on account of injuries or damages sustained by me arising out of or in any manner connected with said ride-along.

I agree to provide evidence of liability insurance coverage of not less than $1,000,000 combined bodily injury/property damage, which is satisfactory to the Cleveland Division of Police and which shall name the City of Cleveland, its member(s), employee (s), officer(s), and agent(s) as additional named insured(s).

I agree to defend, indemnify and hold the City absolutely harmless from any and all claims related to or in any way arising out of my actions while participating in the ride- along.

I understand that permission to participate as a ride-along is not assignable or transferable and is subject to cancellation at any time by any type of notice.

I further state that I have carefully read this release and understand the contents.

_____

Signature of Ride-Along Applicant Date

I, _____ (natural parent, step-parent, guardian of the ride-along), state that I have carefully read this release, understand the contents, and have explained its contents to the Ride-Along Applicant.

_____

Signature of: ☐Parent ☐Guardian

Sworn to before me this_____day of_____, A.D., 20__

_____

(Notary Public for State of Ohio)

My commission expires:_____

I ____ would ____ would not like to be issued body armor for the ride-along.

Date:_____ Signature of Guardian:_____

Date:_____ Signature of Minor:_____

Phone:_____ Place of Employment:_____

Witness:_____ Address:_____

Witness:_____ Address:_____

Commander's Approval:_____

Deputy Chief's Approval:_____

CLEVELAND DIVISION OF POLICE

Cadet Ride-Along Release For The Civilian Police Academy/Auxiliary Police

I, _____ , _____ , _____ ,
(NAME OF PROSPECTIVE RIDE-ALONG) (SOCIAL SECURITY NUMBER) (DATE OF BIRTH)

residing at _____ , _____ , _____ ,
(HOUSE NUMBER AND STREET) (CITY) (STATE)

request permission to accompany officers of the Cleveland Division of Police on a tour of duty

beginning on or about _____ AM/PM _____ , _____ and ending
(TIME) (MONTH AND DATE) (YEAR)

_____ AM/PM _____ , _____ .
(TIME) (MONTH AND DATE) (YEAR)

CAUTION: READ THIS DOCUMENT IN ITS ENTIRETY BEFORE SIGNING

I certify that I am 18 years or more of age and that I have never been convicted of a felony offense.

I have been advised and I understand that emergency personnel employed by the City of Cleveland, including those employed by the Divisions of Police, Fire and Emergency Medical Services are subject to emergency assignments at any time. I further understand that such personnel are exposed to personal injury in the course of their work and that personnel of such Divisions have been injured and killed in the course of their work.

I acknowledge that I am a lay observer only. As such, I agree not to enter any private residence or private property that is not otherwise accessible to the general public or any area that the escorting officer deems inappropriate. I am aware and understand that the work of the Cleveland Division of Police is inherently dangerous, and that I may be subjected to the threat of death or personal injury, or damage to my property, by accompanying a member(s), employee(s), officer(s), agent(s), of the Division of Police during the performance of their official or unofficial duties. I freely, voluntarily, and with such knowledge assume any and all risks of death, personal injury, or property damage arising from, or in any way connected with the use of weapons, unlawful acts, or resistance by law violators, detainees, or arrested persons. Furthermore, I freely, voluntarily, and with such knowledge assume any and all risks of assault, riot, breach of peace, vehicle accidents, fire, explosion, gas, electrocution, escape of a radioactive substance, or any violation(s) of the Ohio Revised Code or Cleveland Municipal Ordinances while accompanying a member(s), employee(s), officer(s) or agent(s) of the Division of Police during the performance of their official or unofficial duties.

That the City of Cleveland, Chief of Police, his/her sureties, any and all member(s), employee(s), officer(s) or agent(s) of the Cleveland Division of Police, their sureties, and each of them shall not be responsible or liable for any injury, damage, loss, or expense, either to myself or my property, incurred while riding in any vehicle assigned to the Cleveland Division of Police, or while accompanying any member(s), employee(s), officer(s) or agent(s) of said Division during the performance of their official or unofficial duties resulting from any negligent act or omission on the part of any member of the Cleveland Division of Police.

I acknowledge and accept that during any and all time I am riding in any vehicle assigned to the Cleveland Division or City of Cleveland, I am in the status of a guest. As such, my ride-along privileges may be revoked at any time for any reason by member(s), employee(s), officer(s), or agent(s) of the Division of Police.

I for myself, my heirs, executors, administrators, and assigns do release, hold absolutely harmless and forever discharge the City of Cleveland, any and all officer(s) of the Cleveland Division of Police, their sureties and each of them, against any and all claims, suits, debts, demands, actions, causes of action, or liability or expense of every kind and nature incurred or arising by reason of any actual or claimed negligent or wrongful act or omission on the part of any member of the Cleveland Division of Police while riding in any vehicle assigned to the Cleveland Division of Police or the City of Cleveland while accompanying any member(s), employee(s), officer(s) or agent(s) of the Division during the performance of their official or unofficial duties I may now or hereafter have against the City or officers on account of injuries or damages sustained by me arising out of or in any manner connected with the ride-along.

I understand that any "Ride- Along" associated with this release and permitted by the Division of Police and the City of Cleveland is strictly limited to any "Ride-Along" directly related to and required by the approved Police Academy curriculum for either Civilian Police Cadet or Auxiliary Police Cadet. I further understand that any exemption of the normally required demonstration of proof of liability insurance coverage (not less than $1,000,000) naming the City of Cleveland, its member(s), officer(s), employee(s) or agent(s) as additional named insured(s) granted by the Division of Police and the City of Cleveland is strictly limited to any "Ride Along" directly related to and required by the approved Police Academy curriculum for either Civilian Police Cadet or Auxiliary Police Cadet.

I agree to defend, indemnify and hold the City absolutely harmless from any and all claims related to or in any way arising out of my actions while participating in the ride-along.

I understand that permission to participate as a ride along is not assignable or transferable and is subject to cancellation at any time by any type of notice.

I further state that I have carefully read this release and understand the contents.

_____
Signature of Ride-Along Applicant Date

Sworn to before me this_____day of_____, A.D., 20__

_____
(Notary Public for State of Ohio)

My commission expires:_____

I ___ would ___ would not like to be issued body armor for the ride-along.

Date:_____ Signature:_____

Phone:_____ Place of Employment:_____

Witness:_____ Address:_____

Witness:_____ Address:_____

Commander's Approval:_____

Deputy Chief's Approval:_____

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 01, 2002	August 7, 2015	1 of 6	1.3.11

SUBJECT: AMMUNITION AND FIREARM REGULATIONS

ASSOCIATED MANUAL:

RELATED ORDERS:

CHIEF OF POLICE: *Calvin D. Williams, Chief*

Substantive changes are italicized

PURPOSE: To identify the types of firearms, ammunition, and related equipment that are approved for officers to carry.

POLICY: Officers shall carry and use only the firearms, ammunition, and holsters stated in this order. Officers are authorized to carry and use such firearms only after complying with this order and the annual qualification requirements of the Ohio Peace Officer Training Commission (OPOTC).

These regulations are not meant to infringe on an officer's right to own and use legal firearms or ammunition, while outside the scope of an officer's official on-duty and secondary employment.

DEFINITION:

Primary Firearm - *is the firearm issued to the officer by the Division and requalified with by the officer during the annual in-service training.*

Personal Firearm - *is an authorized firearm that an officer may carry as a concealed firearm in addition to the primary firearm while on-duty or while off-duty working uniformed secondary employment. A personal firearm may be carried in lieu of the primary firearm while on-duty in plainclothes with prior written approval from the Chief.*

PROCEDURES:

I. Approved Firearms

A. *The primary firearm shall be the issued Glock 9mm semi-automatic pistol.*

1. *Glock Model 17 or 19 with a New York 1 trigger.*

2. *The Glock Model 26 with a New York 1 trigger may be issued as a loaner firearm, shall not replace the primary firearm, requires written approval of the Chief, and <u>shall</u> <u>not</u> be eligible for purchase.*

B. Approved personal firearms:

1. Glock Pistol Models 17, 19, and 26 with a New York 1 trigger, *or the Glock Model 43*.

2. All Smith & Wesson, *Colt, or Ruger* .38 caliber double-action revolvers (up to a *3* inch barrel).

3. *All Smith & Wesson Compact Center-Fire 9mm Pistols without an external safety (up to a 3½ inch barrel).*

4. Kahr PM-9, MK-9, *or CW9* 9mm semi-automatic pistol *(up to a 3½ inch barrel).*

5. Springfield XD series 9mm semi-automatic pistol *(up to a 3½ inch barrel).*

6. *Ruger LC9 and LC9S 9mm semi-automatic pistol without an external safety (up to a 3½ inch barrel).*

C. When it is necessary for officers to carry on-duty firearms other than those specified in this order, *their* commanding officer shall request written authorization from the Chief through the chain of command.

D. The Ordnance Unit may issue firearms for special assignments. Officers shall display proficiency in the use and maintenance of such firearms prior to issuance. Officers shall return special assignment firearms to the Ordnance Unit upon completion of the assignment.

E. Personal rifles and shotguns are not approved for on-duty use or off-duty secondary employment use.

II. Personal firearm qualifications and *authorization* requirements.

A. *Officers are limited to a maximum of two authorized personal firearms.*

B. *Personal firearms shall not be carried on the duty belt.*

C. Officers who wish to have a personal firearm shall:

1. Complete the *pre*-structured "Request for Permission to Carry Personal Firearm" Form-1 report (Attachment A).

2. Attach a printout of the firearm's NCIC check.

3. Obtain approvals from their supervisor, commander, and deputy chief.

4. Take the firearm and the approved Form-1 to the Ordnance Unit for a safety and reliability inspection.

5. Pass the OPOTC qualification test. No overtime shall accrue while attending a qualification test session.

D. After successful completion of the firearm inspection and the OPOTC qualification test, the Ordnance Unit shall forward the original Form-1 to the Chief's Office. Once *authorized* by the Chief, the Chief's Office shall forward the original Form-1 to the Personnel Unit and forward copies to the Ordnance Unit and the officer. *When the officer receives the copy of the approved Form-1, the firearm listed on the Form-1 shall be an authorized personal firearm for that officer.*

E. Officers must pass the OPOTC requalification test annually to remain authorized to carry *that personal* firearm. *Failure to qualify with the firearm within a requalification period shall require the member to resubmit for approval of that firearm.* No overtime shall accrue as a result of attending requalification test sessions.

F. *Authorization* of personal firearms shall be based upon the recommendation of the Officer-in-Charge (OIC) of the Ordnance Unit. Final a*uthorization* shall be at the discretion of the Chief.

G. *Officers working plainclothes duties may request to carry an authorized personal firearm while on-duty in lieu of their primary firearm by completing a Form-1 request and forwarding it through their chain of command to the Chief's Office for consideration. The Form-1 shall detail the reason for the request. A copy of the most recent personal firearm qualification form (available from the Ordnance Unit) shall be attached to the Form-1. Permission can be revoked by the Chief at any time.*

H. *Officers may carry an authorized personal firearm, concealed for emergency use, while on-duty and in addition to their primary firearm. Officers shall not have more than two firearms on their body while on-duty or off-duty engaged in secondary employment.*

III. Shotgun regulations: On-duty (all assignments).

A. The OIC of each unit/district shall assign a Remington, Model 870, Pump Action, 12 gauge, Police Shotgun to each police vehicle equipped with a shotgun mount, marked and unmarked. Vehicles without shotgun mounts shall not house shotguns. Officers shall not carry or house shotguns in the trunk of police vehicles. *Exception: the shotgun may be stored in the trunk of a police vehicle that has been equipped with a lockable trunk mount.*

B. *When an officer bad orders a vehicle they shall remove the shotgun from the vehicle, properly unload the shotgun, secure it in the district/unit, and ensure all log entries are made.*

C. Before mounting a shotgun in a vehicle, the officer shall ensure the action is closed and the safety is *engaged* prior to loading the magazine tube with four rounds (keeping the chamber empty).

D. *Officers* assigned to a vehicle equipped with a shotgun shall inspect that shotgun and shotgun ammunition at the beginning of each tour of duty. *Officers* shall ensure the shotgun is serviceable and loaded with four rounds.

IV. *Firearm ammunition and ammunition boxes.*

A. The Ordnance Unit shall maintain the Division's ammunition supply and shall issue, exchange, and receive ammunition for issued firearms.

B. *Approved Ammunition:*

1. *Speer® Gold Dot®, 9mm Luger +P, 124 grain, GDHP ammunition.*

2. *Winchester Ranger, .38 Special +P, 130 grain, JHP ammunition.*

3. *Federal, 12 gauge, 2 3/4", OO Buckshot (nine pellets) with Flitecontrol®.*

C. *Officers assigned to a vehicle equipped with an ammunition box shall inspect that ammunition box at the beginning of each tour of duty. Officers shall report damaged seals to their district/unit OIC.*

V. Approved holsters for on-duty or off-duty secondary employment:

A. *Safariland, Model 6360-83-131 (right handed) & 6360-83-132 (left handed).*

B. Safariland, Model 295 or 2955, Level II.

C. Safariland, Model 070, Level III.

D. A holster authorized and approved in writing by the Chief of Police, and/or as specified in the annual Clothing/Uniform Allowance.

E. Any Level I, II, or III holster *is approved* for *officers working* administrative duties, plainclothes duties, or off-duty secondary employment, *provided* that the holster is appropriate for the *authorized* firearm.

VI. Issuance/exchange/inspection of firearms.

A. The Ordnance Unit shall issue Division firearms and related equipment. It shall maintain an accurate record, with a redundant back-up on a different medium, of firearms and related equipment purchases, trades, disbursements, issuance, exchanges, and disposals.

B. The Ordnance Unit shall issue temporary replacement firearms when issued firearms are lost, stolen, inoperable, or held for laboratory examination.

C. Officers shall ensure that their *primary and personal* firearms are properly maintained and serviceable.

D. Uniformed personnel *shall carry their primary firearm and* a full complement of ammunition while on-duty. For 9mm semiautomatic pistols a *full complement of ammunition* is a loaded magazine *inserted in the magazine well*, a round in the chamber, and two fully-loaded spare magazines.

E. Officers engaged in administrative/plainclothes duty and off-duty secondary employment shall (when carrying a firearm) carry a fully loaded approved firearm. Any additional magazines carried by these officers shall also be maintained in a fully loaded condition.

F. District or unit OICs shall inspect officer's firearm(s) quarterly (last day of March, June, September, and December) and complete the Quarterly Equipment Inspection Form (Attachment B) and forward it through the chain of command to the respective Deputy Chief. Each Deputy Chief shall review the forms for completeness, produce a cover memorandum to that effect, and forward all documentation to the Inspection Unit within 20 business days of the end of the quarter.

G. District or Unit OICs shall inspect shotguns quarterly and complete the Quarterly Shotgun and Ammo Box Inspection Form (Attachment C) concurrently with the Quarterly Equipment Inspection. The form shall be forwarded through the chain of command to the respective Deputy Chief. Each Deputy Chief shall review the forms for completeness and forward all documentation to the Ordnance Unit within 20 business days of the end of the quarter.

VII. Maintenance and repair of issued firearms.

A. Officers shall care for issued firearms and related equipment. Officers shall be accountable for damage to firearms from roughness, carelessness and neglect, and for permitting unauthorized persons to use, tamper with, or repair issued firearms and related equipment.

B. Officers shall return issued firearms and related equipment to the Ordnance Unit when repair or maintenance is necessary. Alterations or repairs to an *authorized* personal firearm by unauthorized personnel shall void its authorization. To regain approval, officers are required to have their personal firearm inspected and *authorized* by the Ordnance Unit.

C. Only officers assigned to the Ordnance Unit shall repair and adjust (including installation of commercial replacement grips) issued firearms and related equipment. Officers shall not alter or permit anyone other than Ordnance Unit personnel to alter issued firearms.

VIII. Authorization for personal firearm discontinued.

A. Officers who successfully completed the OPOTC requalification test for 1998 with a firearm which is NOT included on the approved personal firearms list contained within this order may continue to requalify with that particular firearm in subsequent years. Requalification, however, must be continuous. Failure to qualify with the firearm within a requalification period will bar any subsequent approval of that firearm.

B. Officers shall immediately notify the Ordnance Unit through the chain of command by a Form-1 when a personal firearm is sold, transferred, lost, or stolen.

CDW/jeh
Policy & Procedures Unit
Attachment A, B, & C

DIVISION OF POLICE

CLEVELAND, OHIO

DIVISIONAL INFORMATION

DIST./BUR. ZONE/UNIT _____ 20 ____

EXAMINED BY _____ RANK _____ _____ 20 ____

FROM _____ TO _____

SUBJECT Request for Permission to Carry a Personal Firearm

COPIES TO Personnel Unit, Ordnance Unit

Sir/Ma'am:

I respectfully request permission to carry the below described personal firearm:

MANUFACTURER: _____ MODEL: _____

TYPE: _____ CALIBER: _____

SERIAL NUMBER: _____ BARREL LENGTH: _____

FINISH: _____

√ A printout of an N.C.I.C. check of this firearm is attached.

√ Documentation of successful completion of the annual firearms re-qualification is attached.

RESPECTFULLY_____ #_____

This firearm complies with all provisions of G.P.O. 1.3.11, Ammunition and Firearms

I recommend approval:

(Signature Section)

Platoon/Unit Supervisor: _____ # _____ Date: _____

District/Bureau Commander: _____ # _____ Date: _____

Deputy Chief: _____ # _____ Date: _____

Inspected and approved by Ordnance Unit supervisor:

(Signature Section)

Supervisor: _____ #_____ Date: _____

****

Approved by the Chief of Police:

Chief: _____ #_____ Date: _____

Cleveland Division of Police
Quarterly Equipment Inspection Report

District / Bureau: **Quarter Ending**
Platoon / Unit:

Badge #	Officer Last Name	Primary Firearm #	Taser #	Patrol Rifle #	Personal Firearm #	Portable Radio #	Wearable Camera #	Inspecting Supervisor

Respectfully,

Page # 1 OF 1

_____

The above items were inspected under my supervision and all officers are compliant with GPOs : N/A= Not Applicable (Revised 8-7-15)

Cleveland Division of Police
Quarterly Shotgun and Ammuntion Box Inspection

District / Bureau: **Quarter Ending:**

Platoon / Unit: **Year:**

Shotgun Serial #	Location	Checked by: (name/badge)	Ammo box#	Location	Checked by: (name/badge)

Cleveland Division of Police
Quarterly Shotgun and Ammuntion Box Inspection

District / Bureau: **Quarter Ending:**

Platoon / Unit: **Year:**

Bean Bag Shotgun Serial #	**Location**	**Checked by: (name/badge)**

Additional Items Serial #	**Location**	**Checked by: (name/badge)**

Additional Items Serial #	**Location**	**Checked by: (name/badge)**

Reviewing OIC Signature / Badge Date

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
JULY 25, 2005	JULY 21, 2005	1 of 3	1.3.12

SUBJECT:	
PROTOCOL WITH OUTSIDE AGENCIES	
ASSOCIATED MANUAL:	RELATED ORDERS:
DISTRICT, CRIME SCENE & RECORDS, SEX CRIMES , CPU	1.3.22(CMHA)
CHIEF OF POLICE:	
Michael McGrath, Chief	

PURPOSE: To outline Division of Police protocols regarding law enforcement agencies with jurisdiction within the City of Cleveland.

POLICY: The Cleveland Division of Police (CPD) shall retain ultimate responsibility for the protection of life and property in the City of Cleveland, including areas within the jurisdiction of other police departments. While this protocol does not apply to the Cleveland Metro-Parks Ranger Department, personnel of the Cleveland Division of Police **shall not** refuse requests for service concerning incidents occurring in any area of the City of Cleveland.

The Cleveland Division of Police does not have jurisdiction where the federal government has exclusive jurisdiction, unless they request CPD assistance. Federal agencies shall decide who has jurisdiction for investigating derailments or deaths involving railroad accidents.

PROCEDURES:

I. The Cleveland Division of Police shall:

A. Assist the other police departments with investigations or other matters of mutual concern when called upon. CPD shall also make available to other police departments all pertinent data and investigative information concerning crimes committed in their jurisdiction.

B. Receive evidence needing forensic testing. OIC's shall ensure this property is forwarded to the Forensic Unit.

C. When a prisoner is confined for emergency medical treatment and requires a guard detail, the OIC shall notify the department responsible for the arrest. The CPD shall establish a detail for the initial shift and then turnover responsibility to the other department no later than the end of the initial shift. Outside agencies shall use their best effort to transport their detainees for non-emergency medical care.

D. Have investigative responsibility for the following incidents:

1. Incidents involving explosive or incendiary devices.

2. Hostage situations.

3. Deaths other than "Probable Natural".

4. Use of Deadly Force by other departments.

5. Incidents of Ethnic Intimidation and/or Hate Crimes.

6. Sexual Assaults- Excluding Cleveland State University P.D., (CSUPD) and University Circle P.D., (UCPD). CSUPD and UCPD shall provide a weekly status report on sexual assault investigations to the OIC of the Sex Crimes and Child Abuse Unit.

7. Any incident that CPD desires to preempt the investigative function.

E. Have investigative responsibility for felonies on railroad property except:

1. Railroad police have investigative responsibility for felony thefts.

II. Federal Property

A. Federal Law Enforcement Agencies shall have exclusive jurisdiction for all crimes committed in the following areas:

1. All U.S. Postal Facilities.

2. U.S. Coast Guard Station (1055 East 9th Street).

3. U.S. Customs / U.S. Immigration and Naturalization (5300 Riverside).

4. NASA* (21000 Brookpark) * some areas have concurrent jurisdiction.

5. Aircraft arriving from outside the U.S. that have not cleared U.S. customs.

B. When called upon, Cleveland Police Officers shall investigate all crimes occurring on Federal Property not designated as exclusive jurisdiction.

III. State Property

The Ohio State Highway Patrol shall conduct the follow-up investigation of felonies committed on selected state properties. Officers shall advise the Communication Control Section to query the Ohio State Highway Patrol to determine if they will conduct the follow-up investigation.

IV. Cuyahoga Metropolitan Housing Authority (CMHA) Property

The procedures in regard to the mutual aid agreement between the Division of Police and the CMHA Police Department are provided in GPO 1.3.22.

MM/TAH/MAD
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
October 14, 2004	March 4, 2013	1 of 4	1.3.13

SUBJECT:	
FOREIGN NATIONALS	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.3.35
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are italicized.

PURPOSE: To provide guidelines for members of the Cleveland Division of Police in protocol, reports, and notifications, when *coming in contact* with foreign nationals.

POLICY: *The Cleveland Division of Police shall provide notification to the required consulate or embassy upon contact with a foreign national as applicable and required by international law*.

DEFINITION:

Foreign National is a person who is physically within the territorial boundaries of the United States and is not a citizen of the United States.

PROCEDURES:

I. *If a foreign national dies, or experiences serious injury or serious illnesses, the closest consulate or embassy of the national's country shall be notified without delay*.

II. *If a ship or airplane registered in a foreign country wrecks or crashes in the United States, the nearest consular officers of that country shall be notified without delay*.

III. *Arrest, detention, or imprisonment of a foreign national*.

A. Arrest, imprisonment or other *detention* of a foreign national requires the arresting officer to immediately inform the arrested/detained person of their right to have their government informed.

B. If the arrested/detained person requests that their government be notified, the arresting officer shall promptly inform the appropriate foreign consulate or embassy.

C. Officers may obtain current embassy and consulate addresses and phone numbers from the Communications Control Section (CCS).

D. Additional information relative to notification is available via telephone from *the Department of State Bureau of Consular Affairs*. *The telephone numbers for normal and outside business hours are* available from CCS.

E. If a foreign national is a citizen of any of the below mentioned countries, notification shall be made without delay **whether or not the arrested/detained person so desires:**

Albania
Algeria
Antigua and Barbuda
Armenia
Azerbaijan
Bahamas
Barbados
Belarus
Belize
Brunei
Bulgaria
China*
Costa Rica
Cyprus
Czech Republic
Dominica
Fiji
Gambia
Georgia
Ghana
Grenada
Guyana
Hungary
Jamaica
Kazakhstan
Kiribati
Kuwait
Kyrgyzstan
Malaysia
Malta
Mauritius
Moldova
Mongolia
Nigeria
Philippines
Poland**
Romania
Russia
Saint Kitts and Nevis
Saint Lucia
Saint Vincent/Grenadines
Seychelles
Sierra Leone
Singapore
Slovakia
Tajikistan
Tanzania
Tonga
Trinidad and Tobago
Tunisia
Turkmenistan
Tuvalu
Ukraine
United Kingdom***
Uzbekistan
Zambia
Zimbabwe

Arrangements with these countries provide that United States authorities shall notify responsible representatives of these countries *without delay* of the arrest or detention of one of their nationals. *Detention does not include traffic stops or other brief investigative stops*. *Arrests do not include arrests for misdemeanor charges where the process from the time of arrest to release from custody lasts only several hours*.

Notification is not mandatory for Taiwan nationals (who carry People's Republic of China passports). Such persons shall be informed without delay that the nearest office of the Taipei Economic and Cultural Representative Office can be notified upon their request.

**Includes Macao and Hong Kong*.

***Mandatory only for foreign nationals who are not lawful permanent residents of the United States*.

****Includes Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Gibraltar, Montserrat, Northern Ireland and the Turks and Caicos Islands, along with other island territories*.

Note: some foreign nationals may possess a driver license issued in the United States as well as also having a Social Security number.

Subject to State law and regulations for access to arrested/detained persons, foreign consular officers have the right to visit their nationals who are in prison, custody or detention. They may converse, correspond, and arrange for their legal representation. The Division shall not permit a foreign consular officer to take action on behalf of an arrested or detained person if the person held expressly opposes such action.

IV. Record Management System (RMS) Reports

A. In the arrest, imprisonment or detainment of a foreign national, the arresting officer shall complete an RMS report. The words **"Foreign National"** shall be entered on the line headed **ADDITIONAL DESCRIPTIVES in the SUSPECT/ARREST** section of the report.

B. Officers making reports shall **include the name, location, and telephone number of the consulate or embassy notified** on behalf of the arrested/detained person and the name and title of the individual notified. This information shall be entered on the line headed NOTIFICATIONS, on page one of the RMS report.

C. When the arresting officer is unable to provide immediate consulate or embassy notification when requested by the arrested/detained person or as required by international law, **the reporting officer shall enter the reason such notification was not provided as the last line of the narrative on the RMS report**. (i.e., no response at the consulate or embassy, arrested/detained person states notification not wanted and mandatory notification not required).

V. When a foreign national requests asylum, the member who receives the request shall contact the Department of State *Bureau of Consular Affairs. The telephone numbers for normal and outside business hours are available from CCS*. ***The Division shall never reveal to the foreign national's government if a foreign national has or may have applied for asylum or is withholding of removal***.

VI. *Consular notification is not required for United States citizens holding dual citizenship*.

VII. *See General Police Order 1.3.35 for directives concerning diplomatic and consular immunity*.

MM/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	OCTOBER 24, 2013	1 of 4	1.3.14

SUBJECT:	
CIVIL LAWSUITS AND LEGAL ADVICE	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

This General Police Order has been revised in its entirety

PURPOSE: To assist members involved in civil lawsuits or requesting legal advice.

POLICY: To provide members of the Division of Police prompt legal representation when a civil action arises out of an alleged act or omission which occurs while members are acting within the scope of their employment, while on-duty or off-duty.

PROCEDURES:

I. Federal Rules for Civil Procedure require that defendants have 21 days to answer a complaint. After that time a default judgment may be declared against the member and the Division.

II. If a member is uncertain as to whether or not to accept service of a summons and complaint regarding a civil action, the member shall contact the City of Cleveland's Chief Trial Counsel (Law Department).

III. A summons and complaint regarding a civil action that is not accepted shall be marked "Service refused" and state the reason. Members of the Division shall not accept a lawsuit if:

A. It is addressed to "John Doe" with no badge number.

B. It is addressed to retired, resigned, or terminated members.

C. It is addressed to a Division member who is on Suspension, Sick Leave, Furlough, or any other type of time off that would delay the personal service in excess of **7 calendar days**.

D. The attempted service is made to a location other than the member's current assignment.

IV. When a member of the Division accepts a summons and complaint regarding a civil action the following procedures shall apply.

A. The Division shall accept a lawsuit only if:

1. The member is presently employed by the Division. Members unfamiliar with the name or badge number of the member being served shall contact the Personnel Unit.

2. It identifies the member by name and badge number; or

3. It identifies the member by name only; or

4. It identifies a member by badge number alone or by the name "John Doe" and badge number.

B. When any member accepts service of a summons and complaint regarding a civil action, they shall **immediately** forward the entire document to the Chief's office by facsimile to (216) 623-5584 or scan the entire document as a "PDF" file and e-mail it as an attachment to police@city.cleveland.oh.us (Chief's Office).

C. The summons contact person for a member is the member's commanding officer.

D. When a lawsuit is accepted and the member, OIC, or immediate supervisor has completed the required tasks described in section IV B they shall assemble a package consisting of a **copy** of the original summons and a **copy** of the Form-1 for the Law Department, and the **original** summons and the **original** Form-1 for the Chief's Office. A copy shall also be made for the personal records of the member being served.

E. A day-shift supervisor shall, as soon as possible during normal business hours, hand deliver the package to the Chief's Office, obtaining a date and time stamp on **all** documents. The Chief's Office shall immediately forward the Law Department's copies to the Director of Law.

F. The original summons and original Form-1 will remain in the Chief's Office files/archives.

V. When a member is served with a summons and complaint regarding a civil action the member shall:

A. Immediately complete a Form-1 limited to stating the member's desire for legal representation by the Law Department, the case number, and the name of the plaintiff. The Form-1 **shall not** mention any facts or circumstances of the incident.

B. Complete and forward the package as described in section IV D.

VI. When the OIC or the immediate supervisor of the member served accepts a summons and complaint regarding a civil action for a member expected to return within 7 calendar days the following procedures shall apply.

A. When the member served returns within 7 calendar days the member shall follow the procedures described in section V of this order.

B. If, for unforeseen reasons, the member does not return to work within 7 calendar days the OIC or immediate supervisor shall:

1. Complete a Form-1 on behalf of the member containing all the information required in section V and have it taken to the member to obtain the member's signature; or

2. If a member is unable to sign, the OIC or immediate supervisor shall notify the member about the civil case and complete the Form-1 on behalf of the member containing all the information required in section V and note in the Form-1 when and how the member was notified; or

3. If the OIC or immediate supervisor is unable to contact the member, the OIC or immediate supervisor shall complete a Form-1 containing all the information required in section V and include the reason why the member was not notified.

4. Complete and forward the package described in section IV D.

VII. Request for legal advice and opinions

A. Members in need of legal advice shall complete a Form-1, and forward it to the Chief's Office through the chain-of-command. When an immediate ruling is required and the member has supervisory approval, the member may, in this order, contact the City's Chief Trial Counsel, Chief Assistant Director of Law (General Litigation), Chief Assistant Director of Law (Public Safety), or any other available attorney in the Law Department.

B. Members shall request legal advice only from the Law Department and no other governmental agency or office, except when the matter is connected with a pending issue and the Law Department has already declined to assist or represent the member.

MM/jeh
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	SEPTEMBER 10, 2007	1 of 5	1.3.15

SUBJECT:	
INVESTIGATIONS OF POLICE CONDUCT	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

RESCINDED EFF. 02/21/20
SEE NEW GPOs 1.07.04-1.07.05

Changes are in italic.

PURPOSE: To establish guidelines for *receiving, investigating and responding to* misconduct complaints *involving members of the Cleveland Division of Police.*

POLICY: *Members* of the *Cleveland* Division of Police have a continuing obligation to serve the community in a responsible, professional *and accountable* manner. *An integral* aspect of this obligation is to ensure *that* Division policies and procedures *are complied with in a* reasonable and effective manner. To meet this obligation, the Division will provide a readily accessible process *through* which all citizens, *as well as* members of the Division have confidence that complaints against *a member* will be *promptly and objectively investigated and resolved*. Such investigations not only provide for corrective action when appropriate, but also protect against unwarranted criticism when policies and actions are *administered correctly* and in compliance with proper procedures. *Furthermore,* a *timely and* thorough investigation serves to protect citizens from police misconduct and members *from complaints that are retaliatory, manipulative or simply misunderstandings of police protocol*.

All complaints regardless of the perceived severity shall be accepted, investigated, and documented. Complaints shall be accepted in a professional and courteous manner without question or challenge.

PROCEDURES:

I. Accepting Misconduct Complaints

A. Members of the Division shall provide citizens a full and fair opportunity to file complaints alleging member misconduct. Citizens may file complaints in-person or by other means of communication at a district, bureau, unit or the Office of Professional Standards (OPS).

B. Any member of the Division, who becomes aware, or is informed, that a citizen wishes to make a complaint, shall, **without question *or challenge***, offer the citizen a Citizen Complaint Form. Completion of the form is not required to initiate the complaint or the investigative process. Citizens who wish, may take the Complaint Form home in order to complete it and may return it via mail, fax or in person at a later date.

C. A complaint received by telephone or in-person, without the Citizen Complaint Form filled out, requires the receiving officer to complete the form on behalf of the citizen. The receiving officer shall write a short synopsis of the complaint in the descriptive section of the Citizen Complaint Form. The officer shall then forward the complaint through the chain of command to the Office of Professional Standards. *Complaint forms that are not handwritten and signed by the complainant shall become the responsibility of the Office of Professional Standards to follow-up for proper completion of the form.*

D. A complaint, received in letter or other written form, facsimile or e-mail, requires a supervisor to attach the document to the Citizen Complaint Form and forward it to the Office of Professional Standards.

E. The Office of Professional Standards shall forward a copy of each complaint and Citizen Complaint Form to the Inspection Unit for accountability.

F. The Citizen Complaint Form is available at the Supply Unit.

II. Distribution of Citizen Complaint Forms

A. Upon receiving a completed Citizen Complaint Form, a supervisor shall **fax** the complaint to the Office of Professional Standards and the Inspection Unit.

B. The supervisor receiving the complaint shall forward the Citizen Complaint Form as follows:

1. The completed Citizen Complaint Form, original with the medical release on the back shall be sent to the Office of Professional Standards before completion of the receiving member's tour of duty.

2. The District or Unit receiving the complaint shall retain the yellow copy.

RESCINDED EFF. 02/21/20
SEE NEW GPOs 1.07.04 1.07.05

3. The citizen shall be given the pink copy of the Complaint form as a receipt of their complaint. *This may also be done by the Office of Professional Standards when the original submitted complaint is not handwritten and signed by the complainant.*

C. Personnel receiving complaints at the Mayor's Office, Department of Public Safety, Chief and Deputy Chiefs' offices shall forward them to the Office of Professional Standards.

III. Investigation of the Complaint

A. The Office of Professional Standards shall ensure that all complaints upon which it is acting have been handwritten and signed by the complainants, and that each complainant has received a copy of the complaint as submitted.

B. The Office of Professional Standards will thoroughly investigate the complaint within a time schedule established by the Administrator of the Office of Professional Standards.

C. If the Administrator of the Office of Professional Standards determines criminality may be involved, the administrator shall forward the complaint to the Internal Affairs Unit for investigation.

IV. ***Responding to an Office of Professional Standards Complaint***

A. Guidelines

1. The Office of Professional Standards shall generate an OPS Complaint Investigation Form directing the officer(s) named in a complaint to provide a substantive response that provides relevant information and documentation regarding the complaint.

2. The Office of Professional Standards shall forward this form to the commander of the named officer(s). Commanders shall be responsible for the timely completion of OPS Complaint Investigation Forms.

3. A supervisor delegated by the commander shall forward the Form to the named officer(s) within 4 days of receipt from OPS. OPS shall be notified within those 4 days when and if this task is completed. Named

RESCINDED EFF. 02/21/20
SEE NEW GPOs 1.07.04-1.07.05

officers receiving this Form shall have 6 days from date of receipt to forward their response through the commander's office to OPS.

4. *Supervisors who receive an OPS Complaint Investigation Form for service to named officer(s) shall forward the served/un-served Form to their commander for faxing to OPS on line 420-8764. Supervisors shall return the original Form to OPS via the commander's office.*

5. *To preserve the integrity and independence of OPS civilian oversight, OPS Complaint Investigation Forms shall not be routed through the Chief's Office.*

6. *Commanders and the supervisors that are delegated to direct officers to respond to an OPS Complaint Investigation shall be strictly accountable for ensuring that the Form is completed and forwarded in a timely manner and in accordance with the provisions set forth on the form.*

7. *Members receiving a directive to respond to an OPS Complaint Investigation shall provide a full and complete Form-1 response to the complaint. The response may also include:*

   a) *Unedited audio and video tapes that relate directly or indirectly to the incident initiating the complaint.*

   b) *Complete witness information that relates, directly or indirectly, to the incident initiating the complaint.*

   c) *Any other evidentiary items or supporting documentation.*

8. *Members shall limit their written responses to the facts requested by the investigator and other facts only as they are relevant to the investigation. Members shall not respond with opinions or conjecture.*

9. *Members may request an oral interview in lieu of a written response. If an oral interview is requested, the member shall notify the serving supervisor and submit his/her request through a Form-1 report faxed directly to the attention of the Administrator of the Office of Professional Standards.*

RESCINDED EFF. 02/21/20
SEE NEW GPOs 107.04-107.05

10. *Members are reminded that it is their responsibility to ensure that ALL supporting documentation, any evidence and ALL witness information is provided at the time of submission to the Office of Professional Standards. Failure to do so may prevent its introduction for consideration and review at a later date.*

11. *Form-1 responses to OPS complaints are subject to Public Records Requests.*

RESCINDED EFF. 02/21/20
SEE NEW GPOs 1.07.04-1.07.05

MM/TAH/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 1, 2002	February 13, 2015	1 of 2	1.3.16

SUBJECT:	
BUREAU OF INTEGRITY CONTROL CALL-UP	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.1.22, 2.1.03, 2.1.04, 2.1.05, *8.1.01*
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

Substantive changes are italicized

PURPOSE: To establish and define protocols for a Bureau of Integrity Control call-up.

POLICY: The Cleveland Division of Police shall establish a call-up group that is comprised in part by members of the Bureau of Integrity Control (mainly those supervisors assigned to the Internal Affairs and Inspection Units). As appropriate, this call-up group can be augmented by members of the Homicide Unit and/or the Crime Scene & Records Unit. The call-up group shall provide guidance and advice to supervisors who are investigating incidents involving *members* that could potentially rise to be criminal in nature *and preserve the integrity of all such investigations*. But primarily the group shall focus on incidents involving certain motor vehicle accidents, certain firearm discharges (e.g. accidental firearm discharges not resulting in injury or death and not involving citizens; the necessary destruction of a sick or injured animal by a firearm), and any other incidents as directed by the Chief of Police.

PROCEDURES:

I. Internal Affairs Unit shall:

A. Provide guidance as well as response and advice to supervisors for incidents alleging criminal activity involving sworn members *and maintain the integrity of all investigations arising from such incidents.*

B. Investigate members involved in criminal incidents originating inside the City of Cleveland. Criminal incidents originating outside of the City of Cleveland shall be monitored for violations of any Divisional directives.

C. Have at least one member of the unit designated to be part of a Bureau of Integrity Control call-up group.

D. Investigate all incidents as directed by the Chief of Police.

II. Inspection Unit shall:

A. Respond to and provide investigative oversight of any incident(s) as directed by the Chief of Police.

RESCINDED EFF. 02/21/20
SEE NEW GPOs 1.07.04-1.07.05

B. Respond to and investigate any use of the beanbag shotgun not resulting in death or serious injury, regardless if the beanbag round struck a person.

C. *Provide guidance and respond as needed to monitor and maintain the integrity of the investigation of:*

1. Non-fatal motor vehicle accidents involving off-duty sworn members.

2. Firearm discharges and shooting incidents by on-duty or off-duty police officers, other than those that require investigation by the Use of Deadly Force Investigation Team, and other than those involving legal sporting activities. These shooting incidents include:

a. Accidental firearm discharges not resulting in injury or death <u>and</u> not involving citizens, including those discharges that occur at a weapon clearing trap.

b. Necessary destruction of a sick or injured animal by a firearm.

III. Investigation of criminal incidents alleged to involve sworn Division members.

A. Supervisors, on-duty or off-duty, receiving information alleging criminal misconduct by a sworn member shall contact the Communications Control Section (CCS) to request the assistance of the Commander (or designee) of the Bureau of Integrity Control.

B. Supervisors shall not make an RMS report alleging criminal allegations against a sworn member until directed to do so by the Commander (or designee) of the Bureau of Integrity Control.

C. Supervisors shall document all relevant information on a Form-1 and immediately forward the Form-1 through the chain of command to the Bureau of Integrity Control. Supervisors in the chain of command shall ensure that there is no delay in the forwarding of these Form-1s.

D. Sworn members who are detained as the subject of an alleged criminal action outside of the City of Cleveland or who become the subject of a criminal investigation outside of the City of Cleveland shall immediately, *through CCS*, contact their immediate supervisor, or the next available on-duty superior officer in their chain of command, or a superior officer at a district nearest to the location of the incident and provide full particulars of the incident. Supervisors receiving such information shall follow the procedures outlined above.

RESCINDED EFF. 02/21/20
SEE NEW GPOs 1.07.04-1.07.05

CDW/jeh
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	1.3.17

SUBJECT:	
LONG DISTANCE TELEPHONE CALL LOGBOOKS	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To state procedures for Cleveland Division of Police Long Distance Telephone Call Logbooks.

POLICY: The Cleveland Division of Police shall strictly monitor long distance telephone calls.

PROCEDURES:

I. Administrative Units within the Division shall keep a "Long Distance Telephone Call Logbook," in which they will record all long distance calls made from telephones and fax machines assigned to their unit. These Logbooks are available at the Supply Unit.

II. The Logbook shall contain the following information:

A. Date and time of call
B. Telephone number called
C. Telephone line number from where the call was made
D. Reason for call (briefly described)
E. Officer making the call
F. Authorizing superior officer

III. The first page is preprinted with column headings to delineate required information. This format shall be maintained on succeeding pages.

IV. Monthly, the Telephone Exchange will send a structured Form-1 to each unit containing a list of long distance telephone calls made from their telephones during the previous month.

V. Commanding officers shall assign a superior officer to compare this list with the list of calls recorded in the unit's Logbook. If there is a disparity between the two lists, the superior officer shall type an explanation in the space provided on the structured Form-1.

VI. After final review and approval, the superior officer shall sign the Form-1 and forward it to the Inspection Unit for review and/or action.

VII. Commanding officers shall cause frequent inspection of the Logbooks.

EFL/TAH/LM/mg/cld
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
NOVEMBER 21, 2002	**July 06, 09**	1 of 1	1.3.18

SUBJECT:	
REMOVING BADGES FROM CIRCULATION	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Changes in Italics

PURPOSE: *To remove badges from circulation of officers who have been killed in the line of duty.*

To remove badges from circulation of officers who have brought discredit to the Cleveland Division of Police.

POLICY: *The Division shall honor officers who have lost their lives in the performance of their duty by forever removing their badge number from circulation.*

The Division shall preserve the esteem of the Cleveland Division of Police by removing from circulation and destroying the badges of officers who have been convicted of a felony or who have otherwise brought discredit to the Cleveland Division of Police, as determined by the Chief of Police.

PROCEDURES:

I. The Personnel Section shall ensure that badge numbers *that meet the criteria as stated in the above policy* be withdrawn from circulation and the badges destroyed *when required*.

A. *Badge numbers assigned to officers killed in the line of duty shall be forever removed from circulation and any remaining badges of that number be maintained as necessary for historic and/or memorial purposes.*

B. *Badge numbers assigned to officers who have been convicted of a felony or who have otherwise been determined to discredit the Division shall be forever removed from circulation and any remaining badges of that number be destroyed.*

II. The Chief of Police shall have sole discretion in making exceptions to this order.

MM/TAH/JCO/ajg
Policy & Procedures

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 19, 2003		1 of 1	1.3.19

SUBJECT:	
PROPER DISPOSAL OF DIVISION FLAGS	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To set guidelines for disposing of Division flags.

POLICY: The Cleveland Division of Police shall respectfully dispose of flags that can no longer be used.

PROCEDURES: Administrative sergeants shall collect and dispose of Division flags by delivering them to the Boy Scouts of America who annually, on Flag Day, have a ceremony for this purpose at Lakeview Cemetery.

EFL/TAH/MB/pz
Policy & Procedures

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 30, 2004	April 6, 2011	1 of 1	1.3.20

SUBJECT:	
SICK TIME BANK	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are in italic

PURPOSE: To set guidelines *and responsibilities for donating, receiving, and crediting sick time donations to members who are qualified to receive donated sick time*.

POLICY: The Cleveland Division of Police shall continue the current practice that allows one member to donate earned sick time to another.

PROCEDURES:

I. Member Responsibilities in Donating Sick Time.

A. *Members shall refer to their respective Collective Bargaining Agreement (CBA) to determine the guidelines, eligibility, and restrictions in donating and receiving sick time.*

B. The member donating sick time shall complete the top portion of the Form-1 (Appendix) and an overtime card (C of C 71-OT-20) indicating the amount of sick time to be donated.

C. The Form-1 and overtime card shall be forwarded to the member's respective union to obtain approval through the *Director of Public Safety.*

II. Timekeeping Unit Responsibilities

A. The Timekeeping Unit supervisor, or designee, shall receive the overtime card and the Form-1. The Timekeeping Unit shall complete the bottom section of the Form-1 to credit time to the receiving member's sick time and deduct time from the donating member's sick time balance.

B. The Timekeeping Unit shall forward a Form-1 copy to the Medical Unit.

III. The Medical Unit will reconcile the time balances of the receiving and donating member and file a copy of the Form-1 in the respective member's file.

MM/LM/JCO/mg
Policy & Procedures Unit

C OF C FORM 71-1

DIVISION OF POLICE
CLEVELAND, OHIO
DIVISIONAL INFORMATION

DIST/BUR. **ZONE/UNIT** **DATE** _____ **20** ____

EXAMINED BY _____ **RANK** _____ _____ **20** ____

FROM **TO**

SUBJECT Sick Time Donation

COPIES TO

Sir/Ma'am:

I respectfully request that _____ hours of my accumulated sick time be donated to the Time Bank of _____#_____, currently assigned to_____.

Donating member: _____ #_____ Social Security #: _____-_____-_____

Respectfully,

_____

TIMEKEEPING UNIT USE ONLY:

Benefit Adjustment

Additions:
SS#: _____-_____-_____

Name: _____

Add _____hours

Balance before adjustment: _____ hours

Balance after adjustment: _____ hours

Deductions:
SS#: _____-_____-_____

Name _____

Deduct _____ hours

Balance before adjustment: _____ hours

Balance after adjustment: _____ hours

Posted by: _____ Date: _____

Endorsements:

Recipient Officer is presently on Sick Abuse Status YES__ NO __ Case Preparation Officer: _____

Police Chief: _____

Director of Public Safety: _____

MEDICAL UNIT USE ONLY:

Received in Medical Unit by: _____ Date: _____

Posted in Medical Unit by: _____ Date: _____

(Revised April 2011)

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
February 28, 2005	March 23, 2012	1 of 4	1.3.21

SUBJECT:	
TUITION REIMBURSEMENT PROGRAM	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are in italic

PURPOSE: To establish guidelines for the Tuition Reimbursement Program and to promote advanced *and ongoing* education for sworn members of the Cleveland Division of Police.

POLICY: All sworn members, with the exception of members on extended illness status or any leave of absence or disciplinary suspension, are eligible. Tuition reimbursement shall be administered through the *Bureau of Support Services*.

Reimbursement of expenses is permitted only for those law enforcement classes directly applicable to the performance of an officer's current official duties. These classes are not required by the Division and are taken by the officer as wholly voluntarily.

Tuition reimbursement for classes not directly related to an officer's official law enforcement duties, including non-law enforcement related courses needed to fulfill the requirements of a law enforcement related degree is <u>not</u> permitted (e.g. an art appreciation course needed to meet the Fine Arts component of a Baccalaureate degree in Criminal Justice).

PROCEDURES:

I. Eligibility for Reimbursement

A. Career-Related Criteria

1. *Any course related to an officer's current official duties as an Ohio peace officer is eligible for reimbursement. For example, an accounting course for an officer assigned to Financial Crimes or a forensics course for a member assigned to the Crime Scene and Records Unit is allowable.*

2. The *Commander of the Bureau of Support Services* shall make the final determination as to whether a course is career-related. *There is no right of appeal as the U.S. Department of Justice oversees the strict use of these funds, ensuring that all courses are directly related to law enforcement.*

3. Questions regarding a course's eligibility for reimbursement shall be forwarded on a Form-1 with any supporting documentation through the chain of command to the *Commander of the Bureau of Support Services*. Officers who fail to ascertain course eligibility for reimbursement *prior to taking the course* risk denial of reimbursement.

B. Allowable Costs

1. Only tuition and course/lab fees are reimbursable. Costs associated with transportation, parking, books, room and board, proficiency exams, or penalty fees of any kind are NOT reimbursable.

2. Reimbursement shall be reduced by any and all aid received in the form of grants, gifts, scholarships, benefits or other financial assistance that the student has no liability to repay.

3. Financial assistance received in the form of loans, such as Stafford Loans, are eligible for reimbursement in the year the funds are used for tuition.

II. Eligibility for Reimbursement

A. Reimbursement shall be made on a sliding scale based on the letter grade attained as follows:

1. An "A" is eligible for 100% reimbursement.

2. A "B" is eligible for 75% reimbursement.

3. A "C" is eligible for 50% reimbursement.

4. A passing grade in a pass/fail course is eligible for 50% reimbursement.

B. The maximum reimbursement is a cumulative *$4,000* per calendar year. For

the purposes of reimbursement, the start date of the course determines the reimbursable calendar year.

III. Application

A. To apply, officers shall complete the attached pre-structured Form-1 (Attachment A). Each course requires a separate Form-1.

B. *The Form-1 must include details to support that the class is directly related to the officer's current duties. It is advisable that an official course description be attached to the Form-1*.

C. The form shall be forwarded through the chain of command to the *Commander of the Bureau of Support Services* for further processing.

D. Application and documentation of grades and proof of payment/loan must be received in *the Bureau of Support Services* no later than 45 days after the completion of a course.

1. Documentation shall consist of the grade report, proof of costs (e.g. canceled check, credit card statement or receipt or letter from the educational institution). Documentation may take the form of copies. Proof of payment documentation must clearly correspond to the cost of classes for which reimbursement is requested *and include any reductions in tuition due to scholarships, grants, or loans*.

2. The member may be required to provide additional documentation and original documents as needed.

3. The *Commander of the Bureau of Support Services* shall determine whether or not the documentation satisfies the level of proof required for reimbursement.

IV. Fund Accounting and Disbursement Procedures

A. Fund accounting and disbursements are a function of the Budget Unit.

B. Funds for reimbursement are established by current collective bargaining agreements and paid for out of law enforcement trust funds.

C. Funding is variable and disbursements may be limited to available funding.

D. If funds are insufficient to provide maximum allowable reimbursement then disbursement will made on a prorated basis as based on the available funds.

V. *Members who complete coursework for which they were reimbursed shall forward either a copy of a grade report or diploma to the Personnel Unit and the Training Section for inclusion in the member's personnel and training files*.

MM/ajg
Policy & Procedures Unit
Attachment

C OF C FORM 71-1

DIVISION OF POLICE

CLEVELAND, OHIO

DIVISIONAL INFORMATION

DIST./BUR. **ZONE/UNIT** **DATE** _____ **20** ____

EXAMINED BY **RANK** _____ **20** _____

FROM **TO**

SUBJECT Education & Training Reimbursement Request

COPIES TO

Sir/Ma'am:

I respectfully request the maximum allowable reimbursement for the course listed below:

TO BE COMPLETED BY OFFICER			LEAVE BLANK		
Course Title/Designation	Credit Hours	Cost	Grade	%	Amount*
Approved by:					

***The maximum cumulative amount shall not exceed $4,000 per calendar year.**

In the space below provide sufficient detail as to how the above course directly relates to your law enforcement duties now.

_____

_____

_____

_____

Officer's Payroll #_____ Work Phone _____ Other Contact Number_____

Educational Institution: _____ Field of Study _____

Class Start Date:_____ End Date:_____

I agree that upon successful completion of the above education and training that I will provide a copy of my grade report or diploma to the Training Section and Personnel Unit.

Respectfully,

_____

Commander's Endorsement:_____

Deputy Chief's Endorsement: _____

****

BUREAU OF SUPPORT SERVICES OFFICE USE ONLY

Form-1 received (initials/badge/date) :_____

Grade Report received (initials/badge/date) :_____

Proof of Payment received (initials/badge/date) :_____

ALL REQUIRED PAPERWORK MUST BE SUBMITTED WITHIN 45 DAYS OF COURSE COMPLETION.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
JULY 25, 2005	JULY 21, 2005	1 of 6	1.3.22

SUBJECT:	
MUTUAL AID AGREEMENT WITH THE CUYAHOGA METROPOLITAN HOUSING AUTHORITY POLICE DEPARTMENT (CMHAPD)	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.3.12
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To establish procedures governing the interaction and cooperation between the Cleveland Division of Police (CPD) and the Cuyahoga Metropolitan Housing Authority Police Department (CMHAPD).

POLICY: The Cleveland Division of Police shall retain the ultimate responsibility for the protection of life and property in the City of Cleveland, including areas within the jurisdiction of the CMHAPD. Personnel of the Division **SHALL NOT** refuse requests for service concerning incidents occurring on CMHA properties in the City of Cleveland.

PROCEDURES:

I. The Cleveland Division of Police shall:

A. Assist the CMHAPD with investigations or other matters of mutual concern when called upon. CPD shall also make available to other police departments all pertinent data and investigative information concerning crimes committed in their jurisdiction.

B. Receive evidence needing forensic testing. Officers-in-Charge (OIC's) shall ensure this property is forwarded to the Forensic Unit. The CPD shall process crime scenes at the request of the CMHAPD.

C. When a CMHAPD prisoner is confined for medical treatment and requires a guard detail, the OIC shall notify the CMHAPD. The CPD shall establish a detail for the initial shift and then turnover responsibility to the CMHAPD no later than the end of the initial shift. The CMHAPD shall use their best effort to transport CMHAPD detainees for non-emergency medical care.

D. Have exclusive investigative responsibility for the following incidents occurring on CMHA property:

1. Incidents involving explosive or incendiary devices.
2. Hostage situations.
3. Deaths other than "Probable Natural".
4. Use of Deadly Force by the CMHAPD.
5. Incidents of Ethnic Intimidation and/or Hate Crimes.
6. Sexual Assaults.
7. Any incident that CPD desires to preempt the investigative function.

E. Provide the CMHAPD with access to RMS (Record Management System) report numbers through the Report Center.

F. Receive and serve all warrants that have been generated as a result of CMHAPD enforcement efforts, which have been delivered to CPD via the Municipal Clerk of Court's Office. The CMHAPD will assume the responsibility of picking up and transporting any prisoners arrested by suburban agencies on CMHAPD warrants.

G. Upon request, make available to the CMHAPD all reasonably pertinent available data concerning crimes committed on CMHA properties.

H. As is appropriate, share investigative information with the CMHAPD.

II. Cuyahoga Metropolitan Housing Authority Police Department

A. Police officers of the CMHAPD shall have full authority commensurate with the authority held by City of Cleveland police officers, while outside of the jurisdiction of the CMHA, but within the jurisdiction of the City of Cleveland, in the following situations:

1. When CMHA police officers are within property expressly owned, leased or contracted by CMHA, all streets and alleys that transverse the listed properties and adjoining streets and areas within 300 feet of said property line, and

2. When CMHA police officers are within the City of Cleveland's jurisdiction and enroute to or from CMHA property, and exigent circumstances exist, which include any of the following:

   a. CMHA police officers are in hot pursuit of a fleeing suspect pursuant to ORC 2935.03;

   b. A police officer or member of the public is in imminent peril of bodily harm if action is not taken immediately;

   c. The escape of a known criminal or suspect will occur if action is not taken immediately; or

   d. When CMHA police officers witness the commission of a crime while such crime is in progress. (This does not include misdemeanor drug activity or routine traffic matters.)

3. When CMHA police officers are participating in a cooperative enforcement effort that has been approved in advance by the Chief Executive Officer of the CMHA, or designee, or the Chief of the CMHA Police Department and the Chief of Police for the City of Cleveland or their designees.

B. CMHA police officers have felony investigative responsibility for only the following crimes; felony drug investigations, Section 8 frauds involving their property, internal thefts of their property and contract fraud involving their property.

1. CMHA police officers' authority under this protocol is limited to and shall only apply during periods when CMHA police officers are on duty.

C. The Cuyahoga Metropolitan Housing Authority Police Department shall:

1. Use best efforts to respond to any crime called to CMHAPD's attention on CMHA properties, unless notified by CPD that a response has already been preempted by CPD.

2. Consistent with its capabilities, the CMHAPD will use best efforts to investigate any misdemeanor or felony crime on their properties.

3. Copies of reports for all incidents which have been investigated by CMHAPD shall be provided to the Report/Intake Review Unit and the Commander of the District of occurrence by means of a FAX transmission. All reports shall be **submitted within 24 hours** of the incident except in instances where **physical arrests** have occurred. Arrest **reports shall be forwarded before the end of the arresting officer's tour of duty.**

4. In the case of incidents of domestic violence investigated by CMHAPD, CPD GPO 3.4.16 "Enforcement of Domestic Violence Statutes" will be followed.

5. Assume responsibility for transporting prisoners arrested by CMHAPD personnel to jail facilities as directed in CPD GPO 7.1.06 "Adult Prisoner Booking and Housing" and CPD GPO 5.1.02 "Juvenile Prisoner Booking and Housing". Assume responsibility for picking up prisoners arrested by suburban police departments on warrants generated by CMHAPD personnel.

6. If a prisoner requires medical attention, CMHAPD personnel shall transport the prisoner to the nearest hospital prior to booking. If medical attention is required after booking, CMHAPD shall assume the detail by the end of the shift when the detail was established.

7. Be responsible for follow up investigations of **ALL** arrests made by CMHAPD personnel (not in conflict with SECTION I D [1 through 7] above) and charge or release of all suspects in a timely fashion, following current CPD procedures.

   CMHAPD shall be responsible for consulting with the City of Cleveland Municipal Prosecutor whenever required for the issuance of a warrant in connection with arrests effected by their personnel. CMHAPD shall designate a single point of contact (Administrative Commander at 216-391-2642) for resolution of conflicts regarding prisoners.

8. Properly submit drug evidence to the CPD Forensic Unit following CMHA procedures.

9. When called upon, assist CPD with investigations or other matters of mutual concern.

10. Notify the CPD Record File Section and Vehicle Impound Unit when any stolen auto is recovered by their personnel and verify such recovery by sending the appropriate information via the LEADS System.

11. Have authority to tow vehicles incident to arrest or when recovering stolen vehicles, using their own contract towing agencies. CPD shall be notified in all instances as described in Number 10.

12. Have the authority to direct traffic in and around CMHA properties when appropriate.

13. Enforce parking violations, municipal traffic laws governing moving and vehicle equipment violations on CMHA property, including leased or contracted properties.

III. CPD COMMUNICATONS CONTROL SECTION

A. Call Takers

1. Upon receipt of a request for service originating within CMHA estates, call takers shall complete the appropriate dispatch information.

2. Shall contact CMHAPD and advise them of the request for service. If CMHAPD accepts the assignment, the call taker shall close the incident with “Handled by CMHAPD”.

B. Radio Dispatchers

1. Upon receipt of a call for service within a CMHA estate area, dispatch such a request in accordance with prescribed CPD procedures.

2. If a CPD car is not immediately available to handle the assignment, the dispatcher shall contact CMHAPD and advise them of the request for service. If CMHAPD accepts the assignment, the incident shall be closed with “Handled by CMHAPD”. If CMHAPD is unable to respond, or if the victim or CMHAPD make a specific request for CPD to respond, the assignment shall be handled in accordance with CPD prescribed procedures.

IV. CPD BSI GENERAL OFFICE UNIT PERSONNEL

A. When a felony suspect is arrested and booked by CMHAPD personnel, CPD, General Office personnel shall:

1. Obtain booking information in accordance with existing CPD procedures and note that the arrest was by CMHAPD along with the name of the arresting CMHAPD police officer(s).

2. Monitor compliance with CPD GPO 4.1.06 "Charging and Releasing Warrantless Felony Suspects", as well as other written directives relative to the charging or releasing of suspects.

3. General Office personnel shall continue to provide a daily prisoner report to the CMHAPD.

V. CPD CRIME SENE ND RECORDS UNIT PERSONNEL

A. Felony prisoners arrested and booked by CMHAPD shall be processed by personnel assigned to the Crime Scene and Records Unit in accordance with prescribed CPD policy.

VI. CPD RECORD FILE SECTION PERSONNEL

A. Shall accept copies of ALL Crime Reports submitted by CMHAPD personnel. Felony crime reports shall be entered into the RMS (Record Management System). Misdemeanor crime reports and informational reports shall be filed.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 17, 2006		1 of 2	1.3.23

SUBJECT:	
OFFICER LUNCH BREAKS	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To establish guidelines for officers taking their lunch breaks.

POLICY: Officers shall take assigned lunch breaks at a time that coincides with operational needs and at a location that shall not diminish the esteem of members of the Cleveland Division of Police.

PROCEDURES:

I. Requesting Lunch

A. Uniformed personnel shall request lunch from their supervisor via a radio broadcast.

B. Supervisors shall grant lunch breaks, taking into consideration any priority assignments and the availability of other personnel.

C. Officers shall not request lunch during the first 60 minutes of their assigned shift. Lunches must be completed before the last hour of an officer's tour. To ensure compliance, officers are prohibited from requesting lunch during the last 90 minutes of their assigned shift.

D. When requesting lunch, officers shall broadcast the location and name of the establishment where applicable.

E. If personnel request lunch at a time that is not conducive to operations, they shall be instructed to hold up on the request until a later time. A lunch denial time will not be given until all opportunities to take lunch have passed.

F. Only a supervisor may approve or deny a lunch request. Denial requires proper documentation (duty report/OT card).

G. Personnel pulled away from their lunch break shall be allowed to return to lunch if operational needs allow.

II. Prohibited Lunch Break Locations

A. Officers shall not take their lunch break at a location that may diminish the esteem of the Division of Police.

B. No more than two officers shall take their lunch break at the same location at the same time. Supervisors may make an exception to this provision under extenuating circumstances.

C. Officers may dine at a restaurant that has a liquor license only if the dining facilities are clearly separate.

III. Supervisor Responsibilities

A. Supervisors shall monitor radio for assignments broadcasted, the status of their personnel and the locations they request for their lunch breaks.

B. Supervisors shall ensure that pending high priority assignments are handled prior to granting lunch requests.

C. Supervisors may schedule lunch breaks for members under their command.

D. Supervisors shall ensure that duty reports and OT cards contain the denial information (denial time/name of supervisor).

E. Supervisors shall monitor their personnel for compliance with this order.

MM/TAH/MD/JM/RP
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
JANUARY 1, 2006	March 14, 2013	1 of 7	1.3.24

SUBJECT:	
SICK LEAVE	
ASSOCIATED MANUAL:	RELATED ORDERS:
BUREAU OF SUPPORT SERVICES	1.1.13, 1.3.06, 1.3.24
CHIEF OF POLICE:	
Michael McGrath, Chief	

This General Police Order has been revised in its entirety

PURPOSE: To establish guidelines for Division member's use of sick time.

POLICY: The Cleveland Division of Police shall grant sick leave per the existing collective bargaining agreements and establish procedures for returning members back to full duty following the use of sick leave.

DEFINITION:

Sick Leave: the use of earned sick hours for sickness, injury, doctor/dental visits, childbearing, or a serious health condition of a member's immediate family (emergency).

Immediate Family Member: defined as a spouse, mother, father, mother-in-law, father-in-law, child, grandparent, grandchild, brother, sister, or an individual who stood in *loco parentis* to the employee.

CONDITIONS OF PAID SICK LEAVE

A member shall be paid for sick leave only when the member has made proper notification to his or her immediate supervisor as outlined in the member's respective collective bargaining agreement.

PROCEDURES:

I. When a member is striking off on sick leave, the supervisor shall:

A. For an officer calling off sick for a complete tour of duty (8 or 10 hours).

1. Complete the self-carboning (half-sheet revised November 2012) Disability Report (Attachment A sample full sheet).

2. Check one of the below boxes in the description section of the Disability Report.
   SICK
   DOCTOR APPOINTMENT
   FAMILY RULE
   FMLA
   DUTY-RELATED INJURY
   OFF-DUTY INJURY
   MEDICAL LEAVE OF ABSENCE

3. In Districts and Bureaus with a Sick Time Reporting Database:

   a. The Officer-in-Charge (OIC) shall forward the original Disability Report to the Commander's Office.

   b. The Commander shall ensure that the timekeeper inputs the entries into the sick database.

   c. The original Disability Report shall be forwarded to the Medical Unit via Divisional Mail.

   d. A copy of the Disability Report shall be filed in the Commander's Office.

4. In Bureaus without a Sick Time Reporting Database, the OIC's shall:

   a. Forward a copy of the disability report to the Commander's Office.

   b. Forward the original Disability Report (<u>do not fax</u>) to the Medical Unit by 1200 hours, Monday through Friday.

B. For an officer using **less than eight** (8) or **ten** (10) hours of sick time.

1. Complete all the steps for an officer calling off sick for eight (8) or ten (10) hours.

2. Mark clearly the number of hours being used in the Reason for Disability section.

3. Make an additional copy of the Disability Report and forward it to the District/Bureau/Unit timekeeper.

4. If an officer uses less than a full tour of duty of sick time, it is not necessary to complete a Return to Duty from Sick Leave form. The officer is not placed on the sick list.

5. If the officer is unable to report for his next scheduled working day, the officer shall notify his/her immediate supervisor as outlined in the member's collective bargaining agreement.

II. Conditions of Sick Leave

A. The Medical Unit supervisor may require a written statement (Form-1) from the member justifying the request for paid sick leave and/or a certificate from a physician verifying the nature of the claimed illness or injury. **An illness or injury extending beyond three continuous days requires medical documentation**. Failure to provide medical documentation may result in disciplinary charges.

B. The validity of all medical excuses and certificates are subject to review by the Medical Unit.

C. Members are paid sick leave only if they notify their immediate supervisor before their scheduled starting time on the first day of absence. Members who fail to make the proper notification shall be considered Absent Without Leave (AWOL) and shall be subject to disciplinary charges.

D. Members are required to report in person (or call if they are physically unable to report) with any applicable documentation to the Medical Unit <u>at the next scheduled sick</u> call if:

1. The member was injured on duty, even if there is no time loss as a result of the injury.

2. The member is reporting off on a re-occurring on-duty injury.

3. The member reported off sick with an off-duty injury.

4. The member is/was on sick leave for more than 3 consecutive days, **even if the member continues to be on sick leave**.

E. Members whose sick leave approaches 30 consecutive days must report to the Medical Unit within those 30 days with supporting documentation. This is mandatory even if the member is not yet prepared to return to work.

F. Members shall report to the Medical Unit as instructed by the member's supervisor, the Medical Director, or the Medical Director's designee.

G. Members on sick leave are prohibited from engaging in strenuous or physical secondary employment (e.g. private security, physical labor).

H. Members on Hazardous Duty Injury sick leave are prohibited from engaging in or accepting any secondary employment.

I. A member on sick leave who has received a court subpoena shall notify the prosecutor's office if they are unable to attend due to their illness or injury.

J. No overtime may be earned if attending court while on any type of sick leave.

III. Extended Illness

A. Officers who have exceeded 60 calendar days on the Sick List shall be detailed to the Medical Unit on Extended Illness status on the first day of the next month.

B. Officers placed on Extended Illness status shall surrender their City-issued service weapon to the Medical Unit OIC unless the member has purchased the weapon. A completed copy of the member's purchase Form-1 shall be submitted as proof of purchase.

C. The Medical Unit OIC shall convey the service weapons from officers on Extended Illness to the Outdoor Range for proper storage.

D. Officers on Extended Illness status are prohibited from weapon re-qualification.

IV. Returning to Duty

A. A member who incurs an on-duty injury regardless of time loss or an off-duty injury with time loss must *report to the Medical Unit* before returning to work.

B. A member who calls off sick on a re-occurring duty related injury must *report to the Medical Unit* before returning to work.

C. A member who is sick for more than 3 consecutive days must *report to the Medical Unit*.

D. A member who calls off sick for any other type of sick leave may be returned to duty by a supervisor if the member meets the requirements contained in Section VIII of this order.

E. Civilian members of the Bureau of Communications shall follow the return policies set by the Commander of the Bureau of Communications.

F. *Members reporting to the Medical Unit must do so during sick call hours.* The sick call hours are Monday through Friday between 0800 and 1030 hours. The Medical Unit is closed on holidays. No overtime shall be accrued for reporting to the Medical Unit.

V. Authorization to Return a Member to Duty

A. The Medical Director is authorized to return a member to on-duty status.

B. The Medical Director may authorize a designee of the Medical Unit to return an officer to on-duty status if the Medical Director is unavailable.

C. Superior officers are authorized to return an eligible member to on duty status using the Return to Duty from Sick Leave Form.

VI. Members reporting for sick call at the Medical Unit to be returned to duty shall not be charged any further sick time when the Medical Director or the Director's designee are unavailable to return those employees back to duty. In this instance, the OIC of the Medical Unit shall complete a Form-1 notifying the Timekeeping Unit to make a leave of absence paid entry for that member.

VII. Return to Duty from Sick Leave Form (Attachment B) shall be used by a supervisor to return an eligible officer to duty**.**

A. Complete the Return to Duty from Sick Leave Form with both the officer's and supervisor's signatures.

B. In Districts and Bureaus with a sick time reporting database:

1. The OICs shall forward the original Return to Duty from Sick Leave form and any documentation to the Commander's Office.

2. The Commander shall ensure that the timekeeper inputs the entries into the sick database.

3. The original return form and the fit for duty/return to work documentation, if provided, shall be forwarded to the Medical Unit via Divisional mail.

4. A copy of the return form shall be filed in the Commander's office.

C. In Bureaus without a Sick Time Reporting Database:

1. The OIC shall make and forward a copy of the Return to Duty from Sick Leave form and any fit for duty/return to work documentation to the Commander's office.

2. Forward (do not fax) the original return and any fit for duty/return to work documentation, if provided, to the Medical Unit by 1200 hours, Monday through Friday.

VIII. Return to Duty from Sick Leave

A. Members **not** on sick abuse status, returning from a sick leave of three or less continuous days and having used less than 40 hours of sick time in the previous 90 days, *may* be returned to duty using the Return to Duty from Sick Leave form; *or upon self-reporting to the Medical Unit may be returned to duty by the Medical Unit*. These members are **not required** to report to the Medical Unit

B. Members **not** on sick abuse status, returning from a sick leave of more than three continuous days or having used 40 hours or more of sick time in the previous 90 days, may be returned to duty using the Return to Duty from Sick Leave form, *and in addition, shall report* to the Medical Unit on the next available date.

C. Members currently in the sick abuse program and returning from a sick leave of three or less continuous days and having used 40 hours or less of sick time in the previous 90 days may be returned to duty using the Return to Duty from Sick Leave form, *and in addition, shall report* to the Medical Unit on the next available date.

D. *Members currently in the sick abuse program and returning from a sick leave of four or more continuous days or having used 40 hours or more of sick time in the previous 90 days shall report to the Medical Unit on the next available date prior to returning to duty*.

E. FMLA returns: see GPO Family Medical Leave Act 1.3.25

F. *Non-sworn members shall be governed by the applicable sick leave language contained in their respective Collective Bargaining Agreement (CBA).*

G. *Non-sworn members not governed by a CBA shall adhere to the directives contained in this General Police Order*.

IX. Medical Documentation

A. Members shall provide supporting medical documentation when returning from a serious illness of an immediate family member, a member's doctor appointment, or an absence of more than three days.

B. Members returning from sick leave who are not required to report to the Medical Unit may give the medical documentation, doctor's return slip stating fitness for duty/return to work, to the returning supervisor on the return date to work. Supervisors shall review the medical documentation.

C. Members prescribed a narcotic shall report to the Medical Unit to confer with the Medical Director prior to working.

D. Members may choose to deliver the medical documentation directly to the Medical Unit. No overtime shall accrue if a member chooses this option.

E. Supervisors and commanders shall ensure that all medical documentation is secured in an envelope before forwarding to the Commander's Office or the Medical Unit.

X. Failure to report to the Medical Unit as required may result in disciplinary action.

XI. The Medical Unit will distribute a weekly report of employees that fail to report to the Medical Unit as required.

MM/jco
Bureau of Support Services
Attachments A & B

CLEVELAND DIVISION OF POLICE
Disability Report

Name: _____ Rank: _____ Badge: _____

Assignment: _____ V-Class: _____ Duty Hours: _____

Residence Address: _____

Telephone: _____ First Date on Sick Leave: _____

Supervisor Reported off To (Name & Badge): _____

Reason for Disability (Check only one): Medical Leave of Absence ☐

Sick ☐ Family Rule ☐ Doctor Appointment ☐

Duty Related Injury ☐ Off-Duty Injury ☐ FMLA ☐

Number of hours taken, if not taking off a Tour of Duty: _____

C of C 70-2 Revised 11/2012 Medical Unit - White Copy Commander's Office - Yellow Copy

CLEVELAND DIVISION OF POLICE
Disability Report

Name: _____ Rank: _____ Badge: _____

Assignment: _____ V-Class: _____ Duty Hours: _____

Residence Address: _____

Telephone: _____ First Date on Sick Leave: _____

Supervisor Reported off To (Name & Badge): _____

Reason for Disability (Check only one): Medical Leave of Absence ☐

Sick ☐ Family Rule ☐ Doctor Appointment ☐

Duty Related Injury ☐ Off-Duty Injury ☐ FMLA ☐

Number of hours taken, if not taking off a Tour of Duty: _____

C of C 70-2 Revised 11/2012 Medical Unit - White Copy Commander's Office - Yellow Copy

CLEVELAND DIVISION OF POLICE

RETURN TO DUTY FROM SICK LEAVE FORM

The following officer is in compliance with the General Police Orders and has returned to regular duty from sick leave.

District or Unit:	**Shift**				
Officer:	**Badge**	**Currently on Sick abuse**			
		Yes		**No**	
Returning Officer Signature:		**Must report to the Medical Unit on the next available date**			
		Yes		**No**	
Date returned to regular duty:					
Supervisor:	**Badge**				
Supervisor Signature:					
Date and time forwarded to Medical Unit:					

Forward the original to the Medical Unit through Division Mail. Place a copy in unit files.

I. This form **shall not** be used for an on/off duty injury or any re-occurring on duty injury.

II. Eligible Officers:

A. Members **not** on sick abuse status, returning from a sick leave of three or less continuous days and having used less than 40 hours of sick time in the previous 90 days, *may* be returned to duty using the Return to Duty from Sick Leave form; *or upon self-reporting to the Medical Unit may be returned to duty by the Medical Unit*. These members are **not required** to report to the Medical Unit.

B. All other members may be returned to duty using this *form. These members* ***are required*** *to report to the Medical Unit on the next available date*.

III. Failure to report to the Medical Unit as required may result in disciplinary action.
A. Medical Unit hours, Monday through Friday between 0800 and 1030 hours.
B. No overtime shall be accrued for a visit to the Medical Unit.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
January 1, 2006	March 14, 2013	1 of 5	1.3.25

SUBJECT:	
FAMILY MEDICAL LEAVE ACT (FMLA)	
ASSOCIATED MANUAL: BUREAU OF SUPPORT SERVICES	RELATED ORDERS: 1.1.13, 1.3.06, 1.3.24
CHIEF OF POLICE: *Michael McGrath, Chief*	

This General Police Order has been revised in its entirety

PURPOSE: To establish guidelines for Family Medical Leave (FMLA) utilization for eligible employees.

POLICY: The Cleveland Division of Police shall administer FMLA in compliance with the U.S. Department of Labor, collective bargaining agreements, and the City of Cleveland Personnel Policies.

A member is eligible for FMLA only if the member has:

1. Worked for the City of Cleveland for one (1) year.
2. Worked 1,250 hours in the past rolling 12 months.
3. Submitted his/her request in a reasonable and practical time.
4. A serious health condition as determined by the Department of Human Resources (City Hall).
5. Completed and returned the required follow-up paperwork.

DEFINITIONS:

FMLA: The use of up to 480 hours or 12 weeks of job protected leave in a rolling 12 month period for personal **serious health condition** or immediate family member's **serious health condition**.

Military Qualifying Exigency Leave: The use of up to 12 weeks of job protected leave in a 12 month period because of a "qualifying exigency" arising out of the fact that an immediate family member is on active duty due to a "military call up."

Service Member Family Leave: The use of up to 26 weeks of job protected leave in a 12 month period to provide care for an injured service member who is an immediate family member.

FMLA Immediate family member: spouse, child, or parent. The Federal FMLA policy does not recognize domestic partners as immediate family members.

PROCEDURES:

I. Requesting FMLA

A. Submit requests 30 days or more in advance of requested time if the event is foreseeable.

B. If the event is not foreseeable (emergency) submit the request within a reasonable time, no later than 30 days after event.

C. A member requesting use of FMLA shall:

1. Complete the Cleveland Division of Police pre-structured Form-1 (Attachment A).

2. Complete the City of Cleveland Leave of Absence Form.

a. A-10-1 for self (Attachment B).

b. A-10-8 for family member (Attachment C).

3. Have both forms reviewed and signed by a supervisor.

4. Deliver in person or send through inter-office mail, the pre-structured Form-1 and Leave of Absence Form to the Medical Unit.

D. The Medical Unit will complete the Federal 381 form to determine FMLA eligibility and return the 381 form to the member.

E. If the member is eligible, the member will receive one of the following Federal medical documentation forms to be completed by the treating physician or military personnel:

1. Certification of Health Care provider for Employee's Serious Health Condition (WH-380-E)

2. Certification of Health Care provider for Family Member's Serious Health Condition (WH-380-F)

3. Certification of Qualifying Exigency for Military Family Leave (WH-384)

4. Certification for Serious Injury or Illness of Covered Service member for Military Family Leave (WH-385)

F. Once the certification form is completed by the appropriate provider the member shall forward all forms together in one sealed envelope directly to the Medical Unit or deliver the forms to the Medical Unit.

G. The Medical Unit will scan the original form and send the form directly to the City of Cleveland Human Resources Department located at City Hall. The original request will stay in the Medical Unit file.

H. The City of Cleveland Human Resources Department will approve, not approve, or request further information from the member. All correspondence will take place through the member's home address.

I. The member's commander and the Medical Unit will also receive a final copy of the approval or denial.

J. The time used for FMLA shall be deducted in the following order: sick time, furlough time, personal holidays and lastly, compensatory time.

K. If the member is not eligible, the Federal 381 will be returned indicating no eligibility and no other paperwork will be included.

II. Reporting Procedures: Continuous FMLA

A. A member approved for FMLA shall report off to their immediate supervisor using FMLA as the reason on the disability report (not Family Rule).

B. If a member uses the Family Rule or Sick Leave on the disability report, the member will not be protected by FMLA with the Quarterly Review.

C. Upon being cleared by the Medical Unit to return to duty from continuous FMLA, the member shall report directly to the Personnel Unit.

1. The Personnel Unit will make a copy of the Return to Duty from Sick form and complete the necessary closing paperwork.

2. If the member fails to report to the Medical Unit and the Personnel Unit, the member's longevity, clothing maintenance, and wage increases will be withheld until the member has been properly returned from FMLA.

III. Reporting Procedures: Intermittent FMLA

A. Members may apply for intermittent FMLA for:

1. Therapy, treatment, and appointments for a personal **serious health condition.**

2. To assist immediate family members with follow up therapy, treatment, or appointment for a **serious health condition**.

B. Intermittent FMLA shall have an end date of not more than one year from the start of the intermittent FMLA. Indefinite or undetermined is not acceptable.

C. The member shall meet with their designated supervisor to discuss scheduling appointments and treatments to minimize disruptions to operations where practicable. The member is required to advise the supervisor of the physical therapy/treatment/appointments once scheduled; at least two weeks notification is required for intermittent use of FMLA when scheduling a doctor's appointment.

D. Members may request intermittent FMLA by following the same procedures as directed in Section I.

E. Members shall use "FMLA" on the disability report form C of C #70-2 when reporting off for a complete tour or less than a complete tour.

F. Members shall return to work from intermittent FMLA by:

1. Being returned by member's immediate supervisor using the Return to Duty from Sick form.

2. Reporting to the Medical Unit if required by the Division's sick return policy or a supervisor.

IV. FMLA Returns

A. When **approved** FMLA is for a personal health condition of more than 3 continuous days, members must report to the Medical Unit to be cleared by the Medical Director.

B. When **approved intermittent** FMLA is for an immediate family member's serious health condition, the member may be returned by a supervisor.

C. In all cases of **approved continuous** FMLA, members shall report to the Medical Unit and the Personnel Unit before returning to duty.

V. Members are prohibited from engaging in secondary employment while on FMLA.

VI. Officers who have exceeded 60 calendar days on the sick list shall be detailed to the Medical Unit on extended illness status on the first day of the next month.

VII. FMLA shall not extend beyond 12 weeks during any 12 month rolling period or beyond 26 weeks for the Serious Injury Military Family Leave in a 12 month period.

MM/jco
Bureau of Support Services
Attachments (A-C)

C OF C. FORM 71-1

CLEVELAND DIVISION OF POLICE

CLEVELAND, OHIO

DIVISIONAL INFORMATION

Dist/Bur Zone/Unit 20

Examined by: Rank: 20

From: To:

Subject: Request for FMLA Leave.

Copies to: Personnel Unit, Medical Unit, Unit Files

Sir or Ma'am:

I am currently assigned to (district, bureau, platoon) _____

I am respectfully requesting ☐ continuous FMLA or ☐ Intermittent FMLA for

Personal Serious Health Condition ☐ Family Member's Serious Health Condition ☐

Qualifying Military Exigency ☐ Service Member Family Leave ☐

Starting date _____ **Ending Date** _____

* Maximum of 12 weeks for continuous FMLA/1 year for intermittent FMLA

I have filled out and attached a City of Cleveland Medical Leave of Absence. ☐

I understand my time will be deducted in the following order: sick, furlough, personal holidays, compensatory time. ☐

I understand that I shall not work secondary employment while on continuous FMLA. ☐

I understand that I will have to report to the Medical Unit if the Medical Director or their designee requests a status review, no overtime shall accrue. ☐

I understand that if my FMLA leave exceeds 60 calendar days, I must report to the Medical Unit Coordinator to turn over any city issued weapon(s). No overtime shall accrue. ☐

Medical Unit use only:

Hours worked: _____

Eligible FMLA hours: _____

Respectfully,

_____

CITY OF CLEVELAND
REQUEST FOR MEDICAL LEAVE OF ABSENCE FORM
EMPLOYEE ONLY

NAME: _____ DATE: _____

DEPT.: _____ DIV.: _____

CLASSIFICATION: _____

Types of Request: ( ) FMLA – Medical LOA ( ) Non-FMLA Medical LOA

Leave of absence beginning on _____ and ending on _____

I have attached a Physician's statement or Certification of Health Care Provider Statement which sets forth:

1) A description of the health condition;
2) The date the condition commenced
3) The probable duration of the condition or incapacity
4) Description of any necessary intermittent absences from work due to treatment or therapy.

At least five (5) days prior to the expiration of this leave, I agree to contact my Division and/or Department to obtain the necessary forms to facilitate my return to work or to request an extension of this leave.

_____
EMPLOYEE'S SIGNATURE SUPERVISOR'S SIGNATURE

_____ _____
APPOINTING AUTHORITY DATE

_____ APPROVED _____ NOT APPROVED

- FMLA leave of absence is applicable only to a serious health condition experienced by the employee. "Serious health condition" means an illness, injury impairment or mental condition that involves hospital care, non-routine treatment or therapy, incapacity due to pregnancy or chronic condition requiring treatment.

If it is found that a Leave of Absence is not actually being used for the purpose for which it was granted, the City of Cleveland may impose disciplinary action up to and including discharge. An employee who fails to report to work at the expiration or cancellation of a leave of absence shall be considered to be absent without leave.

cc: Department of Personnel & Human Resources
Civil Service Commission
Employee
Medical File

CITY OF CLEVELAND
LEAVE OF ABSENCE REQUEST FORM

NAME: _____ DATE: _____

DEPT.: _____ DIV.: _____

CLASSIFICATION: _____

Type of request:
( ) Military, ( ) Personal Non-FMLA, ( ) FMLA Personal, ( ) Educational, ( ) Qualifying Exigency,
( ) Service member Family

Leave of absence beginning on _____and ending on _____

I have attached the necessary documentation as follows:

1. Military Leave – Copy of Military Orders
2. Qualifying Exigency – Copy of Military Orders
3. Service member – Certification Statement from physician
4. Non-FMLA Personal Leave – A statement which states in detail the reason for the request.
5. FMLA Personal Leave – A statement from a medical practitioner which describes the condition of my family member, the relationship between me and my family member and the fact that I am needed to care for my family member. **-or- a** statement from the appropriate agency or court which verifies an adoption or foster child placement and the date thereof.
6. Educational Leave – A statement which describes the course of study and the connection between the course of study and my duties.

_____ _____
EMPLOYEE'S SIGNATURE SUPERVISOR'S SIGNATURE

_____ _____
APPOINTING AUTHORITY* DATE

*Appointing Authority signature indicates that operational needs will be met during period of leave.

If it is found that a Leave of Absence is not actually being used for the purpose for which it was granted, the City of Cleveland may impose disciplinary action up to and including discharge. An employee who fails to report to work at the expiration or cancellation of a leave of absence shall be considered to be absent without leave.

- FMLA Personal Leave is available for the following reasons:
  - Serious health condition experienced by a member of the employee's family. Family member includes mother, father, spouse, daughter, son (who is less than 18 years or disabled). A serious health condition means a permanent or long-term condition that requires supervision or a condition that requires multiple treatments or therapy.
  - Care of employee's newly adopted son or daughter or placement of a foster child.
  - Birth or post-natal care of an employee's son or daughter.
  - Qualifying Exigency or Service member Family Leave

cc: Department of Personnel & Human Resources
Civil Service Commission
Employee
Medical File

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
JANUARY 1, 2006	June 11, 2014	1 of 2	1.3.26

SUBJECT:	
RESTRICTED DUTY (RD)	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.1.11, 1.1.13, 1.3.06, 1.3.24, 1.3.25, 3.2.11
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

Substantive changes are italicized

PURPOSE: To establish guidelines for Restricted Duty (RD) assignments.

POLICY: The City and the respective labor unions acknowledge there are no permanent Restricted Duty assignments. *However, the Cleveland Division of Police may assign a member to temporary duties and hours in instances of illness/injury, misdemeanor criminal charge against the member, an Employee Assistance Unit intervention, an alcohol/drug policy violation, or for any reason as determined by the Chief of Police.*

PROCEDURES:

I. Restricted Duty Oversight Committee

A. The committee shall be comprised of the lieutenant in charge of the Personnel Section, a sergeant assigned to the Personnel Unit, the Medical Unit Coordinator and the *Commander of the Bureau of Support Services or designee*.

B. The committee shall meet periodically to review the RD assignments and extended illness lists, then submit their recommendations to the Chief of Police.

II. Members may be temporarily detailed to a restricted duty assignment that benefits the Division.

A. *The Chief of Police shall have sole authority to grant RD status*.

B. The Officer-in-Charge of the Personnel Unit shall designate restricted duty assignments subject to the approval of the Chief of Police.

C. RD assignments will be granted on a case by case basis, with Hazardous Duty Injuries (HDI) having priority over others.

III. Upon a *recommendation* by the Medical Director for RD status and before a RD assignment has been made, the member requesting RD shall complete the Terms of Restricted Duty Assignment form (attachment) and provide it to the Personnel Unit. This form will be provided by the Medical Unit staff.

IV. Members who have received a RD assignment due to a pregnancy shall notify the Medical Unit Coordinator of the birth of the child. Upon receiving this notification, the Medical Unit Coordinator shall remove the member from RD status.

V. *Members may receive a RD assignment when charged with a misdemeanor.*

VI. *Members on RD because of a misdemeanor criminal charge or on RD for an administrative alcohol or drug policy violation shall surrender their city issued duty firearm to a superior officer who shall ensure the firearm is conveyed to the Ordnance Unit. The Ordnance Unit shall maintain the duty firearm until the criminal case(s) have been adjudicated and an administrative hearing has been convened as applicable. The Chief of Police may:*

A. *Approve the member to return to full duty.*

B. *Approve return of the member's duty firearm.*

VII. *Members may receive a RD assignment when involved in a traumatic incident, as defined in GPO 1.1.28 Post Traumatic Incident Protocol.*

VIII. *Members on RD shall:*

A. *Not engage in secondary employment until returned to regular duty status.*

B. *Report to the Medical Unit as requested by the Medical Director or the Medical Unit Officer-in-Charge.*

C. *Be prohibited from firearm re-qualification.*

D. *Not work overtime, other than subpoenaed court overtime.*

CDW/bpc
Chief's Office
Attachment

TERMS OF RESTRICTED DUTY ASSIGNMENT

Initials	Terms
	I understand that the Director of Public Safety or designee is the sole authority for determining whether a member is placed in a restricted duty status.
	The number of locations available and the duration of restricted duty assignments will be determined by the Chief of Police after consultation with the Medical Director and the Restricted Duty Oversight Committee.
	I agree that the restricted duty assignment that I am accepting is temporary in nature and that no contractual transfer, assignment or unit seniority rights apply to my position.
	I agree that the restrictions placed upon me by the Medical Unit apply to my restricted duty assignment. Any return to regular duty orders from my personal physician must be for my permanent position, based on the conditions of that job, not any temporary restricted position.
	I agree that for the entirety of my restricted duty assignment my permission to engage in secondary employment is revoked for any position where the Cleveland Police uniform is worn, or for any plain clothes security position. My secondary employment is subject to monitoring by the Inspection Unit.
	I agree that the restricted duty assignment is temporary.
	I agree that any extension must be approved by the Medical Director or their designee, the Oversight Committee and the Chief of Police.
	I agree that the temporary position requires me to work a regular forty hour workweek or eighty hours per pay period. I may be excused for any scheduled rehabilitation approved by Worker's Compensation or the Medical Unit.
	I agree that if the City is unable to accommodate my restrictions, I am not eligible for a restricted duty assignment.
	I agree that while on restricted duty I am prohibited from working overtime except subpoenaed court overtime.
	I agree to work whatever restricted duty assignment is available at the time of my request. I acknowledge that the assignment may be changed at anytime based on the Division's needs.
	I agree to report to the Medical Unit as directed.
	Members who have received a restricted duty assignment due to a pregnancy. I agree to notify the Medical Unit Coordinator of the birth of my child.

I have read all of the above terms related to my acceptance of a temporary duty position and agree to abide by each of these conditions. I understand that any violations may lead to Divisional charges and an immediate cessation of the temporary position I am assigned to.

_____ _____

Signature of Detailed Officer Date

_____ _____

Witnessed By Date

Original to Administrative Operations, Copy to Officer, Medical Unit, Personnel Unit

Attachment GPO 1.3.26

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
FEBRUARY 23, 2006	August 4, 2014	1 of 3	1.3.27

SUBJECT:	
DISCLOSURE OF INFORMATION	
ASSOCIATED MANUAL:	RELATED ORDERS:
RECORD FILE, CCS	1.3.01 2.3.07
CHIEF OF POLICE:	
Calvin D. Williams, Chief	

Substantive changes are italicized

PURPOSE: To establish guidelines for the release of information to the public.

POLICY: Cleveland Division of Police *members* shall follow the provisions of this order when releasing information. Unless required by law, *members* shall not reveal the name of the complainant to the person complained of while investigating a police matter.

PROCEDURES:

I. Release of Arrest History

A. The Division shall release an arrest history in accordance with the public record statute through the *Record Section*.

B. Only *members* assigned to the *Record Section* shall release an arrest history.

II. Information in Criminal Proceedings

A. *Members* are prohibited from disclosing information that relates to grand jury investigations. This is not public information**.**

B. Defense subpoenas and Ohio Criminal Rules, Procedure Rule 16, deals with discovery of evidence during criminal proceedings.

1. Report requests for disclosure, pursuant to subpoenas and Rule 16 Discovery Motions, to the prosecuting attorney before replying.

2. Information pursuant to a subpoena and Rule 16 Discovery Motions shall not be released to any person, including defense attorneys, without prior permission of the prosecuting attorney.

III. Computerized Information

A. Computerized *National Crime Information Center* (NCIC), *Law Enforcement Automated Data System* (LEADS), *Cuyahoga Regional Information System* (CRIS), *National Law Enforcement Telecommunications System* (NLETS), *Ohio Law Enforcement Gateway* (*OHLEG), and any other law enforcement restricted computerized* information is provided for the exclusive and official use of criminal justice agencies. The Division shall maintain the security, privacy and confidentiality of computerized information. Access and use of computerized information is restricted for criminal justice and law enforcement purposes. This information shall not be furnished to anyone for whom it is not intended.

B. Criminal records under the control of the *Ohio Bureau of Criminal Investigation* (BCI) are not public records and shall not be made available to anyone not authorized to receive it.

C. Telephone requests for computerized criminal history (CCH) information are limited to *Division members* only. Phone requests for CCH information shall only be fulfilled by a return call to a *Division* extension.

D. The Division shall maintain a CCH logbook at each CCH terminal. Members who access CCH information *shall* log their inquiry in that CCH terminal logbook.

E. Members may obtain a CCH check from a BCI certified district detective or *corrections officer* or by contacting a BCI certified member of the Bureau of Special Investigations.

F. When CCH record information is provided to any criminal justice agency or person within the criminal justice system, the authorized operator shall enter the name of the requester in the computer check logbook and sign the dissemination log.

G. A *Division* supervisor shall approve the release of criminal history information by signing the computer check logbook. Before approval, supervisors shall determine if the circumstances surrounding the request are proper and the requester is authorized to receive it.

H. The Division shall retain computer check logbooks for one year and make them available upon request to *the Bureau of Integrity Control*, *BCI*, *Ohio State Highway Patrol* (*OSHP)*, LEADS, *terminal agency coordinator* (TAC), and *Federal Bureau of Investigation* (FBI).

I. When a computer printout is provided to an authorized individual or criminal justice agency, the issuing member shall indicate on the printout to whom it was given along with the date and time. This information can be stamped, handwritten or printed. LEADS printouts must be rendered unreadable when no longer needed.

J. All terminal and quadrant messages transmitted via LEADS are limited to official law enforcement business. All transactions are permanently logged with the user identification. Operators shall log off when they leave the terminal.

K. Telephone requests for computerized information from criminal justice agencies will be honored only after the caller is identified and verified.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
October 17, 2006	February 3, 2010	1 of 1	1.3.28

SUBJECT:	
JAIL POLICY AND PROCEDURE MANUAL	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

This General Police Order is rescinded.

(This page left intentionally blank)

MM/TAH/JCO/ajg

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
April 3, 2007	MARCH 20, 2007	1 of 10	1.3.29

SUBJECT:	
USE OF MOBILE DATA COMPUTERS (MDC) AND DETECTIVE TABLETS (DT)	
ASSOCIATED MANUAL: MDC INSTRUCTION MANUAL	RELATED ORDERS: 1.3.02, 9.1.09
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To establish guidelines and standards of conduct for members of the Division of Police using Mobile Data Computers (MDC) and Detective Tablets (DT).

POLICY: The MDC/DT, and accessing CRIS, NCIC, NLETS, LEADS, the Internet, the Intranet, RMS, and car-to-car text messages are for law enforcement purposes only. Using these tools falls under the "Use of Division Computers" General Police Order 1.3.02. Officers using the MDC/DT shall adhere to the policies and guidelines published in the NCIC Operating Manual, LEADS Operating Manual, newsletters, teletypes, CRIS and CJIS Security Policy, General Police Orders, Division Notices and the Rules and Regulations of the Cleveland Division of Police. The City of Cleveland may examine any files on Division computers for violations of this policy. Section 2913.04B of the Ohio Revised Code, Unauthorized Use of Computer Property, is a fifth degree felony.

PROCEDURES:

I. Members who use MDC shall:

A. Be LEADS certified to run LEADS, BMV, or NCIC transactions. During training, an officer may use the MDC under the supervision and guidance of a trained LEADS operator.

B. Use the MDC and attached devices for law enforcement purposes only.

C. Access only those computer programs or functions that have been authorized or approved by the Division of Police.

D. Power on the MDC at the beginning of the tour of duty and sign on to the wireless service provider.

E. Check the MDC at the beginning of the tour of duty for proper functionality and any damage.

F. Notify the OIC if the MDC is not functioning properly, if the MDC is damaged or missing, or if MDC related equipment e.g., dock, stylus, screws, cables, is damaged or missing.

G. Notify the Communication Control Section (CCS), that the vehicle is *"MDC equipped"* at the beginning of the tour of duty, if the vehicle contains a functioning MDC.

H. Notify the OIC if an MDC is found unlocked in the vehicle dock.

I. Use only the stylus pen provided or finger to activate the touch screen operations on the MDC. Using other objects will cause damage to the screen.

J. Lock MDC equipped vehicles at all times when practical, i.e., lunch, reports, court, assignments, hospital detail.

K. Power down the MDC if they will be out of the vehicle longer than 45 minutes.

L. Note the MDC Terminal Number on their Daily Duty report.

M. Always shut down the MDC at the end of their tour of duty.

II. Members using an MDC shall not

A. Leave LEADS/NCIC messages visible on the MDC screen when away from the vehicle. Users shall make every effort to avoid public viewing of output from these sources. The black-out button may be used for this purpose. LEADS operators are accountable for all transactions that occur while their assigned password is logged onto a MDC.

B. Disseminate, transmit, or share any LEADS message to any non-law enforcement agency or personnel.

C. Make any changes to the MDC hardware, including adding, moving or reconfiguring the physical set up of the screen, display, mounts, modem or any other device attached to any part of the MDC.

D. Make any changes to the MDC software, the software settings, icons, properties, screen savers, desktop backgrounds, etc.

E. Add any software or other material to a MDC, including any documents or programs unless prior authorization is granted from the OIC of the Mobile Support Unit.

F. Uninstall any software or icons from a MDC.

G. Share their CRIS, or LEADS passwords with any other individual.

III. Members who use DT shall

A. Be personally responsible for the DT and all equipment assigned with it.

B. Use the DT and attached devices for law enforcement purposes only.

C. Adhere to applicable rules and procedures pertaining to the use of the MDC.

D. Power down and secure the DT in the trunk of the police vehicle when out of the vehicle for extended periods of time; e.g. court, lunch and not utilizing the DT outside the vehicle.

E. Secure the DT at the end of the tour of duty, i.e. desk, locker, residence.

F. Notify the OIC of their unit of any missing or damaged DT.

G. Use only Division issued and approved power cables, adapters, and peripherals to operate the DT and related DT equipment.

H. Turn in the DT to the unit OIC and notify the Mobile Support Unit upon reassignment to another unit or district.

IV. Vehicle Operation

A. Safe operation of the police vehicle is the operator's primary concern. Use of the MDC/DT is secondary. The vehicle operator, especially single officer units, shall consider the need to stop the vehicle safely before using the MDC/DT, if using it will interfere with safe vehicle operation.

B. If a MDC equipped vehicle has to be jump-started, officers shall ensure that the MDC is powered off. Failure to power off the MDC, when the vehicle is being jump-started, will cause fuses to break and render the MDC or attached equipment inoperable. Prior to a jump start a detective shall remove their DT if it is plugged into the vehicle's cigarette lighter port.

C. If a MDC equipped vehicle is in need of simple maintenance, e.g., fluid replacement, wiper blades, air, officers shall power off the MDC prior to arrival at a maintenance facility.

V. Officer Safety

A. Officers who stop a person or vehicle, as a result of a MDC/DT inquiry, shall notify CCS of their car number and the location of the stop.

B. Officers shall notify CCS with a brief description of the individual being stopped or the license plate number of the vehicle.

C. Officers shall notify CCS of the disposition of the stop and complete a log entry in the Daily Duty report relating to the stop.

VI. Hit Verification

A. All MDC/DT inquiries returning a "hit" require verification through CCS before taking arrest action.

B. Officers shall not arrest any individual solely on a MDC/DT "hit". An officer shall arrest **after** verification through CCS or with fresh arrest charges on the individual.

C. Officers shall not contact any police agency seeking verification on a MDC or DT "hit". This information shall be forwarded to CCS who will make all proper notifications and verifications through formatted screens.

D. A "hit" confirmation request to the entering agency will not be made by CCS unless the "hit" is within the designated pick up radius.

E. A "hit" confirmation request, to the entering agency, will not be made by CCS unless the individual or suspect is physically with the officer.

F. Officers shall not stop, detain or arrest any individual solely as a result of a Taylor Alert or COP (Caution Ohio Police) Alert. A displayed Taylor Alert

does not mean the owner of a vehicle is the subject of the alert. It only means that the owner's name is the same or similar to the Taylor Alert subject name. The Taylor Alert is a tool, a caution indicator, to assist officers stopping vehicles whose owner or operator may pose a serious threat of physical harm to police officers.

VII. Internet Usage

A. Officers requesting unrestricted Internet use for a MDC/DT shall obtain written permission from the Chief detailing why full access is needed.

B. Officers shall use only accounts provided by the City of Cleveland.

C. Officers shall give direct supervisors their e-mail address and password. Division e-mail addresses and e-mail contents are the property of the City of Cleveland.

D. Officers shall use the Internet for purposes supportive of the Division's mission. Personal use of Division Internet accounts is prohibited and shall not be accessed from non-division computers, without permission from the Deputy Chief of Administrative Operations.

VIII. Car-to-Car Text Messaging

A. Officers using car-to-car text messaging shall use the messaging function for police related activities only.

B. Officers shall communicate all messages professionally. Profane, obscene, offensive, inappropriate or non-work related language or conversations are strictly prohibited.

C. The Division of Police and CRIS monitor car-to-car text messaging. Violations are subject to the loss of CRIS and Division MDC privileges, and may include Divisional disciplinary charges.

IX. Bad Ordering a MDC Equipped Vehicle

A. When bad ordering a MDC equipped vehicle, officers or district maintenance personnel shall remove the MDC from the vehicle and return it to the OIC.

B. Officers or District maintenance personnel shall not convey a bad ordered MDC vehicle to any service facility unless specifically instructed to do so by MDC Support personnel. If a bad ordered MDC vehicle is damaged in such a way as to prevent removal of the MDC, the Mobile Support Unit shall be contacted to respond to the repair facility at the earliest opportunity and remove the MDC.

X. Bad Ordering a MDC/DT

A. When bad ordering a MDC/DT, officers shall remove it from the vehicle and return it to the OIC. (See Attached)

B. Officers shall make an original and one copy of the MDC/DT Bad Order Form.

1. Fax the MDC Bad Order Form to the Mobile Support Unit.

2. Attach the original Bad Order Form to the MDC, and give the bad ordered MDC to the OIC to be secured.

3. Send the copy of the MDC Bad Order Form, via Divisional Mail, to the Mobile Support Unit.

4. Complete a Form-1 and RMS report (i.e. Damage to City Property; Property Lost/City Property; Theft/City Property) if a MDC/DT is bad ordered due to theft, missing equipment, or damage. A copy of the Form-1 and RMS report shall be sent to the Mobile Support Unit, via Division mail.

XI. Maintaining the MDC/DT

A. Officers using a MDC/DT, shall keep the screen clean by periodically wiping it down with a lint free, soft cloth and plain water, or a solution of 90% concentration or higher of Isopropyl alcohol. Using napkins, wet naps, Kleenex, Windex or other non-approved items will damage the MDC screen.

B. Officers using a MDC/DT shall keep the keyboard clean by using a soft cloth and water.

1. Cans of compressed air, specifically designed and sold for the use of cleaning computer equipment, may be used to remove any dirt or

debris lodged underneath the keyboard keys.

2. Officers shall not place items on the keyboard e.g. radios, microphones, clipboards, ticket books. They may damage the keys.

3. Officers shall not perform any other maintenance to any MDC or equipment, unless instructed to by Mobile Support personnel.

4. Contact the Mobile Support Unit for assistance in keeping the MDC/DT clean and to verify acceptable cleaning solutions/techniques.

XII. Sector Supervisors

A. Ensure officers follow established procedures for the use and care of the MDC.

B. Carry with them a MDC dock key for removal of the MDC in the field. A police vehicle involved in a MVA where the police vehicle will be towed to a maintenance facility or other situations may require the removal of the MDC. Obtain additional keys by contacting the Mobile Support Unit.

C. Notify the district commander when a MDC or DT has been damaged, lost, or stolen.

D. Complete an investigative package, forwarded through the chain of command, when damage to or theft of a MDC or MDC equipment occurs.

XIII. In Regard to the MDC, the Officer In Charge shall

A. Ensure the MDC log book is up-to-date and maintained.

B. Keep the MDC storage area in their office locked.

C. Ensure MDC's are accounted for on a daily basis. The first shift OIC shall fax the MDC Daily Accountability Log Report to the Mobile Support Unit by 0900 hours daily. (See Attached).

D. Ensure all MDC Bad Order Forms are properly completed and forwarded to the Mobile Support Unit.

E. Ensure all bad ordered MDCs are returned to the OIC's office, properly

updated in the MDC log book, and secured.

F. Record the vehicle used, not the radio call sign, on the MDC Daily Accountability Log Report, under the section "Present Location".

G. Notify the sector supervisor and the Mobile Support Unit when damage or theft occurs to any MDC or any corresponding MDC equipment brought to their attention.

XIV. In Regard to the DT the Officer In Charge shall:

A. Notify the sector supervisor if a DT has been damaged, lost, or stolen.

B. Complete an investigative package, forwarded through the chain of command, when damage to or theft of a DT or DT equipment occurs.

XV. The Vehicle Transport Unit shall: Notify the Mobile Support Unit when a damaged police vehicle is received at East 55 or East 49 Street Garages requiring the vehicle to be out of service for an extended period. Mobile Support personnel shall espond to and remove applicable MDC equipment storing the equipment at their unit until the vehicle is repaired and back in service.

A. Notify the Mobile Support Unit when a MDC vehicle is renumbered.

B. Notify the Mobile Support Unit when any damage to MDC equipment is discovered during preventative maintenance or service to a MDC equipped vehicle.

C. Notify the Mobile Support Unit when any MDC vehicle will be scrapped. Mobile Support personnel shall coordinate all de-installation procedures with the contracted service facility.

D. Notify the Mobile Support Unit when the need arises to uninstall a MDC equipped vehicle.

E. Ensure no bad ordered MDC vehicle that contains a MDC terminal in the dock is parked at the East 55 Street Garage. Conveying personnel shall immediately be notified to respond to the garage, remove the terminal screen and return the screen to the appropriate district OIC.

F. Coordinate all new police vehicle purchases with the Mobile Support Unit to ascertain which vehicles will receive MDC equipment.

G. Refer all MDC repair issues including docks, modems and related MDC equipment to the Mobile Support Unit.

XVI. The Mobile Support Unit shall:

A. Maintain a daily inventory of all MDC/DT equipment utilized by members of the Division of Police.

B. Notify the district/unit OIC when any MDC/DT is found unaccounted for or is shown in a vehicle or location unequipped to receive a MDC/DT.

C. Notify the Deputy Chief of Administrative Operations when a MDC/DT is found unaccounted for and attempts to locate the MDC/DT by the district/unit OIC produce negative results.

D. Deactivate and shutdown the IP address of any MDC/DT found missing or unaccounted for from any district or unit.

E. Ensure all MDC/DT comply with current anti-virus and firewall software and that they are programmed to automatically receive updates regularly.

F. Maintain purchase and maintenance records, warranty information, and serial numbers for all MDC/DT equipment purchased by the City.

G. Notify the district/unit commander of any MDC/DT reported damaged and request an investigation regarding the cause of the damage.

H. As needed, reimage MDC/DT with Division authorized software.

I. Conduct quarterly reviews of car-to-car text messages; reporting discrepancies or inappropriate messages to the Deputy Chief of Administrative Operations.

J. Maintain and update mobile user files in accordance with the Division's LEADS database.

K. In a timely manner, respond to and perform routine maintenance in the field when notified of an inoperable MDC/DT.

L. Respond to all requests from the Vehicle Transport Unit for the deinstallation of MDC equipped police vehicles.

M. Refer and schedule warranty related maintenance issues to the contracted service facility.

N. Conduct training, as needed, for Division assigned personnel using MDC/DT and related software.

Cleveland Division of Police

Mobile Data Computer / Detective Tablet Bad Order Form

District / Unit: _____

Computer ID # _____ Computer Serial # _____

At the time this problem occurred, the computer was in Car: _____ P-Code: _____

Address Location when MDC / DT experienced the below problem: _____

Date and Time of Problem: _____ Describe Problem Below: (Be specific)

_____

_____

_____

_____

_____

[MDC Only]: If you placed another MDC in the vehicle dock, did the same problem occur: ☐ Yes ☐ No

- - - Leave this section blank. Mobile Support Unit Use Only:- - -

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Officer Name / Badge Number

_____

Supervisor Name / Badge Number

_____

<u>Bad Order Procedures:</u>

1. **Remove the MDC / DT from the police vehicle, and update the MDC log book in the OIC's office.**
2. **Make (1) copy of the MDC / DT Bad Order Form.**
3. **Fax the MDC / DT Bad Order Form to the Mobile Support Unit at (216) 664-3940.**
4. **Attach the original MDC / DT Bad Order Form to the MDC or DT, and secure in the OIC's office.**
5. **Send (1) copy of the MDC / DT Bad Order Form Divisional Mail to: Mobile Support Unit - 205 West St. Clair, Fifth Floor.**

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 12, 2007		1 of 4	1.3.30

SUBJECT:	
PROTOCOL BETWEEN THE CLEVELAND DIVISION OF POLICE (CPD) AND CLEVELAND STATE UNIVERSITY POLICE DEPARTMENT (CSUPD)	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.3.12, 1.3.22
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To establish procedures between the Cleveland Division of Police (CPD) and the Cleveland State University Police Department (CSUPD) for exercising police powers.

POLICY: The CPD, as a provision of the mutual aid agreement between itself and the CSUPD, agrees that police officers appointed by the CSUPD have full authority, commensurate with the authority held by CPD officers, when CSUPD officers are on duty and on active pay status.

CSUPD's authority is limited to certain situations as described below. Nothing in this protocol shall prohibit the CPD from investigating felony complaints occurring on CSUPD property deemed to be of investigative interest to the CPD.

PROCEDURES:

I. CSUPD has powers commensurate to CPD in the following situations

A. When CSUPD officers are within the property expressly owned, leased or contracted by CSUPD including all streets and alleys that traverse the properties listed and all adjoining streets and areas within 300 feet of the property line of the listed properties. See Appendix.

B. When CSUPD police officers are within the city's jurisdiction and en route to or from CSUPD property and exigent circumstances exist including:

1. CSUPD officers in hot pursuit of a fleeing suspect;

2. A police officer, or member of the public, is in imminent peril of bodily harm if action is not taken immediately;

3. The escape of a known criminal or suspect has occurred and action must be taken immediately; or,

4. When a CSUPD officer witnesses the commission of a crime, while such crime is in progress. This is excluding misdemeanor drug activity or routine traffic matters.

5. When CSUPD is participating in a cooperative enforcement effort, approved in advance by the Chiefs of CPD and CSUPD, either may appoint a designee as their representative for approval.

II. CPD Responsibilities

A. Investigate all incidents involving explosive or incendiary devices, hostage situations, and sudden deaths that occur on CSUPD property.

B. CPD shall have investigative responsibility for the following incidents:

1. Incidents involving explosive or incendiary devices.

2. Hostage situations.

3. Deaths other than “Probable Natural”.

4. Use of Deadly Force by other law enforcement agencies.

5. Incidents of Ethnic Intimidation and/or Hate Crimes.

6. Any incident that CPD desires to preempt the investigative function.

7. Felony and/or escalating Racially Motivated Incidents (RMIs) and Ethnic Intimidations occurring on CSUPD property.

C. Receive and serve all warrants that have been generated as a result of CSUPD police officers’ enforcement efforts and are delivered to CPD via the Municipal Clerk of Court’s office.

D. When called upon, assist the CSUPD with investigations or other matters of mutual concern.

III. CSUPD Responsibilities

A. Investigate all felonies and misdemeanors that occur on CSUPD property, with the exception of incidents involving incendiary or explosive devices, hostage situations, all sudden deaths, and any incidents listed in Section A above for which CPD has investigative responsibility.

B. Provide the CPD with copies of all felony crime reports, misdemeanors in which suspects have been arrested, other crime reports, and field reports to the CPD, including those that have been investigated by the CSUPD, by faxing or hand-delivering copies of the reports to the Third District and the Report Intake/Review Unit located in the Police Headquarters building. CSUPD police will not be required to fax or hand-deliver hard-copies of the reports if they access and utilize the Records Management System (RMS). In that case, electronic copies shall be provided through the RMS.

C. CSUPD shall handle sexual assaults. CSUPD will provide a weekly status report on sexual assault investigations to the OIC of the CPD Sex Crimes and Child Abuse Unit.

D. When called upon, assist the CPD with investigations, or other matters of mutual concern, for which the ultimate investigative responsibility rests with the CPD.

E. Establish a relationship with the Clerk of the Cleveland Municipal Court to acquire process and return Parking Infraction Notices (PINs) and Uniform Traffic Citations (UTTs). CSUPD shall consider electronic ticket entry.

F. Issue UTTs and PINS using the City of Cleveland Codified Ordinances and the Ohio Revised Code.

G. CSUPD supervisors will respond to all incidents involving CSUPD officers. CSUPD may contact and request CPD supervisors to assist on incidents of mutual interest.

H. CSUPD supervisors shall be responsible for monitoring the activity of CSUPD patrol officers. CSUPD officers shall be responsible for ensuring that all CSUPD officers are trained in arrest procedures and the proper exercise of arrest powers.

I. Handle and process juvenile arrests, using their own holding facility until disposition to the detention home or released to a parent or guardian.

J. Handle the towing of vehicles connected with an arrest using their own contract towing agencies, unless directed otherwise by the on-scene CPD sector supervisor.

K. Notify the CPD Impound Unit of all tows off of CSUPD property.

L. CSUPD agrees to adopt the CPD "hot pursuit" policy or a hot pursuit policy that is more restrictive than the CPD policy.

M. CSUPD shall arrange medical treatment for prisoners requiring medical treatment before booking.

N. CSUPD shall be responsible for the testing and storage of any evidentiary material and its custody for presentation at trial.

IV. Shared Responsibilities

A. CSUPD prisoners confined in the CPD jail who require hospitalization will be conveyed by the CPD to St. Vincent Charity Hospital.

B. During the initial tour of duty, these prisoners will be guarded by CPD Third District personnel.

C. After the initial tour of duty, responsibility for guarding the prisoner shall lie with CSUPD police and remain with CSUPD police until the prisoner is returned to a CPD Jail.

MM/TAH/AJG/pmz
Policy and Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 20, 2007	DECEMBER 31, 2007	1 of 4	1.3.31

SUBJECT:	
PROTOCOL BETWEEN THE CLEVELAND DIVISION OF POLICE AND THE CLEVELAND MUNICPAL SCHOOL DISTRICT POLICE DEPARTMENT	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To establish procedures governing the interaction and cooperation between the Cleveland Division of Police (CPD) and the Cleveland Municipal School District Police Department (CMSDPD).

POLICY: The Cleveland Division of Police shall retain the ultimate responsibility for the protection of life and property in the City of Cleveland, including areas within the jurisdiction of the CMSD. Personnel of the Division **SHALL NOT** refuse requests for service concerning incidents occurring on CMSD properties in the City of Cleveland.

BACKGROUND: Certain members of the CMSDPD who are Ohio Certified Peace Officers have been granted Special Deputy status by the Cuyahoga County Sheriff. The authority granted by CMSD and the Cuyahoga County Sheriff is limited and shall only apply during periods when such officers are on-duty with CMSD and on active pay status.

PROCEDURES:

I. The Cleveland Division of Police shall

A. Investigate all felonies.

B. Investigate any incidents involving:

1. Ethnic Intimidation
2. Hate Crimes
3. Racially Motivated Crimes
4. Explosive or Incendiary Devices
5. Hostage Situations
6. All Deaths
7. Uses of Deadly Force by CMSDPD

8. Sexual Assaults

C. Provide the CMSDPD with Parking Infraction Notices (PIN), Uniform Traffic Tickets (UTT), and Minor Misdemeanor Citations (MMC) issued by the CPD for infractions occurring on CMSD property.

D. Have CPD supervisors respond to all CMSD PD off-campus arrests.

E. At the discretion of CPD, receive and serve all warrants generated by enforcement efforts of CMSDPD, delivered to CPD via the Cleveland Municipal Clerk of Courts' Office.

F. Receive all evidence needing forensic testing. Any CPD Officer-in-Charge (OIC) receiving evidence shall ensure the evidence is forwarded to the Forensic Unit.

G. Assist CMSDPD with investigations or other matters of mutual concern, and share with the CMSDPD investigative information deemed appropriate by CPD.

II. The Cleveland Municipal School District shall

A. Use its best efforts, consistent with the availability of personnel and other resources; respond to any criminal complaint (misdemeanor or felony) reported on CMSD property, unless notified that CPD has preempted the complaint or incident.

B. Investigate all misdemeanor incidents that occur on CMSD property with the exception of those listed in Section I (B) of this GPO. CPD may assume investigative responsibility for any misdemeanor by notifying CMSDPD that CPD is assuming the investigative function.

C. In the case of incidents of Domestic Violence investigated by CMSDPD, CPD GPO 3.4.16, "Enforcement of Domestic Violence Statutes," will be followed.

D. Promptly notify CPD when any felony occurs on or in relationship to CMSD property.

E. Provide CPD with copies of all misdemeanor crime reports and other reports of interest to CPD that have been investigated by CMSD. Bring copies of these reports to the CPD Report Intake/Review Unit located at CPD headquarters in the Justice Center.

F. Promptly advise the CPD commanding officers in each district of all misdemeanor crimes occurring within the commanding officer's district and on CMSD property during the previous 24 hour period and receive a copy of CPD brevities for that period.

G. Promptly notify the CPD District Detective Bureau of all felony arrests and all instances of serious physical injury to any person involved, including CMSD Police Officers.

H. Properly submit evidence requiring forensic analysis to the OIC of the closest district of arrest in conformance with CPD and CMSD policies.

I. Assist CPD with investigations or matters of mutual concern when requested.

III. Protocol for CMSDPD when off Cleveland Municipal property

A. Conduct the follow-up investigation of all off-campus misdemeanor arrests made by members of the CMSDPD.

B. Handle and process off-campus juvenile arrests and transport them to the Cleveland Division of Correction (CDOC) facilities until an appropriate disposition occurs.

C. Notify CPD of all off-campus arrests and request a CPD supervisor to respond.

D. Issue PIN's, UTT's and MMC's for infractions occurring on, affecting, or in relationship to CMSD property. PIN's, UTT's, and MMC's shall be issued under the Codified Ordinances of the City of Cleveland.

E. Direct traffic within the CMSD property areas.

F. Handle the towing of vehicles using CMSD towing agencies, unless otherwise directed by CPD.

G. Promptly notify CPD of all tows, on or off CSMD property, by notifying the CPD Communications Control Section.

H. No CMSD Police Officer shall engage in a high-speed vehicle pursuit. CPD shall be notified and a description of the suspect vehicle will be broadcast.

I. Provide CPD with copies of all off-campus reports. CPD field report forms shall be used for all off campus reports and reviewed by a CMSD police supervisor before forwarding to CPD.

IV. CMSD Telephone Complaint Clerks and Police Radio Dispatchers

A. Complaint Clerks shall take all citizens' requests for service on CMSD property. The clerk shall obtain the appropriate complaint information, contact CMSDPD, and advise them of the request for service.

1. If CMSDPD accepts the assignment, the Complaint Clerk shall close the assignment.

2. If CMSDPD does not accept the assignment, the Complaint Clerk shall refer the request to CPD and convey all the necessary service requests information.

B. CMSDPD Radio Dispatchers shall dispatch all requests for service received by the Complaint Clerk.

1. If a CPD response is requested but not immediately available and the complaint clerk assigns it to CMSDPD and they accept the assignment, the assignment shall be reported to CPD with a notation "Handled by CMSDPD."

2. If CMSDPD is unable to respond, or the victim specifically requests CPD, the assignment shall be handled by CPD.

MM/ TAH/JCO/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 01, 2007	DECEMBER 31, 2007	1 of 4	1.3.32

SUBJECT:
PROTOCOL BETWEEN THE CLEVELAND DIVISION OF POLICE (CPD) AND THE CASE WESTERN RESERVE UNIVERSITY POLICE (CWRUPD)

ASSOCIATED MANUAL:	RELATED ORDERS:
	1.3.12, 1.3.22, 1.3.30, 1.3.31

CHIEF OF POLICE:
Michael McGrath, Chief

PURPOSE: To establish procedures between the Cleveland Division of Police (CPD) and the Case Western Reserve University Police Department (CWRUPD) for exercising police powers.

POLICY: CPD, as a provision of the mutual aid agreement between itself and the CWRUPD, agrees that police officers appointed by CWRUPD have full authority commensurate with the authority held by CPD officers when CWRUPD officers are on duty and on active pay status.

Nothing in this protocol shall prohibit CPD from investigating felony complaints occurring on CWRU property deemed to be of investigative interest to CPD.

PROCEDURES:

I. CWRU has powers commensurate to CPD in the following situations

A. When CWRU officers are within the property expressly owned, leased or contracted by CWRU, including all streets and alleys that transverse the properties listed and all adjoining streets and areas within 300 feet of the property line of the listed properties. See Appendix.

B. When CWRU police officers are within the city's jurisdiction and en route to or from CWRU property, and exigent circumstances exist including:

1. CWRU officers in hot pursuit of a fleeing suspect;

2. A police officer or member of the public is in imminent peril of bodily harm if action is not taken immediately;

3. The escape of a known criminal or suspect has occurred and action must be taken immediately; or

4. When a CWRU officer witnesses the commission of a crime while such crime is in progress. This excludes misdemeanor drug activity or routine traffic matters.

5. When CWRU is participating in a cooperative enforcement effort, approved in advance by the Chiefs of CWRU and CPD, either may appoint a designee as their representative for approval.

II. CPD Responsibilities

A. CPD shall have investigative responsibility for the following incidents:

1. Incidents involving explosive or incendiary devices
2. Hostage situations
3. Deaths other than "Probable Natural"
4. Use of Deadly Force by other law enforcement agencies
5. Incidents of Ethnic Intimidation and/or Hate Crimes
6. Felony Sexual Assaults
7. Any incident that CPD desires to preempt the investigative function
8. Felony and/or escalating Racially Motivated Incidents (RMIs) and Ethnic Intimidations that occur on CWRU property generating a CWRU crime report other than vandalism

B. Receive and serve all warrants that have been generated as a result of CWRU police officers' enforcement efforts and are delivered to CPD via the Municipal Clerk of Court's office.

C. Provide all crime statistics necessary for CWRUPD to prepare federally mandated annual report on campus statistics and security.

D. When called upon, assist the CWRUPD with investigations or other matters of mutual concern.

III. CWRUPD Responsibilities

A. Investigate all felonies and misdemeanors that occur on CWRU property, with the exception of incidents involving incendiary or explosive devices, hostage situations, all sudden deaths, and any incidents listed in Section B above for which CPD has investigative responsibility.

B. Provide CPD with copies of all crime and field reports, including those that have been investigated by the CWRUPD, by faxing or hand-delivering copies of the reports to the Fifth District and the Report Intake/Review Unit located in the Police Headquarters building. CWRUPD will not be required to fax or hand-deliver hard-copies of the reports if they access and utilize the Records Management Systems (RMS). In that case, electronic copies shall be provided through the RMS.

C. CWRUPD shall provide a weekly status report on sexual assault investigations to the OIC of the CPD Sex Crimes and Child Abuse Unit.

D. When called upon, assist CPD with investigations, or other matters of mutual concern, for which the ultimate investigative responsibility rests with CPD.

E. Investigate all non-escalating Racially Motivated Incidents (RMIs) that occur on campus using the policies and reporting procedures in CPD GPO 3.4.12.

F. Issue Uniform Traffic Tickets (UTTs) and Parking Infraction Notices (PINs) using the Codified Ordinances of the City of Cleveland and the Ohio Revised Code.

G. CWRU supervisors shall respond to all incidents involving CWRU officers. CWRU may contact and request CPD supervisors to assist on incidents of mutual interest.

H. CWRU supervisors shall be responsible for monitoring the activity of CWRU patrol officers. CWRUPD shall be responsible for ensuring that all CWRU officers are trained in arrest procedures and the proper exercise of arrest powers.

I. Handle and process juvenile arrests, using their own holding facility until disposition to the detention home or released to a parent or guardian.

J. Establish a relationship with the Clerk of the Cleveland Municipal Court to acquire, process and return PINs and UTT citations. Handle the towing of vehicles connected with an arrest using their own contract towing agencies, unless directed otherwise by the on-scene CPD sector supervisor.

K. Notify the CPD Impound Unit of all tows that occur off of CWRU property.

L. CWRUPD agrees to adopt the CPD “hot pursuit” policy or a hot pursuit policy that is more restrictive than that policy.

M. CWRUPD agrees that for prisoners needing medical treatment before booking, its police officers shall arrange for their treatment.

N. CWRUPD shall be responsible for the testing and storage of any evidence material and its custody for presentation at trial.

O. CWRUPD shall promptly inform the appropriate CPD District Detective Bureau of all felony arrests and all instances of serious injury to any person, including CWRUPD officers.

IV. Shared Responsibilities

A. CWRU prisoners confined in the *Cleveland Division of Correction (CDOC)* Jail, requiring hospitalization, will be conveyed by CPD.

B. During the initial tour of duty, these prisoners will be guarded by CPD personnel.

C. After the initial tour of duty, the responsibility for guarding the prisoner shall lie with CWRUPD and remain with CWRUPD until the prisoner is returned to the *CDOC* Jail.

MM/TAH/JCO/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
AUGUST 27, 2007		1 of 2	1.3.33

SUBJECT:	
DUTY TO AVOID THE APPEARANCE OF IMPROPRIETY	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To provide guidelines to Division of Police members who, while engaged in their official duties (criminal, civil or administrative), have occasion where those duties involve interactions with a victim, witness, co-worker, employee, complainant, family member, acquaintance or other person that to an outside observer may create the appearance of impropriety or a conflict of interest.

POLICY: Trust is largely dependent upon the perceptions formed by persons whose views are from outside the process. Citizens and employees must feel secure in the belief that all dealings internal and external of the Division are free from the appearance of impropriety or a conflict of interest.

It is the policy of the Division of Police to uphold and promote the highest standards of ethics from all of its employees. Members shall never compromise their honesty or integrity, and shall always remain committed to the values of law enforcement and public service. Division members shall avoid the appearance of impropriety in their roles as public servants and shall never use their position for improper gain or influence. Reference the Manual of Rules and Regulations 3.01, 3.02, 3.07 and 3.08.

PROCEDURES:

I. No member, while engaged in their duties, shall have a direct or indirect interest in the outcome of the execution of those duties, or have any outside interest that materially interferes with the ability of the Division to fulfill its mission in providing the citizens of Cleveland with fair, unbiased and impartial public service. Members shall not engage in any activity or have any interest that is incompatible with their official duties or that would impair their independence, judgment or action in the performance of those duties.

II. If a member's duty causes them to have a direct or indirect interest in the outcome of an investigation, or a member has occasion to know any person involved in an investigation, which would give rise to an actual or perceived potential conflict of interest and/or which would create the appearance of impropriety, the member shall immediately notify, in writing, their commanding officer that such potential conflict exists. The member shall make full disclosure to the commanding officer of the nature of the interest, conflict or appearance of impropriety

III. When a commanding officer becomes aware of a potential conflict or situation which would create the appearance of impropriety, the commanding officer shall take appropriate action to eliminate the conflict of interest or the appearance of impropriety. The commanding officer shall review all pertinent facts and disclosures, and shall determine whether the member should continue with their duties involving a potential conflict or whether those duties should be reassigned to a member for whom no such conflict exists.

IV. If the commanding officer determines that the member should continue in their questioned duties, the commanding officer shall notify the Chief or designee in writing explaining the justification for allowing the member to continue in those duties involving the potential conflict.

To: Public Safety Chiefs

From: Martin L. Flask, Director
Department of Public Safety

Subject: **The Duty to Avoid the Appearance of Impropriety**

Date: July 20, 2007

It is the policy of the Department of Public Safety to uphold, foster and promote the highest standards of ethics from all of its employees. All Public Safety employees must maintain the highest standards of personal integrity, truthfulness, honesty and fairness in carrying out their public duties, avoid even the appearance of impropriety in their roles as public servants, and never use their position or power for improper gain or influence.

Public trust is built, in large part, upon the perceptions that citizens have regarding their City employees. Once public confidence is damaged, it is difficult to rebuild. Thus, employees must never compromise their honesty or integrity, and must remain sensitive to the values of the public they serve.

The purpose of this directive is to establish a policy regarding instances in which investigators in the divisions of the Department of Public Safety have occasion to know a witness, co-worker, employee, complainant, or other person involved in an investigation, which give rise to an actual or perceived potential conflict of interest with professional responsibilities and/or which create the appearance of impropriety. Said investigations may be of any type, whether administrative, civil, or criminal in nature.

No investigator shall have a direct or indirect interest in the outcome of an investigation, or have any outside interest that materially interferes with the ability of the division or the Department of Public Safety to fulfill their missions in providing the citizens of Cleveland with fair, unbiased and impartial investigations. Investigators shall not engage in any activity or have any interest that is incompatible with his/her official duties or that would impair his/her independence, judgment or action in the performance of those duties.

If an investigator is assigned an investigation in which he or she has a direct or indirect interest in the outcome of an investigation, or has occasion to know a witness, co-worker, employee, complainant or other person involved in an investigation, which would give rise to an actual or perceived potential conflict of interest with professional responsibilities and/or which would create the appearance of impropriety, the investigator shall immediately notify, in writing, his/her commanding officer that such potential conflict exists. The investigator shall make full disclosure to the commanding officer of the nature of the interest, conflict or appearance of impropriety.

Once the commanding officer becomes aware of a potential conflict or situation which would create the appearance of impropriety, the commanding officer shall take appropriate action to eliminate the conflict of interest or the appearance of impropriety. The commanding officer shall review all pertinent facts and disclosures, and shall determine whether the investigator should continue with the investigation or whether the investigation should be reassigned to an investigator for whom no such conflict exists.

If the commanding officer determines that the investigator should continue with the investigation, the commanding officer shall notify, in writing, the Chief or Commissioner of the division his or her justification for allowing the investigation to continue.

Failure by an investigator to notify the commanding officer of an actual or perceived potential conflict of interest or situation which would create the appearance of impropriety may subject the investigator to disciplinary action.

Public Safety Chiefs and Commissioners shall ensure that each investigator is in compliance with this directive, and shall create such written policies, procedure, SOP's, etc. to reflect the purpose and spirit of this directive.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
OCTOBER 19, 2007		1 of 4	1.3.34

SUBJECT:	
PROTOCOL BETWEEN THE CLEVELAND DIVISION OF POLICE (CPD) AND GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY POLICE DEPARTMENT (RTAPD)	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.3.12, 1.3.22, 1.3.30, 1.3.31, 1.3.32
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To establish procedures between the Cleveland Division of Police (CPD) and the Greater Cleveland Regional Transit Authority Police Department (RTAPD) for exercising police powers.

POLICY: The CPD, as a provision of the mutual aid agreement between itself and the RTAPD, agrees that police officers appointed by the RTAPD have full authority, commensurate with the authority held by CPD officers, when RTAPD officers are on duty and on active pay status.

RTAPD's authority is limited to certain situations and areas as described below. Nothing in this protocol shall prohibit the CPD from investigating felony complaints occurring on RTAPD property deemed to be of investigative interest to the CPD.

PROCEDURES:

I. RTAPD has powers commensurate to CPD in the following situations:

A. When RTAPD officers are within transit facilities owned, operated or leased by GCRTA (including bus shelters, BRT zone (Euclid Corridor Transportation Project) stations, and associated curtilage wherever located) and expressly indicated in appendices that are incorporated in the Memorandum of Understanding between the City of Cleveland and the GCRTA (predominantly areas that encompass Public Square and BRT zone).

B. When RTAPD police officers are within the city's jurisdiction and en route to or from RTAPD property and exigent circumstances exist including:

1. RTAPD officers in hot pursuit of a fleeing suspect;

2. A police officer, or member of the public, is in imminent peril of bodily harm if action is not taken immediately;

3. The escape of a known criminal or suspect has occurred and action must be taken immediately; or,

4. When a RTAPD officer witnesses the commission of a crime, while such crime is in progress. This is excluding misdemeanor drug activity or routine traffic matters.

5. When RTAPD is participating in a cooperative enforcement effort, approved in advance by the Chiefs of CPD and RTAPD, either may appoint a designee as their representative for approval.

II. CPD Responsibilities

A. CPD shall have investigative responsibility for the following incidents that occur on RTAPD property:

1. Incidents involving explosive or incendiary devices.

2. Sexual assaults

3. Hostage and or barricaded situations.

4. Deaths other than “Probable Natural”.

5. Use of Deadly Force by other law enforcement agencies.

6. Incidents of Ethnic Intimidation, Racially Motivated Incidents and/or Hate Crimes.

7. Any other felony incident that CPD desires to preempt the investigative function.

B. Receive and serve all warrants that have been generated as a result of RTAPD police officers’ enforcement efforts and are delivered to CPD via the Municipal Clerk of Court’s office.

C. When called upon, assist the RTAPD with investigations or other matters of mutual concern.

D. Provide RTAPD with UTTs, PINs and MMCs sufficient for RTAPD operations. CPD shall process MMCs on behalf of RTAPD.

E. Shall not refuse citizen's requests for service regarding any incidents occurring within the RTAPD service area.

F. Provide RTAPD with access to Offense/Incident Service Numbers via the Report Center.

G. Receive and properly maintain custody of evidence submitted by RTAPD including drug evidence, money or weapons. When requested, CPD shall perform analysis of evidence so submitted in preparation of criminal cases for trial.

III. RTAPD Responsibilities

A. Investigate all felonies and misdemeanors committed in the RTAPD service area, with the exception of incidents listed in Section (A) above for which CPD has investigative responsibility.

B. Provide the CPD with copies of all felony crime reports, misdemeanors in which suspects have been arrested, other crime reports, and field reports to the CPD, including those that have been investigated by the RTAPD, by faxing or hand-delivering copies of the reports to the Commander of the District of occurrence and the Report Intake/Review Unit located in the Police Headquarters building. RTAPD will not be required to fax or hand-deliver hard-copies of the reports if they access and utilize the Records Management System (RMS). In that case, electronic copies shall be provided through the RMS. All reports shall be submitted within 24 hours of the incident or before the arresting officer's tour of duty, whichever comes first.

C. When called upon, assist the CPD with investigations, or other matters of mutual concern, for which the ultimate investigative responsibility rests with the CPD.

D. Shall process UTTs directly with the Cleveland Municipal Court without further involvement of CPD.

E. Shall have authority to direct traffic, issue PINs and UTTs in and around GCRTA service areas when deemed appropriate.

F. Issue UTTs, PINs and MMCs using the City of Cleveland Codified Ordinances and the Ohio Revised Code.

G. RTAPD supervisors will respond to all arrests made by RTAPD officers. RTAPD assumes all responsibility for transporting persons arrested by RTAPD officers to appropriate jail facilities.

H. Notify the CPD Record File Section and Impound Unit when any stolen auto (reported by CPD) is recovered or towed by their personnel.

I. Ensure that vehicles towed from areas of concurrent jurisdiction shall utilize CPD facilities and procedures.

J. RTAPD agrees to adopt the CPD "hot pursuit" policy or a hot pursuit policy that is more restrictive than the CPD policy.

K. When RTAPD investigates incidents of Domestic Violence, RTAPD will follow established CPD policies and procedures.

L. RTAPD shall arrange medical treatment for prisoners requiring medical treatment before booking.

M. Shall properly submit drug evidence or any associated evidence including money or weapons related to drug arrests to the CPD Forensic Unit via the District Officer-in-Charge (OIC) and the Narcotic Unit, following CPD procedures.

N. Shall be responsible for follow up investigations for all arrests that are not in conflict with Section II (A) and charge or release all suspects in a timely fashion following CPD procedures. RTAPD shall be responsible for consulting with the City of Cleveland Municipal Prosecutor whenever required for issuance of a warrant in connection with arrests made by their personnel.

IV. Communications Control Section (CCS) Responsibilities

A. Upon receipt of a citizen's request for service in a RTAPD service area, CCS shall contact RTAPD and advise them of the request. If RTAPD accepts the assignment then CCS will close the incident.

B. If RTAPD declines then the request will be handled through prescribed CPD procedures.

MM/TAH/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
APRIL 14, 2008		1 of 5	1.3.35

SUBJECT:	
DIPLOMATIC AND CONSULAR IMMUNITY	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.3.13
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To establish guidelines for Division members to recognize diplomatic/consular immunity.

POLICY: In accord with international law the Cleveland Division of Police shall recognize consular/diplomatic immunity. Members shall extend certain privileges and immunities to members of foreign diplomatic missions and consular posts while retaining their fundamental responsibility to protect and police the conduct of persons in their jurisdiction.

DEFINITION:

Diplomatic immunity is a principal of international law by which certain foreign government officials are **not** subject to the jurisdiction of local courts and other authorities for their official and, to a large extent, their personal activities. It is important to note that there are different degrees of immunity that are afforded to various members of diplomatic missions.

PROCEDURES:

I. Categories of Persons Entitled to Privileges and Immunities.

A. Diplomatic Missions

1. Diplomatic Agents enjoy the highest degree of privileges and immunity. They enjoy complete inviolability which means that they may not be handcuffed (except in extraordinary circumstances), arrested, or detained: neither their property (including vehicles) nor residences may be entered or searched. Diplomatic Agents also have complete immunity from criminal prosecution regardless of the seriousness of the crime (unless the immunity is waived by the sending State).

2. Members of Administrative and Technical Staff perform the tasks critical to the inner workings of the diplomatic mission. They enjoy the identical degree of privileges and immunity as Diplomatic Agents. The only degree of difference between Diplomatic Agents and Members of Administrative and Technical Staff is the degree to which they are liable to civil laws.

3. Recognized family members forming part of the households of Diplomatic Agents and Members of Administrative and Technical Staff have the same criminal immunities as described above.

4. Members of Service Staff perform less critical support and consequently are afforded less in the way of privileges and immunities. Service Staff Members have only "official acts" immunity and they have no personal inviolability, no inviolability of property, and no immunity from obligation to provide evidence as witnesses. Their family members enjoy no privileges or immunities.

5. Nationals or Permanent Residents of the United States who are staff members of diplomatic missions enjoy no privileges or immunities.

6. There may exist certain special Bilateral Agreements that extend certain privileges or immunities to persons beyond the scope enumerated above. These covered members will have special identification cards stating such.

7. Waiver – Even though diplomatic privileges or immunities may impede officers from the full use of their police powers, officers should still proceed in using what police powers they may have in a given circumstance in the furtherance of upholding criminal laws. The U.S. Department of State may request and receive a waiver of immunity whereby prosecution may be pursued against a privileged member of a foreign mission.

B. Consular Posts

1. Consular Officers are authorized to perform a broad array of formal consular functions. However, they have only "official

acts" or functional immunity in respect to both criminal and civil matters and their personal inviolability is quite limited.

2. Consular Officers may be prosecuted, but not arrested, for misdemeanors. Consular Officers may be arrested for felonies only. Property of Consular Officers is not inviolable.

3. Family members of Consular Officers do not enjoy personal inviolability or jurisdictional immunity of any kind.

4. Consular Employees have no personal inviolability, only official acts immunity. Their family members enjoy no privileges or immunities.

5. Consular Service Staff have no personal inviolability or jurisdictional immunity, but they do have immunity from obligation to provide evidence as witnesses in respect of "official acts". Their family members enjoy no privileges or immunities.

C. Nationals or Permanent Residents of the United States who are staff members of diplomatic missions enjoy no privileges or immunities.

D. Honorary Consuls are American citizens or permanent resident aliens who perform consular services on a part time basis. These persons have "official acts" immunity and immunity from obligation to provide evidence as witnesses in respect of "official acts". They do not enjoy personal inviolability and may be arrested as necessary. Their family members enjoy no privileges or immunities.

II. Identifying Persons (and their vehicles) Entitled to Privileges and Immunities in the United States: The only authoritative identity document is the identity card issued by the U.S. Department of State, Office of Protocol, or by the U.S. Mission of the United Nations. These identification cards are color coded to indicate the level of immunity. This information can also be found on the back of the card.

III. Response to incidents involving persons having diplomatic or consular privilege:

A. A supervisor shall respond to the scene of any incident involving a person purportedly having diplomatic or consular privilege. If the

person is a suspect in a crime, the supervisor shall verify the status of the individual(s) in question, advising the individual(s) that they will be detained until their identity can be confirmed.

B. Supervisors shall verify the status of a person claiming diplomatic or consular privilege whether or not that person has a State Department issued identification card.

1. The supervisor shall contact the Communications Control Section (CCS) to make the appropriate notifications. CCS shall contact the Diplomatic Security Command Center at 1-866-217-2089.

2. If the suspect has personal inviolability, they shall not be handcuffed unless they pose an immediate threat to safety or as is necessary to de-escalate a volatile situation. However, once the threat to safety ends or de-escalation has satisfactorily occurred, the handcuffs must be removed.

3. Depending on the level of immunity, the suspect must be released once all pertinent information has been obtained. Arrests may be made when warranted and to the extent as permitted on the back of the diplomatic/consular identification card.

4. Regardless of the level of immunity, contraband may be seized to the extent of applicable search and seizure laws. Weapons and evidence used in the commission of a crime may also be seized. Illegally owned, possessed or transported firearms may also be seized.

5. Regardless of the level of immunity, any person claiming diplomatic or consular immunity may be subdued to the extent that is necessary to control a violent situation or prevent a serious crime.

6. Regardless of the level of immunity, any person claiming diplomatic or consular immunity may be requested to make a voluntary witness statement.

7. Regardless of the level of immunity, all persons are subject to a “stop and frisk” within the guidelines established by Terry v. Ohio and other case law.

8. Foreign diplomatic passports and U.S. Diplomatic passports are not proof of diplomatic or consular immunity. These documents do not convey any privileges or assertions of immunity. In rare instances they may indicate that the bearer has not yet received the appropriate U.S. identity documents. This information may be verified via the same manner as verifying a State Department issued identify card.

C. Traffic Enforcement

1. Stopping a mission member or dependent and issuing a traffic citation for a moving violation is permitted since it does **not** constitute arrest or detention. Depending on the level of immunity, the subject may not be compelled to sign the citation. In that case, the officer shall write "Refused - Diplomatic Immunity" in the signature area.

2. For serious traffic infractions such as Operating Vehicle under the Influence of alcohol or drugs (OVI), officers shall follow established divisional guidelines to the extent permitted on the back of the diplomatic/consular identification card. Officers may not compel a mission member or dependent to take a field sobriety test. However, if the individual is too impaired to drive safely, the officer shall not allow the individual to drive but shall arrange for alternate safe transport of the individual. The officer shall also arrange for safekeeping of the involved vehicle either by releasing it to a third party or arranging for other alternative safekeeping.

D. Copies of any reports, citations, summons, memorandums, or informational Form-1's shall be forwarded to the Deputy Chief of Homeland Security for forwarding to the U.S. State Department in Washington D.C. or to the U.S. Mission to the United Nations in New York City. The U.S. State Department shall be contacted in instances of OVI or other serious traffic infractions or accidents.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
May 1, 2009		1of 2	1.3.36

SUBJECT:	
COMPETITIVE SHOOTING TEAM	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To establish guidelines for the Cleveland Division of Police Competitive Shooting Team.

POLICY: Members of the Competitive Shooting Team represent the Cleveland Division of Police at competitive shooting competitions involving other law enforcement agencies. Members of the Competitive Shooting Team may also make recommendations to the Weapons Committee for firearms and associated equipment.

PROCEDURES:

I. The Competitive Shooting Team shall be comprised of active sworn Division of Police members. Membership is comprised of a minimum of five and a maximum of twelve members.

II. Selection Process

A. Selections shall be accomplished by annual tryout on a shooting course approved by the Officer in Charge (OIC) of the Ordnance Unit.

B. All members of the Competitive Shooting Team must re-qualify annually on a calendar year basis to maintain membership on the Team.

C. Members of the Competitive Shooting Team who are on the sick list, Restricted Duty status, any current sick leave abuse status, or have any record of discipline, as defined by collective bargaining agreements, within the prior two years shall be barred from participating in Team activities.

III. Participation

A. Members of the Competitive Shooting Team may have the use of the Ordnance Unit Outdoor Range on a schedule determined by the Ordnance Unit OIC. This shall not be construed to guarantee the use of the Range.

B. Members of the Competitive Shooting Team shall be responsible for all expenses incurred resultant from Team membership, including the cost of firearms, holsters, eye/ear protection, any other related equipment, ammunition, travel, lodging, training, entry fees or any other costs associated with Team activities.

IV. Compensation and Attendance

A. The Competitive Shooting Team shall not receive any compensation beyond receiving a tour of duty for participating in a sanctioned event, but only if a team member would have been normally scheduled to work on that day and if the member's absence will not impact Division operations or incur overtime for any other Division member.

1. Team members who wish to participate in a Team event as a tour of duty must submit a Form-1 through their chain of command to their commander for approval at least two weeks prior to the event date. The team member's commanding officer shall have sole discretion in determining approval.

2. All members participating in a Team event as a tour of duty shall be carried on the Daily Duty Assignment (DDA) of their assigned unit as working an assigned detail. The original approved Form-1 shall remain with the member's timekeeper.

B. No overtime may accrue to a team member as a result of any activities of the Competitive Shooting Team.

MM/TAH/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
August 26, 2011		1 of 6	1.3.37

SUBJECT:	
PROTOCOL BETWEEN THE CLEVELAND DIVISION OF POLICE (CPD) AND THE CLEVELAND CLINIC POLICE (CCPD)	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.3.12, 1.3.22, 1.3.30, 1.3.31, 1.3.32, 7.1.09, 6.2.10, 6.2.17 and Divisional Notice 11-243
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To establish procedures between the Cleveland Division of Police (CPD) and the Cleveland Clinic Police Department (CCPD) for exercising police powers.

POLICY: The City of Cleveland, as a provision of the mutual aid agreement between itself and The Cleveland Clinic Foundation agrees that police officers appointed by CCPD have full authority commensurate with the authority held by CPD officers, including misdemeanor related authority, when CCPD officers are on The Cleveland Clinic Foundation real property or premises located in the City of Cleveland and to the limited extent authorized when in the City of Cleveland but outside or off The Cleveland Clinic Foundation property. The authority granted CCPD officers on or off The Cleveland Clinic Foundation property applies only while CCPD Officers are engaging in activity directly in the discharge of their duties as police officers for Cleveland Clinic Foundation.

Nothing in this Protocol shall limit CPD's lawful authority including, but not limited to, CPD's decision to investigate any criminal complaints occurring on CCPD property.

PROCEDURES:

I. CCPD has powers commensurate to CPD in the following situations:

A. When CCPD officers are within the property expressly owned, leased or contracted by The Cleveland Clinic Foundation or its affiliated entities, including all streets and alleys that transverse the properties listed, all adjoining streets and sidewalks, and all areas within 300 feet of the property line of the properties described in this section. CCPD shall provide the CPD with a current written list of these properties along with map(s) identifying

the name or type of property and the parameters of the locations, and shall promptly update CPD in writing if any additions or deletions occur.

B. When CCPD police officers are within the City of Cleveland's jurisdiction and, while on-duty on or en route to or from CCPD property, and exigent circumstances exist, including:

1. CCPD officers in hot pursuit (vehicle or foot) of a fleeing suspect.

2. A police officer or member of the public is in imminent peril of bodily harm if action is not taken immediately.

3. The escape of a known criminal or suspect has occurred and action must be taken immediately.

4. When a CCPD officer witnesses the commission of a crime while such crime is in progress. (This excludes misdemeanor drug activity and routine traffic violations that do not place the public at immediate risk. An example of a traffic offense that is NOT excluded is a driver suspected of Operating a Vehicle while under the Influence (OVI).

5. When CCPD is participating in a cooperative enforcement effort with CPD as mutually approved in advance by the Chiefs of CCPD and CPD or their designees.

II. CPD Responsibilities

A. CPD shall have investigative responsibility for the following incidents:

1. Incidents involving actual explosive or incendiary devices

2. Hostage situations

3. Deaths other than "Probable Natural" of a patient of the Cleveland Clinic

4. Use of Deadly Force whether or not the force results in an injury

5. Incidents of Ethnic Intimidation, Racially Motivated Incidents, and/or Hate Crimes

6. Felony Sexual Assaults

7. Missing Person investigations (refer to General Police Orders 6.12.10 Missing Persons Adult and 6.1.17 Missing Persons Juvenile)

8. Any incident that which CPD desires to preempt the investigative function

B. Provide all crime statistics necessary for CPD.

C. When called upon, assist the CCPD with investigations or other matters of mutual concern.

III. CCPD Responsibilities

A. Comply with the requirements of O.R.C. 4973.17(D) and the Authorizing Agreement, between the City of Cleveland and The Cleveland Clinic Foundation and all future addendums to it. The Authorizing Agreement, including these Protocols, is not intended to and shall not be construed to limit CPD's lawful authority in any way.

B. Investigate all felonies and misdemeanors that occur on CCPD property, with the exception of incidents listed in the preceding Section A above for which CPD has investigative responsibility.

C. Provide CPD with copies of all initial crime reports by a mutually agreed upon format that protects privacy and related concerns and satisfies the statistic gathering requirements of the CPD and by a mutually agreed upon method that may include faxing, hand-delivering copies to the nearest police district, or electronically through the Records Management Systems (RMS).

D. CCPD shall provide a weekly status report on sexual assault investigations to the OIC of the CPD Sex Crimes and Child Abuse Unit.

E. When called upon, assist CPD with investigations, or other matters of mutual concern, for which the ultimate investigative responsibility rests with CPD.

F. Issue Uniform Traffic Tickets (UTTs) and Parking Infraction Notices (PINs) using the Codified Ordinances of the City of Cleveland as the primary reference or the Ohio Revised Code if no equivalent Cleveland Ordinance exists.

G. CCPD supervisors shall respond to all incidents involving CCPD officers regardless if the CCPD officer incident is on or off duty related. CCPD may contact and request CPD supervisors to assist on incidents of mutual interest.

H. CCPD shall handle and process juvenile arrests, using their own holding facility until disposition to the detention home or released to a parent/guardian, responsible adult or other lawful authority.

I. Establish a relationship with the Clerk of the Cleveland Municipal Court to acquire, process, and return PINs and UTT citations.

J. For warrants generated as a result of CCPD's enforcement efforts, CCPD officers shall be responsible for entering the warrants into L.E.A.D.S. under CCPD's Originating Agency Identifier (ORI).

K. Handle the towing of vehicles connected with an arrest using their own contract towing agencies, unless directed otherwise by the on-scene CPD sector supervisor.

L. Notify CPD Communications Control Section (CCS) of all tows initiated by CCPD.

M. CCPD agrees to adopt the CPD vehicle Pursuit policy or any such written policy that is minimally as restrictive.

N. CCPD agrees to maintain a written Use of Force policy.

O. CCPD shall arrange for necessary medical treatment of prisoner(s) prior to the prisoner(s) being booked.

P. CCPD shall be responsible for the testing, storage, and custody of any evidence for presentation at trial. If CPD has taken over investigative responsibility of an incident then such evidence shall be transferred to CPD custody.

Q. CCPD shall promptly inform the appropriate CPD District Detective Unit of all felony arrests and all instances of serious injury to any person, including CCPD officers.

R. If there is occasion when CPD and CCPD officers are not in full agreement on a course of action, the CPD officer shall contact the sector supervisor. The sector supervisor shall act as final arbiter on the proper course of action.

IV. CCPD Responsibilities for Prisoners Brought to City Jails

A. Jail Booking Procedures

1. All persons CCPD arrests or otherwise takes into custody and wants the City to detain in City jail facilities shall be conveyed to the Central Prison Unit (CPU). If the CPU is filled to capacity, CCPD shall transport its prisoners to an alternate holding facility in accordance with Cleveland Division of Correction (CDOC) procedures.

2. Suspects shall be booked by the CCPD arresting officer(s) in accordance with CDOC procedures. The top right hand corner of the booking card shall be marked distinctly with the initials "CCPD". The Offense/Incident Number must be included with the booking information.

3. CCPD shall abide by the directives contained in General Police Order 7.1.09 Prisoner DNA collection.

4. One copy of the booking information card shall be provided to the CCPD transporting officer.

5. The CDOC retains the right, in its sole discretion, to refuse to accept a CCPD prisoner.

B. Hospitalization of CCPD-Prisoners during Confinement at City Jails

1. CCPD prisoners confined by the CDOC Jail, requiring emergency hospitalization during their confinement, shall be conveyed initially by CPD.

2. During the initial tour of duty of such a hospitalization, the prisoner(s) shall be guarded by CPD personnel. After the initial tour of duty, the responsibility for guarding the prisoner shall lie with CCPD and remain with CCPD until the prisoner is returned by CCPD to the CDOC Jail.

3. CCPD prisoners confined in the CDOC Jail requiring non-emergency hospitalization shall be conveyed by CCPD. The responsibility for guarding the prisoner shall lie with CCPD and remain with CCPD until the prisoner is returned to the CDOC Jail.

C. Charging and Release of Felony Suspects

1. CCPD shall abide by the directives contained in Divisional Notice 11-243 Charging and Releasing of Felony Suspects dated July 15, 2011.

2. CCPD is solely responsible for insuring that the CCPD felony suspects held at City jails are charged prior to the 36-hour requirement.

MM/LM/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
September 29, 2011		1 of 5	1.3.38

SUBJECT:	
LIMITED ENGLISH PROFICIENCY (LEP)	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: The Cleveland Division of Police is committed to providing equal service to all members of public, including those persons with Limited English Proficiency (LEP).

POLICY: The Cleveland Division of Police recognizes that language barriers can prevent individuals from accessing vital public services and prevent them from knowing and understanding the constitutional rights to which they are entitled. The Cleveland Division of Police further recognizes the importance of effective and accurate communication between its members and the diverse community it serves. It is the policy of the Cleveland Division of Police to establish effective guidelines consistent with Title VI of the Civil Rights Act of 1964 and the Omnibus Crime Control and Safe Street Act of 1968 for Division members to follow when providing services to, or interacting with, individuals who are LEP.

Division members shall inform LEP persons of available free interpretation or translation services and arrange for same when requested or when the Division member believes that the service will assist with gathering or providing accurate information.

The Division shall maintain flyers, brochures, posters, and the most commonly used forms (e.g. Domestic Violence Information Sheets) translated to the primary LEP language (Spanish) in Cuyahoga County advising LEP Spanish speakers of the public services and citizen's rights available to them. At each police building with direct public access, signs shall be posted in the primary LEP language (Spanish) at each public access point or lobby stating that interpreters are available free of charge to LEP individuals. Additional signage shall also include a list of the most commonly used world languages from which a LEP person can select their language of preference. The Commander of the Bureau of Community Policing shall be responsible for serving as the Division's LEP coordinator and shall be

responsible for tracking and analyzing the language needs of LEP populations served by the Cleveland Division of Police.

The Division shall take steps to ensure that forms, flyers, brochures, and posters be made available in languages other than Spanish as necessary to serve other minority communities specific to the location of a particular police building. District commanders and the Commander of the Bureau of Community Policing shall be responsible for identifying the language needs of the minority communities within their areas of responsibility and to take the necessary steps if those community members would have a substantive benefit if Division communications were in that language. Recommendations for translated written Division communications in additional languages shall be forwarded to the Commander of the Bureau of Community Policing for further action.

DEFINITIONS:

Primary Language is the language in which an individual is most effectively able to communicate.

Limited English Proficiency (LEP) person is an individual whose primary language is not English and who has only a limited ability to read, write, speak, or understand English. LEP designations are context-specific: an individual may possess sufficient English language skills to function in one setting, but may find these skills are insufficient in other situations. Additionally, LEP individuals may be competent in certain types of communication (e.g., speaking or understanding), but still be LEP for other purposes (e.g., reading or writing).

Interpretation is the act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.

Translation is the replacement of written text from one language (source language) into an equivalent written text of another language (target language).

Bilingual is the ability to communicate in two languages fluently.

PROCEDURES:

I. Members shall take appropriate steps to arrange free interpretation or translation services for persons with Limited English Proficiency.

II. Members shall not make assumptions about a person's primary language based upon country of origin, as the person may speak another language other than the primary language of that country.

III. When a call for service is received by the Communications Control Section (CCS) and it is determined that the caller is LEP, the call taker shall:

A. Inform the LEP caller that he or she will be immediately transferred to an on-duty interpreter if one is available.

B. Contact the Language Line if the caller's primary language is other than what is available in CCS.

C. Advise responding personnel of the primary language of the caller/victim/witness/suspect as appropriate.

D. The Dispatcher will make every effort to dispatch a bilingual officer to the assignment if one is available.

E. Note in CAD if the call involves a LEP

IV. The following resources are available to Division members:

A. A Language Line shall be accessible through CCS. Members needing Language Line assistance shall arrange for such service by contacting CCS.

B. A list of volunteer Division members with demonstrable foreign language skills shall be maintained and updated on an annual basis. This list may be accessed through the CCS or the Officer-in-Charge (OIC) of the Personnel Unit. Volunteer members shall receive no additional compensation beyond their contractual rate of pay.

C. CCS shall maintain Bilingual Dispatchers (dispatchers whose Spanish speaking ability has been certified through the Civil Service Commission).

D. Detectives shall access the Language Line as needed for interpretive services when conducting investigative interviews. This resource shall be utilized for the victim, suspect, and witness interviews.

E. The "I Speak" notebook (or similar resource) containing a sampling of foreign languages.

V. Members Requesting Interpretation Services:

A. Responding Police Personnel Responsibilities:

1. Officers in the field in need of interpretation services shall attempt to identify the LEP individual's primary language through the "I Speak" notebook (or similar resource) to identify the primary language of a LEP person. Upon identifying the language used by the LEP person, the officer shall contact CCS to access the appropriate language resource.

2. Exigent Circumstances: Police personnel are expected to follow the general procedures outlined in this directive; however exigent circumstances may require some deviations. In such situations, Division personnel are to use the most reliable, temporary interpreter available, such as other Division personnel who profess a proficiency in another language but who have not officially added their names to the list of available Division language assistance volunteers. In circumstances where officers have an immediate and exigent need to have someone act as an interpreter (e.g. to obtain descriptive information on a fleeing suspect, or identifying information of an injured person), officers may temporarily rely on the most neutral or least involved adult present to act as temporary interpreter until such time that a situation can be stabilized and a qualified interpreter can be introduced to verify the information received and obtained.

3. Non-exigent Circumstances: Division personnel may use family, friends or bystanders for interpreting in very informal, non-confrontational contexts, and only to obtain basic information at the request of the LEP person. However, officers shall be cognizant that using family, friends, or bystanders to interpret could result in a breach of confidentiality, a conflict of interest, or an inadequate interpretation. Barring exigent circumstances, police personnel should not use minor children to provide interpreter services.

4. When using a non-Division of Police employee as interpreter, especially if the language is of a very small minority community, members shall be sensitive to any interpreter biases they may perceive due to the familiarity of the interpreter with the LEP Person. If the officer believes that an interpreter is showing signs of bias against the

LEP person, the officer shall make arrangements to secure another interpreter.

5. Officers using an interpreter shall note the language and the name of the interpreter in their Duty Report or RMS report as appropriate. Officers shall fax to the Bureau of Community Policing any RMS reports that note the use of an interpreter.

VI. Interview and Interrogation

A. A failure to protect the rights of LEP individuals during interviews/interrogations risks the integrity of any investigation. Police personnel shall recognize that miscommunication during interrogations may have a substantial impact on the evidence presented in any related criminal prosecution. A professional interpreter shall be used for all custodial interrogations as the suspect's legal rights could be adversely impacted.

B. Miranda Warnings, and all other vital written materials, will be available to the suspect or witness in his or her primary language. In the case of a language into which forms have not been translated and in the case of illiteracy, forms will be read to the suspect or witness in his or her primary language using the contracted interpretation services.

VII. Translation services for documents related to an investigation shall be arranged through the Bureau of Communications and Property Control.

VIII. Division of Police members who identify a need to have certain Division forms, documents or communications available in a particular language shall submit a Form-1 though the chain of command to the Bureau of Community Policing.

IX. The Commander of the Bureau of Community Policing shall review language Line utilization data, CAD system data, and officer reports involving services to LEP individuals, and will consult with community-based organizations to ensure that the Division is providing meaningful access to its services to LEP individuals.

MM/LM/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
December 28, 2011		1 of 4	1.3.39

SUBJECT:	
SOCIAL MEDIA, SOCIAL NETWORKING, INTERNET USE, & OTHER MEDIUM	
ASSOCIATED MANUAL:	RELATED ORDERS: Manual of Rules and Regulations, 1.3.02, 3.4.03
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To establish guidelines for Division members' use of social media, social networking sites, internet use, and any other medium.

POLICY: Members of the Cleveland Division of Police shall adhere to all Division rules and regulations as they relate to personal conduct and communications that may diminish the esteem of the Division or its personnel in the eyes of the public. Members are prohibited from engaging in any action (involving social media or otherwise) that has the potential to negatively impact the law enforcement function of the Cleveland Division of Police or any other law enforcement agency or ancillary government function. This directive applies regardless of the medium involved or whether the conduct or communications occur on-duty or off-duty. In an internet based culture characterized by hyper-connectivity and worldwide access to information, members shall be particularly mindful of their activities or information that they cause to enter the networks of the World Wide Web.

DEFINITIONS:

Medium is any means of mass communication or information transfer including print, radio, television, or the internet.

Social Media is any variety of online sources that allow people to communicate and share information, photographs, videos, audio, text, and other multimedia files with others via some form of online (internet) or cellular network platform.

Social Networking is any act using social media to communicate with others.

Post is the act of electronically publishing content on an internet site. Blogging is the equivalent of posting.

PROCEDURES:

I. When not necessitated by a legitimate law enforcement activity or function, members who use social media or other internet-based function shall **not** post, transmit, or otherwise disseminate information that:

A. Contains any text, photograph, audio, video, or any other multimedia file of:

1. Any crime scene or motor vehicle accident (other than those original recordings involving a person in the member's household and made while off-duty not related to a law enforcement function).

2. Information related to any past or current civil or criminal investigation conducted by or involving the Division, including allegations of misconduct.

3. Division members, other law enforcement officers, officers of the court, suspects, victims, or witnesses. Exceptions are permitted only in the narrowest of circumstances (e.g. posted photographs or commentary of off-duty social/family activity not primarily related to law enforcement such as family functions, sporting/hobby activities, and so forth. Even in this instance, these postings shall still meet the minimum standard of not diminishing the esteem of the Division or its personnel in the eyes of the public.)

4. Any Cleveland Division of Police documents or work product.

B. Impairs working relationships within the Division for which loyalty and confidentiality are important, or impairs discipline or harmony among coworkers.

C. Impedes the performance of any Division member's duties.

D. Contains any confidential file or database (or portion thereof) maintained by the Division of which the member has restricted access to as a result of their employment with the Cleveland Division of Police.

E. Contains obscene or sexually explicit language, images, or acts.

F. Contains language, images, or acts of gratuitous and extreme violence.

G. Contains statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, religion, or protected class of individuals.

H. Would reasonably tend to diminish the esteem of the Division of Police or its personnel in the eyes of the public.

II. No member with access to a mass casualty incident site shall use a personal camera, cell phone, blackberry or any other personal communication device to store or transmit pictures, video, text, "twitter" or any other type of information of the incident without express permission from the Incident Commander.

III. Use of Division computers, including e-mail and internet access, shall comply with the City of Cleveland policy on employee use of e-mail and the internet. Even though the City permits the occasional personal use of all these communications tools, members shall be aware that they have NO expectation of personal privacy in the use of the internet and any e-mail systems when users utilize computers or services that the City provides.

Refer to City of Cleveland Policy on Employee Use of E-Mail and the Internet policy and General Police Order 1.3.02 Use of Division Computers. The City policy states in pertinent part: "As with the telephone, there may be occasion to use these facilities for personal purposes. Every employee is expected to minimize the use of the Net and e-mail for personal purposes. Personal use should not interfere with the performance of City-related work, consume significant resources, give rise to more than nominal additional costs, or interfere with the activities of other employees."

IV. Unless otherwise directed by the Chief of Police, <u>all</u> video/image and/or audio records that are recorded <u>on-duty</u> may be disseminated only to criminal justice agencies or used in official court proceedings. This shall also include all audio and video/image recording and/or transmitting devices that a member may have for personal use.

V. Supervisors shall ensure that incidental personal communications and activities while on duty do not negatively impact the functions of the Division or a member's ability to perform their duty.

VI. This policy shall not prohibit a member from posting or publishing content on the internet that already exists in the public realm to the extent that such postings do not diminish the esteem of the Division or its personnel in the eyes of the public.

VII. This policy is not intended to prohibit or inhibit a member's exercise of their constitutional rights as established and as interpreted by case law.

MM/LM/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
August 10, 2012		1 of 6	1.3.40

SUBJECT:	
PATROL RIFLE	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.3.11, 2.1.01
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To provide guidelines and establish requirements for the proper training, qualification, equipment, ammunition, deployment, storage, and maintenance of the Patrol Rifle.

Nothing in this order shall be construed to substitute for the utilization of the Division's SWAT Unit as outlined in General Police Order 3.2.09.

POLICY: Officers shall carry and use only that Patrol Rifle and ammunition that is authorized by the Division. Officers shall possess and carry the Patrol Rifle in a safe and professional manner. Officers who are assigned a Patrol Rifle are required to maintain a current high level of skill and proficiency in that firearm. Patrol Rifles are exempt from personal purchase upon separation from the Division.

DEFINITIONS:

Patrol Rifle: Divisionally owned AR-15 Gas-Operated Semi-Automatic, .223 / 5.56 NATO caliber carbine rifle.

Patrol Rifle Operator (PRO): A sworn member of the Division of Police who is qualified to operate a Patrol Rifle and has been issued a Patrol Rifle, ammunition, and ancillary equipment.

PROCEDURES:

I. Certification and Training

A. To become a PRO requires the successful completion of a Patrol Rifle Operators course which meets or exceeds OPOTA mandated training requirements, as outlined by the Ordnance Unit and approved by the Chief of

Police. Failure to attend the entire course or failure to obtain a qualifying score shall subject the member to removal from the Patrol Rifle Program.

B. Each PRO member will be required to attend and successfully complete a semi-annual PRO requalification course as outlined by the Ordnance Unit and approved by the Chief of Police. Failure to attend the entire course or failure to obtain a qualifying score shall subject the member to removal from the Patrol Rifle Program.

C. Patrol Rifle Operator (PRO) Responsibilities

1. Operate and handle the Patrol Rifle in a safe and appropriate manner.

2. Ensure the Patrol Rifle is properly maintained and functional at all times.

3. Respond to requests for deployment of a Patrol Rifle as they are relayed via the Communications Control Section (CCS).

4. Ensure that all ancillary equipment issued with the Patrol Rifle accompanies the Patrol Rifle every time that it is removed from storage for use.

5. Use only the ammunition authorized and issued by the Ordnance Unit.

6. Notify the Chief of Police through the chain-of-command via a Form-1 upon being detailed or transferred to a Unit or position not designated for the Patrol Rifle Program; and return the Patrol Rifle to the Ordnance Unit.

7. Advise any superior officer contemplating the inappropriate deployment of the Patrol Rifle of why the situation does not meet deployment circumstances.

D. Supervisor Responsibilities

1. Upon completion of roll call, provide to CCS a list of patrol section unit(s) that are PRO staffed and equipped.

2. Immediately respond to a deployment or request for the deployment of a Patrol Rifle.

3. Take command of the incident and determine if the incident is within the capabilities of the unit(s) at the scene.

4. Evaluate and ensure that the Patrol Rifle deployment is within the guidelines of policy and procedures.

5. Ensure that all Patrol Rifles are secured once the incident is resolved.

II. Deployment

A. Barring exigent circumstances, only PRO officers shall be authorized to handle, deploy, or discharge Division Patrol Rifles.

B. PRO officers and/or supervisor judgment shall determine the appropriate manner and scope of deployment.

C. PRO officers are authorized to deploy and use the Patrol Rifle in any circumstance where the officer can articulate a reasonable expectation that the Patrol Rifle may be needed. The deployment and discharge shall be in accordance with this policy, General Police Order 2.1.01 Use of Force, along with state and federal laws. Examples of some general guidelines for deploying the Patrol Rifle may include, but are not limited to:

1. When an officer is faced with a situation that may require the delivery of accurate and effective fire at long range.

2. Situations where an officer reasonably expects the need to meet or exceed a suspect's firepower.

3. When an officer reasonably believes that there may be a need to deliver fire on a barricaded suspect. Example: The suspect is in a fortified location or has a tactically superior advantage.

4. When the officer reasonably believes that a suspect may be wearing body armor.

5. When an officer responds to any active shooter call.

D. Officers shall not use Patrol Rifles as a primary entry weapon unless exigent circumstances exist or to dispatch wounded or dangerous animals.

E. PRO officers deploying the Patrol Rifle shall maintain control of the Patrol Rifle at all times.

F. PRO officers deploying the Patrol Rifle shall keep the muzzle pointed in a safe direction at all times when not on target.

G. PRO officers deploying the Patrol Rifle shall advise a supervisor of same via CCS as soon as practical. Upon deployment, if applicable and practical, the PRO shall advise CCS of the following:

1. Safest route for responding officers to approach the scene.

2. Location of the PRO and the location of the suspect.

3. Crossfire considerations.

H. PRO's shall properly store the Patrol Rifle at the conclusion of any deployment.

I. Division members needing the assistance of a PRO shall advise CCS of their location, the circumstances, and request that a PRO be dispatched to the scene.

J. CCS shall notify a supervisor and assign a PRO to the incident.

III. Storage

A. The Patrol Rifle shall be stored in the issued carrying case and secured at the District/Unit when not in use.

B. The Patrol Rifle shall be stored in a secure (locked) location where it is inaccessible to unauthorized personnel.

C. PRO officers are not permitted to take their issued Patrol Rifles home unless:

1. The PRO is attending authorized Division or OPOTC training the next day and picking up the Patrol Rifle from the District/Unit is not advantageous.

2. The PRO is attending a Division Open Shooting session the next day during hours not conducive to their tour-of-duty.

D. Patrol Ready Storage

1. Patrol Rifles carried in a vehicle shall be secured in a locking rack or locked trunk if the vehicle is not equipped with a locking rack.

   a. PRO officers shall obtain authorization from their immediate supervisor to store their Patrol Rifle in a trunk when using a vehicle without a locking rack.

   b. The Patrol Rifle shall remain in the carrying case when not secured in a locking rack or actively deployed.

2. When the Patrol Rifle is being carried in the field, it shall be in the "Patrol Ready" status until it is ready to be stored or used for deployment purposes. The Patrol Rifle is considered "Patrol Ready" when the PRO verifies that it meets the following conditions:

   a. Chamber is empty

   b. Bolt forward on an empty chamber

   c. Safety selector switch in the "Safe" position

   d. Dust cover closed

   e. A twenty (20) round magazine, downloaded to eighteen (18) rounds, seated in the magazine well.

E. Patrol Rifle Accountability Log

1. A Patrol Rifle Log in the form of a bound ledger with numbered pages shall be maintained at any District/Unit where PRO's are assigned.

2. The Patrol Rifle Log shall be maintained by the supervisor with control of the secured (locked) location where the Patrol Rifle is being stored.

3. Each time a Patrol Rifle is placed in or removed from the storage location an entry shall be made in the Patrol Rifle Log.

IV. Maintenance and Repair

A. PRO officers shall care for their issued Patrol Rifle and related equipment. Officers shall be accountable for damage to the Patrol Rifle sustained by rough handling, carelessness, and neglect; as well as purposefully or negligently allowing unauthorized persons to use, tamper with, or repair their Patrol Rifle or related equipment.

B. PRO officers shall return their issued Patrol Rifle or related equipment to the Ordnance Unit when repair or maintenance is necessary.

C. Alterations or repairs to the Patrol Rifle or related equipment shall be made only by authorized Ordnance Unit personnel. Alterations or repairs made to the Patrol Rifle by any unauthorized personnel may void any warranties and shall subject the PRO to disqualification from carrying the Patrol Rifle.

MM/kec
Ordnance Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE :	REVISED DATE:	NO. PAGES:	NUMBER:
March 1, 2002	August 8, 2014	1 of 15	2.1.01

SUBJECT:	
USE OF FORCE	
ASSOCIATED MANUAL:	RELATED ORDERS:
INSPECTION, INTERNAL AFFAIRS, EMPLOYEE ASSISTANCE UNITS	1.1.22, 2.1.02, 2.1.03, 2.1.04, 2.1.06, and 4.1.10
CHIEF OF POLICE:	
Calvin D. Williams, Chief	

Substantive changes are italicized

PURPOSE: To establish guidelines for members of the Cleveland Division of Police relative to the use of force. To provide direction and clarity in those instances when a person's actions require an appropriate use of force response.

POLICY: A respect for human life shall guide members in the use of force. Division members shall use only the force that is objectively reasonable to effectively bring an incident under control, while protecting the life of the member or others. **Excessive force is strictly prohibited**.

A member's responsibility is the protection of the public. Standards for the use of force are the same on-duty and off-duty. Members shall not use force that may injure bystanders or hostages, except to preserve life or prevent serious bodily injury. **Deadly force is never justified solely to protect property**. The use of force is not left to the unregulated discretion of the involved member. Use of force decisions are dictated by the actions of the resistant or combative person, *Division policy, proper tactics, and training*. Justification for the use of force is limited to the facts actually known or reasonably perceived by the member at the moment that force is used. Deadly force shall not be used to effect an arrest or prevent the escape of a person unless that person presents an imminent threat of death or serious bodily injury to members or others.

DEFINITIONS:

Force means the following actions by a member: any physical strike or instrumental contact with a person, or any significant physical contact that restricts movement of a person. The term includes, but is not limited to, the use of firearms, conducted electrical weapon (CEW - e.g. Taser), *ASP*, chemical spray, or hard empty hands, the taking of a person to the ground, or the deployment of a canine. The term does not include escorting or handcuffing a person, with no or minimal resistance.

RESCINDED EFF. 01/01/18
SEE NEW GPOs 2.01.01-2.01.04

Deadly Force is any action likely to cause death or serious physical injury. It may involve firearms, but also includes any force or instrument of force (e.g. vehicle, edged weapon) capable of causing death or serious injury. Deadly force includes firing at or in the direction of a person, head strikes with any hard object, *and any action that restricts the blood or oxygen flow through the neck*.

Less Lethal Force is any use of force other than that which is considered deadly force. Less Lethal force includes any affirmative physical action taken by a member to control a person. In addition to the less lethal force associated with the use of pepper spray, Taser (CEW) and the ASP baton, less lethal force **includes** the following:

1. Use of a member's body part(s) to strike a person;
2. Use of Division-issued intermediate weapons (See Section IV) deployed on approved body target areas (e.g. large muscle groups, not to include head strikes);
3. Use of joint manipulation and/or pressure point techniques;
4. Striking a person with an object (other than a firearm) that may be used as a weapon (i.e. portable radio or flashlight) on approved body target areas;
5. Wrestling with a person;
6. Actively holding/pinning a person against the ground or other fixed object;
7. Any deliberate force which causes injury to a person or causes a person to fall or collide with an object;
8. Use of a police canine that results in a dog bite; Purposeful physical contact by a police horse that results in injury;
9. Any other less lethal physical action required to control a resistant, combative, or violent person.

Objectively Reasonable Force is that level of force that is appropriate when analyzed from the perspective of a reasonable officer possessing the same information and faced with the same circumstances as the officer who actually used force. Objective reasonableness is not analyzed with hindsight, but will take into account, where appropriate, the fact that officers must make rapid decisions regarding the amount of force to use in tense, uncertain, and rapidly evolving situations. This policy guideline applies to all uses of force, not only the use of deadly force. Reference U.S. Supreme Court case Graham v. Conner (1989).

RESCINDED EFF. 01/01/18
SEE NEW GPOS 2.01.01-2.01.04

Intermediate Weapons are authorized instruments or devices approved and issued by the Division. These instruments or devices include, but are not limited to, the following: OC pepper-spray, the ASP baton, the Taser, and the Beanbag Shotgun.

Deadly Active (Category 1): A Deadly Active person is one who is presenting a deadly threat with a firearm, edged weapon, deadly ordnance, Taser/Conducted Electrical Weapon (reference GPO 2.1.06 Taser – Conducted Electrical Weapon), or any other instrument or substance capable of causing death or serious physical injury. Also included is an attempt to disarm the member, incapacitate the member or a life-threatening weaponless assault. The member objectively and reasonably perceives an imminent threat of death or serious physical injury to self or innocent others.

Actively Resistant/Self-Destructive Behavior (Category 2): An Actively Resistant person is one who takes an offensive or a physically resistant action. These actions can take the form of the person standing at the ready and menacing with an object, device, or material capable of inflicting serious injury; the person using bodily force such as punching, striking, scratching, grabbing/holding; the person using active physical resistance to custody or presenting an imminent biohazard threat such as spitting or throwing a biohazard at the member or attempt of same. Also in this category: evading custody (escape), destroying evidence, or attempting to harm self (ingesting narcotics, suicide attempt), making explicit verbal threats to cause injury to the member or others present and which the member reasonably believes the person will carry out that threat. The member objectively and reasonably perceives an actual or imminent threat to self, others or evidence. In the interest of officer safety, members shall be particularly vigilant of persons presenting physical cues of an imminent attack (yawning with outstretched arms, glancing around assessing the environment, staring at the officer's duty belt, balling fists, shifting their body into a fighting stance …).

Passively Resistant (Category 3): A Passively Resistant person is one who fails to follow voice commands. A Passively Resistant person may be verbally abusive using non-threatening language. A Passively Resistant person is also any person who resists arrest simply by passively refusing to comply as directed (dead weight). The police member does not objectively and reasonably perceive an imminent physical threat.

PROCEDURES:

I. Members who are present at the scene of a police-involved use of force are not relieved of the obligation to ensure that the use of force complies with the requirements of the law; and, in the instance of a Cleveland police officer, adherence to Divisional rules, policy, and training. Members of the Division of Police have a duty to act if the use of force against a person by any law enforcement officer clearly becomes excessive or objectively unreasonable.

RESCINDED EFF. 01/01/18
SEE NEW GPOs 2.01.01-2.01.04

A. Members shall factor into their response their ability to deescalate the use of force. The witnessing member's response may range from physical intervention, to voice commands, to appropriate after-action notification. If reasonably able to do so, the member shall intervene physically to deescalate the application of force. The member shall also:

1. If reasonably able to do so, take *protective* custody of the person *being subjected to* the objectively unreasonable force.

2. Ensure that medical care is provided as needed.

3. In all cases, report witnessed suspected excessive use of force to the next non-involved supervisor in their chain of command before reporting off duty, and documenting same in their daily duty report and a Form-1 to the next non-involved supervisor in their chain of command.

B. Supervisors shall investigate all reports of alleged excessive force brought to their attention and take action as appropriate. Supervisors shall in all such instances promptly make their superior aware of the allegation and proposed action. The supervisor investigating the allegation of excessive force shall contact the *Commander of the Bureau of Integrity Control* and advise same of the allegation. At this point, the *Commander of the Bureau of Integrity Control* may at his/her discretion take over the investigation of the allegation.

II. Officers shall be trained and tested yearly on the law and Division policy regarding the use of force, appropriate methods to effect arrests, and the apprehension of fleeing persons. The Division mandates strict knowledge and compliance with this order. Immediate supervisors are responsible for clarifying misunderstandings associated with this order.

III. Force Level

A. Members shall first attempt verbal persuasion tactics and warnings to gain *the person's* cooperation. If verbal persuasion and warnings do not gain compliance, *members* shall obtain assistance to gain the *person*'s cooperation through a show of force. If a show of force does not gain compliance, the *member* shall use physical holds.

B. Members shall determine the level of force necessary to protect themselves or others, or gain compliance from combative, resistant, or violent persons. Members shall consider alternative tactics to the use of force, which include, but are not limited to:

RESCINDED EFF. 01/01/18
SEE NEW GPOs 2.01.01-2.01.04

1. Concealment and/or cover.

2. Voice commands and other verbal attempts to deescalate the situation.

3. *Use of a Crisis Intervention Team (CIT) officer, if available.*

4. Show of force (i.e. multiple officers, display of weapons).

5. *Judiciously allow time and/or opportunity for a person to regain self-control or cease struggling/resisting, when their actions do not immediately threaten the safety of themselves or others.*

C. Action-Response

1. Members are prepared with knowledge of laws, proper training in use of force decision-making, proper training and accountability to high ethical standards, and an understanding of Division directives. The member's response shall be judged strictly on what objectively reasonable is based on the totality of circumstances and all facts known or reasonably perceived by the member at the moment that a force response is employed.

2. Members shall be guided by the person's actions as they fall into three general categories: **Deadly Active (Category 1)**, **Actively Resistant/Self-Destructive Behavior (Category 2)**, and **Passively Resistant (Category 3)**. Members shall refer to their training and the Use of Force *policy (GPOs and attachments)* for guidance in tailoring the appropriate response as prompted by the person's actions.

D. Members shall consider the following member/person factors when choosing an Action-Response:

1. Age

2. Gender

3. Body size

4. Skill level

5. Number of persons and number of members

6. Relative strength of the person and member

7. Known or apparent medical condition

RESCINDED EFF. 01/01/18
SEE NEW GPOS 2.01.01-2.01.04

8. Known or apparent drug/alcohol usage

E. Special circumstances unique to each situation involving use of force:

1. Weapon proximity
2. Injury or exhaustion
3. Position (e.g., being on the ground)
4. Distance from the person
5. Special knowledge or training
6. Availability of other options
7. Environmental conditions
8. The person presents threat of a bio-hazard (saliva, blood, other body fluids) by way of spitting or throwing the bio-hazard at a member.
9. Degree to which the person is already restrained (handcuffed, physically controlled by others, or whose mobility has been otherwise severely compromised).

IV. Intermediate Weapons

A. Members who successfully complete mandated training and meet the Division's proficiency standards are issued and required to carry intermediate weapons on duty and while engaged in secondary employment. Members who are Taser, ASP, and OC Spray qualified shall carry the Taser and at least one other intermediate weapon as so qualified. If not Taser qualified, members *shall* carry both the ASP and OC Spray as so qualified.

B. Members shall carry and use only those intermediate weapon holsters/carriers furnished by the Division or specifically authorized by the Chief of Police.

C. *Intermediate weapons <u>shall</u> <u>not</u> be used on passively resistant persons*.

D. Members may draw, display, point or threaten to use intermediate weapons if they fear for their safety or the safety of others, or to gain compliance from a resistant, combative, or violent person.

E. Batons/Hard Objects Used as a Weapon.

RESCINDED EFF. 01/01/18
SEE NEW GPOs 2.01.01-2.01.04

1. The Division authorizes a member to use an *ASP* baton while on duty or working secondary employment. Absent exigent circumstances, the Division prohibits the use of non-traditional weapons/hard objects to gain compliance from resistant, combative, or violent person(s).

2. The "Riot Baton" is authorized only during field force deployment.

3. When a member uses the ASP baton, Riot Baton, or any hard object/non-traditional weapon, medical personnel shall examine the person (i.e. EMS, Emergency Room).

4. Photographs of the area struck by an ASP baton, Riot Baton, or any hard object/non-traditional weapon shall be taken and be made part of the investigative packet.

F. Oleoresin Capsicum "OC" Spray

1. If feasible, members shall provide a loud verbal warning before OC spray is used.

2. Members shall not use OC spray on women known or believed to be pregnant.

3. *Members shall not use OC spray on persons with a known respiratory condition unless it is an extreme and articulable situation*.

4. If OC spray is used on a juvenile, elderly, pregnant, physically disabled person, or a suspected mentally ill person, they shall be transported to the nearest hospital for treatment.

5. Members shall assist bystanders who come into contact with OC discharges. If an injury occurs or medical attention is required, the member shall complete an Injury to Person/Accidental/OC Spray Record Management System (RMS) report and ensure that a copy of it is forwarded through the chain of command to the Inspection Unit.

6. If a person does not comply after two one-second bursts of OC that successfully reach the target, members shall discontinue use.

7. When control is established at the scene, the member shall make a reasonable effort to relieve the person's OC discomfort. Members shall wash OC from the person's eyes as soon as possible at the scene, the booking location, or a hospital.

RESCINDED EFF. 01/01/18
SEE NEW GPOs 2.01.01-2.01.04

8. Immediately transport persons for emergency medical care if:

   a. Symptoms, other than mild, last beyond 45 minutes.

   b. The person has difficulty breathing or loses consciousness.

   c. The member believes that the person needs medical attention, regardless if the person requests it or not.

   d. The member becomes aware of a medical condition (bronchitis, heart ailment, emphysema, etc.) that OC spray may aggravate.

9. Members shall carefully handle a person's clothing that has come in contact with OC spray to avoid OC contact themselves.

10. The use of OC on a person attempting to swallow evidence or contraband is permitted when all the following criteria have been met:

    a. There is a clear indication that the object or substance in the person's mouth is contraband.

    b. There are exigent circumstances such as the imminent destruction of evidence or medical emergency.

    c. The person has refused to comply with the member's verbal command to spit out any contraband.

    d. OC use is not prohibited by another section of this order.

G. *Taser*

1. *Taser use shall comply with General Police Order 2.1.06 Taser*.

2. *When the Taser is used a Taser download shall be completed by a supervisor or a Bureau of Integrity Control investigator*.

V. *Use of Less Lethal Force (ULLF)*

A. When force is used, whether or not an injury occurs (whether on-duty, off-duty, or secondary employment) members shall promptly request a supervisor to respond to the scene. Members shall obtain necessary medical assistance for persons appearing to be injured or complaining of injury. An on-duty superior officer from the district in which the incident occurs shall investigate off-duty/secondary employment members' use of force. Supervisors who

RESCINDED EFF. 01/01/18
SEE NEW GPOs 2.01.01-2.01.04

observe, participate in, authorize, or are otherwise involved in the use of force shall not assume investigative responsibilities of the incident.

B. In cases where members assigned to multi-agency units or task forces are involved in a *ULLF* incident, the supervisor who is next in the chain of command that did **not** observe, participate in, authorize, or otherwise was involved shall assume investigative responsibilities of the *ULLF*.

C. When less lethal force is used, members shall complete a RMS report with "Police Intervention" in the title. One such titled report is sufficient to cover all members involved in a single incident of ULLF as long as that report contains all the information in the narrative section that accounts for each member's ULLF actions.

1. The member completing the RMS report shall include the notation "Use of Less Lethal Force report completed" in that narrative.

2. The member completing the RMS report shall identify within it all members who used force during the incident *and identifiable witnesses; including civilians, members of other agencies, and members of the Division.*

D. The member completing the RMS report shall complete the ULLF report (Attachment A) and the additional members involved (Attachment B) as necessary. *One ULLF report (4 pages) shall be completed for each person force was used against.* The reporting member shall ensure that all the involved members' actions are noted on the ULLF report.

1. Failed attempts at force, such as the missed thrust of a punch, the missed swing of an ASP, or a failed takedown attempt, also need to be documented in the ULLF report as they are indicative of the officer's intentions. Officers shall ensure that these failed attempts at force are clearly described in the narrative of the RMS report.

2. When completing the Action Response section (page 2) of the ULLF report, members shall check <u>all</u> boxes in <u>all</u> categories indicating <u>all</u> person and member actions as appropriate. It is possible that a use of force event may require that multiple boxes be checked in all three categories for both the person and the member.

3. Before reporting off duty, the member completing the RMS report shall:

RESCINDED EFF. 01/01/18
SEE NEW GPOs 2.01.01-2.01.04

a. Submit the original RMS and ULLF reports to the investigating supervisor. The supervisor shall sign the reports after having checked them for accuracy and completeness.

b. Fax the supervisor-signed Police Intervention RMS and ULLF reports *(all 4 pages)* to the Record Intake/Review Unit and to the Inspection Unit.

c. Forward the original supervisor-signed RMS report *and a copy of the ULLF report* to the district/bureau Commander's Office for later forwarding to Record Intake/Review Unit.

4. The member shall return a copy of the RMS report and the original ULLF report and other documents to the investigating supervisor for the completion of the investigation and additional endorsements in the chain of command and for final forwarding to the Chief's Office.

E. Supervisors notified of the ULLF shall immediately respond to the scene and conduct an objective, impartial, complete investigation to include a review of all known relevant video and audio evidence.

1. Supervisors shall ensure that medical care has been provided for as needed. If EMS is not conveying the prisoner, the supervisor shall judiciously consider if it is appropriate to have members who were involved in that use of force to also handle the transport of that prisoner to a medical facility. Given the totality of the circumstances of the use of force and available staffing, the supervisor may assign the prisoner transport to other non-involved members.

2. *The supervisor handling the ULLF investigation shall require all members that were on scene just prior to, during, or immediately after the ULLF to complete a Form-1 that details any actions of the member and what the member observed and heard. When determining if a member should complete a Form-1, the supervisor shall take into account that it is better to complete a Form-1 than not.*

3. The supervisor handling the initial ULLF investigation shall prepare an investigative packet. *One packet shall be created for each person that force was used against. Each packet shall include:*

a. *A supervisor's investigative Form-1. When there are multiple persons involved in a single incident, one supervisor's*

RESCINDED EFF. 01/01/18
SEE NEW GPOs 2.01.01-2.01.04

investigative Form-1 shall be completed and a copy included with each investigative packet. The Form-1 shall include:

1. A Synopsis of the incident and an evaluation of the ULLF *addressing* whether or not the force was appropriate and in compliance with Division rules and procedures.

2. *The use of proper names instead of pronouns (e.g. he, she, they) or RMS report type references (e.g. offender, suspect, victim).*

3. *Interviews of the person and all available witnesses.*

4. *No blanket statements such as "all officers/witnesses agree." Instead, supervisors shall reference individual statements from the RMS report, ULLF report, or interviews and attribute them to the source.*

b. Copies of associated RMS and accident reports.

c. The member's original ULLF report *(4 pages)* containing the supervisor's appropriate endorsements/comments and other completed sections.

d. *Form-1s from all members that were on scene just prior to, during, and immediately after the ULLF*.

e. Photographs *of the person and* any injuries to members or witnesses; as well as photos of areas on the person's body where an officer applied force, <u>regardless if there is visible injury or not</u>. The head and face area shall be included even though these areas will be photographed during booking.

f. Copies of any records of medical treatment.

g. *Hard copies of Taser download data labeled with the involved officer's name and badge number*.

h. Copy of any photographic or video evidence available. A non-exhaustive list of sources of such evidence include the Bureau of Homeland Services (Jail and Division of Police buildings), the Aviation Unit, in-car mobile video recording (MVR) video, video or still photographs from an officer's personal electronic

RESCINDED EFF. 01/01/18
SEE NEW GPOs 2.01.01-2.01.04

device, and private source video such as security system recordings utilized by businesses and residences. *The supervisor's Form-1 should note the location (e.g. time, counter, or frame) of the pertinent ULLF action.*

i. If the ULLF is the result of a secondary employment action, determine if the member had approval to work said secondary employment. The investigating supervisor shall contact the Personnel Unit to determine the member's secondary employment status, or if unable to do so during normal business hours, request that the day shift administrative supervisor handle this task. This task may be handled via e-mail.

j. *For tracking purposes, the person's name and the RMS number shall be on* ***<u>all</u>*** *documents, photos, and/or videos in the packet.*

4. The investigating supervisor shall within 7 calendar days of the incident forward the packet through their chain of command. Supervisors in the chain of command shall each have 7 calendar days to review and assess the force used to determine if it is in compliance with Division rules and procedures. If an investigative review cannot be completed within the 7 day period, the investigative supervisor shall complete a Form-1 stating the reason for the delay and request an additional 7 days, and forward same through the chain of command. Each subsequent delay requires a new Form-1.

F. The commander's office shall ensure that the investigative packet is complete and accurate, placed in an envelope marked Use of Less Lethal Force (separate from the daily inter-office mail), and forwarded through the chain of the command to the Deputy Chief in that investigating supervisor's chain of command.

G. After review and endorsement, the Deputy Chief shall forward the investigative packet (with their recommendation) to the Chief of Police.

H. *ULLF investigation packets <u>shall</u> <u>not</u> be separated during the review and endorsement process. If a portion of the packet needs correction or clarification the entire investigative packet shall be returned.*

I. The Inspection Unit shall collect all ULLF reports that are faxed to them and *enter them* into a database for tracking purposes and statistical analysis.

RESCINDED EFF. 01/01/18
SEE NEW GPOS 2.01.01-2.01.04

J. *Officers involved in an off-duty police action involving a ULLF outside the City of Cleveland shall:*

1. *When safely able to do so, immediately notify Communications Control Section (CCS) of the incident and when the member is scheduled or expected to return to duty. CCS shall notify the member's commander.*

2. *Upon return to duty, the member shall:*

   a. *Notify their immediate supervisor of the incident.*

   b. *Complete an RMS report titled: "Police Intervention / Outside Cleveland." The "INCIDENT" box shall be checked.* ***Do not*** *check the "OFFENSE" box and* ***do not*** *list any of the offenses or code numbers. The RMS report shall contain the following information about the incident: date, time, location, and jurisdiction. No details of the incident are to be included in the RMS report. The RMS report and number are for* ***tracking and documentation only****.*

   c. *Complete a ULLF report (Attachment A) as described in this order.*

   d. *Complete a Form-1 describing the incident in detail similar to a ULLF RMS report for an incident occurring inside Cleveland.*

   e. *Obtain a copy of the incident report from the reporting agency.*

3. *Provide all the materials described here to their immediate supervisor to complete a ULLF investigation as described in this order.*

VI. Use of Deadly Force/Firearms

A. Officers who meet the Division's requirements and demonstrate proper proficiency shall be allowed to carry firearms.

B. Officers shall carry and use only those weapons, holsters, and ammunition furnished by the City of Cleveland or authorized by the Chief of Police.

C. Officers may draw, display, or point a weapon if they fear for their own safety or the safety of others.

RESCINDED EFF. 01/01/18
SEE NEW GPOs 2.01.01-2.01.04

D. *Officers **shall not** discharge any firearm at or from a moving vehicle unless deadly force is being used against the police officer or another person present by means **other than the moving vehicle**.*

E. Officers shall not fire warning shots.

VII. Investigation of Deadly Force

A. Officers shall:

1. Immediately notify their superior.

2. Obtain necessary medical assistance for persons who appear to be injured or complain of injury.

3. Always maintain their firearm immediately ready for use (fully loaded and functional), especially while still engaged in an evolving, unresolved, or threatening situation.

4. Be reminded that their firearm is evidence after a use of deadly force incident, and therefore shall not unnecessarily manipulate, handle or clean their firearm prior to turning over custody of same to the UDFIT OIC or UDFIT OIC's designee. This directive shall never prevent an officer from clearing a malfunction or reloading while still engaged in an evolving, unresolved, or threatening situation. For safety reasons, officers shall make the UDFIT OIC or designee aware of their firearm's condition if it is in any condition other than fully functional.

5. Be immediately removed from street duty, and assigned temporarily to non-sensitive work, if they cause death or injury.

6. Complete a post-traumatic stress incident debriefing program if they cause death or injury, and not return to street duty until so ordered by the Chief of Police.

B. Sector Supervisors shall:

1. Immediately respond to the scene and take control.

2. Advise the CCS to notify UDFIT immediately upon learning there has been a use of deadly force incident by a police officer or <u>any</u> use of force by a Cleveland police officer resulting in serious injury to another person or the officer. The supervisor shall direct the CCS to first notify UDFIT before any other notifications are made (i.e. Labor

RESCINDED EFF. 01/01/18
SEE NEW GPOs 2.01.01-2.01.04

Unions of involved members, Employee Assistance Unit, and Office of Professional Standards). These units perform a support function to UDFIT.

3. Ensure that medical care has been provided for as needed.

4. Ensure that witnesses have been identified and separated.

5. Ensure that involved officers have been identified and separated. Due care shall be taken that each separated officer is NOT isolated and is in the company of a non-involved person at all times.

6. Take a firearm into custody when the officer involved has suffered an injury or other trauma/incapacitation up until such time that it can be transferred to the custody of UDFIT.

7. Ensure that the crime scene is secure and that an officer is assigned responsibility for maintaining the crime scene and the Crime Scene Entry Log.

8. Confer with the OIC of UDFIT and ensure that all related RMS reports are generated as required.

C. A Crime Scene and Records Unit detective shall identify, photograph, collect, log, and secure all evidence at a Use of Deadly Force scene.

D. Immediately following the initial on-scene investigation, the involved officer(s) shall appear at the Homicide Unit. UDFIT may direct the involved officer(s) to transfer to the Homicide Unit custody of their body armor, uniform, leather gear, equipment, or other items as needed.

E. Uses of Less Lethal Force that are immediately related to or occur concurrently with a Use of Deadly Force shall be handled by UDFIT. This is applicable in incidents when an officer employed both less lethal and deadly force, as well as to officers who employed only less lethal force during the same deadly force incident.

RESCINDED EFF. 01/01/18
SEE NEW GPOs 2.01.01-2.01.04

CDW/jeh
Policy & Procedures Unit
Attachments (ULLF - Forms A & B)

RESCINDED EFF. 01/01/18
SEE NEW GPOs 2.01.01-2.01.04

CLEVELAND DIVISION OF POLICE

USE OF LESS LETHAL FORCE REPORT

Date: _____ **Time:** _____ **RMS Report #** _____

☐ Radio Broadcast ☐ Citizen Complaint ☐ Off-Duty

☐ On-View ☐ Secondary Employment ☐ Other _____

District _____ Zone _____

Address/Area of Occurrence _____

PERSON INFORMATION **Total Persons involved in ULLF incident** _____

Name: _____ **Address:** _____ **DOB:** _____
Last Name, First Name

Gender: ☐ Male ☐ Female **Height** _____ **Weight** _____ **Race**_____

Build: ☐ Muscular ☐ Thin ☐ Average ☐ Heavy ☐ Obese

Drugs Involved: ☐Yes ☐ No **Alcohol Involved:** ☐Yes ☐ No

Mental Illness Suspected/Reported: ☐Yes ☐ No

OFFICER #1 INFORMATION (Cleveland Division of Police officer only) **Total Officers involved in ULLF incident** _____

Name: _____ Badge _____ RMS ID# _____ Assignment _____

Gender: ☐ Male ☐ Female Height _____ Weight _____ Age _____

Force used (check all that apply):

☐ Body Force ☐ Asp ☐ OC Spray ☐ Baton ☐ Firearm ☐ Taser ☐ Beanbag Shotgun

☐ Other _____

OFFICER #2 INFORMATION (Cleveland Division of Police officer only)

Name: _____ Badge _____ RMS ID# _____ Assignment _____

Gender: ☐ Male ☐ Female Height _____ Weight _____ Age _____

Force used (check all that apply):

☐ Body Force ☐ Asp ☐ OC Spray ☐ Baton ☐ Firearm ☐ Taser ☐ Beanbag Shotgun

☐ Other _____

WHAT PRECIPITATED ASSIGNMENT:

☐ Alcohol ☐ Drugs ☐ Domestic ☐ Disorderly Conduct ☐ Flight/Escape

☐ Traffic ☐ Fight ☐ Crowd Control ☐ Mental ☐ Suicidal ☐ Assault on Officer

☐ Other _____

RESCINDED EFF. 01/01/18
SEE NEW GPOs 2.01.01-2.01.04

RMS REPORT#_____

ACTION RESPONSE

Actions and Responses need not be confined to any single category of Suspect Actions or Member Responses.
*(Check **All** boxes that apply in all Levels as applicable)*

This is a **GENERAL GUIDE** only. It is not meant to restrict or force an officer's action response. Justification for a member's action response shall be judged substantively on the criteria established in GPO 2.1.01.

Category 1	SUSPECT ACTIONS Deadly Active	Category 1	MEMBER RESPONSES
☐Weapon (firearm) used/threatened against member ☐Weapon (edged) used/threatened against member ☐Weapon (blunt force instrument) _____ ☐Weapon (Taser/CEW)_____ ☐Weapon (other)_____ ☐Attempting to disarm member ☐Choking/Strangling/Asphyxiation ☐Incendiary/Chemical/Dangerous Ordnance Threat ☐Life threatening physical assault ☐Other_____		☐Firearm/Shotgun ☐Other Deadly Force_____ ☐Beanbag Shotgun ☐Head Strike with Firearm/ASP/Other Object	

Category 2	SUSPECT ACTIONS Actively Resistant/ Self-destructive Behavior	Category 2	MEMBER RESPONSES
☐Suicide Attempt/Threat ☐Harming Self (i.e. ingesting narcotics) ☐Striking (empty hand) ☐Punching ☐Biting ☐Kicking ☐Grabbing/Holding ☐Scratching ☐Wrestling/Pushing Member ☐Threatening officer with a Bio-Hazard (saliva, blood…) ☐Pulling Away From Member ☐Escape Attempt ☐Attempting to Harm Another Person ☐Active Resistance to being taken into Custody ☐Verbal or Physical Danger Cues of Imminent Attack ☐Destroying evidence ☐Other_____		☐Tear Gas ☐OC Pepper Spray ☐Taser(CEW) ☐Baton / ASP techniques ☐Tackling / Take Down ☐Striking Muscle Groups or Muscle Masses ☐Beanbag Shotgun* ☐Striking ☐Punching ☐Kicking ☐Other_____ * permitted to prevent suicide attempt	

Category 3	SUSPECT ACTIONS Passively Resistant	Category 3	MEMBER RESPONSES
☐Verbal Abuse (non-threatening language) ☐Not Responding To Commands ☐Passive Resistance to being taken into Custody ☐Refusing to Move (Dead Weight) ☐Other_____		☐Verbal/Physical (gesture) Commands ☐Joint Manipulations ☐Pressure Point Control ☐Standing Take Downs ☐Balance Displacement ☐Escort Position ☐Other_____	

SUPERVISOR ASSIGNED _____ CAR _____

RMS TITLE: _____

RESCINDED EFF. 01/01/18
SEE NEW GPOS 2.1.01-2.01.04

RMS REPORT#_____

CLEVELAND DIVISION OF POLICE

USE OF LESS LETHAL FORCE REPORT

OC SPRAY *(Use on juvenile, elderly, pregnant or disabled requires hospital treatment)*

☐ Fog ☐ Stream Number of Sprays _____ Distance _____

Person Decontaminated? ☐Yes ☐No How? _____

Medical Treatment ☐Yes ☐No ☐ EMS ☐ E.R. Hospital: _____

Did OC Assist w Arrest? ☐Yes ☐No How?

TASER *(Use on juvenile, elderly, pregnant or disabled requires hospital treatment) (EMS required after use)*

☐Attempted (missed/no contact) ☐Cartridge # Cycles __ Distance ___ ☐Drive Stun # Cycles ___

Was Taser effective in assisting with arrest? ☐Yes ☐No

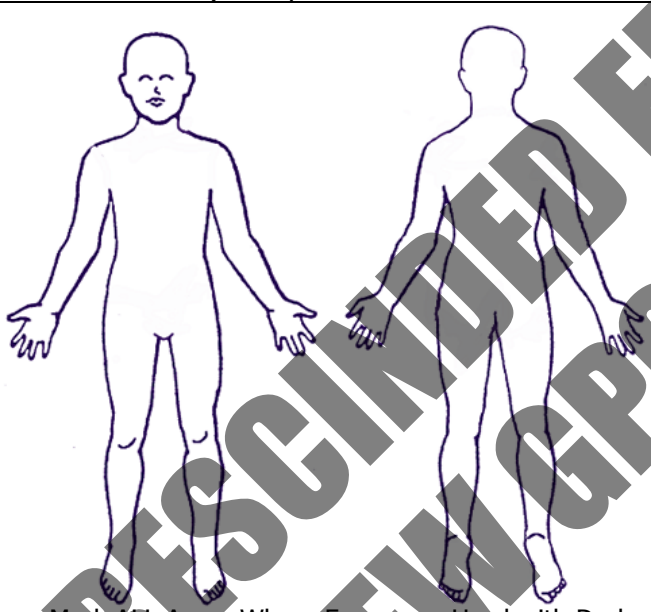
Medical Treatment ☐Yes ☐No ☐EMS ☐E.R. Hospital: _____

ASP BATON/RIOT BATON/HARD OBJECT *(Use requires photographs of impact area)*

Head Strike? ☐Yes ☐No (Head strike considered deadly force) UDFIT Notified ☐Yes ☐No

Photos Taken ☐Yes ☐No Medical Treatment ☐Yes ☐No ☐EMS ☐ E.R. Hospital:_____

IMPACT AREA *(All impacts must be accounted for in RMS Report Narrative and Supervisor Investigation)*



Mark ALL Areas Where Force was Used with Dark Pen Using the Corresponding Letter

☐ Taser - all darts missed person

☐ Beanbag shotgun - beanbag missed person

A Asp / Hard Object Strike

B Hand/ Body Strike or Force

D Drive Stun

T Taser Hit

O Other

BB Bean bag

Suspect injury from Use of Force?

☐ Yes ☐ No ☐ T&R ☐ CONFINED

Suspect injury from other causes?

☐ Yes ☐ No ☐ T&R ☐ CONFINED

HOSPITAL _____

PHYSICIAN _____

EMS/FIRE RESCUE UNIT # _____

RMS NUMBER _____- _____

Officer Injury?

☐ Yes ☐ No ☐ T&R ☐ CONFINED

NAME/BADGE_____

HOSPITAL _____

PHYSICIAN _____

EMS/FIRE RESCUE UNIT # _____

RMS NUMBER _____- _____

OFFICER'S Signature: _____ **Badge#** _____

☐Faxed to Record Intake/Review Unit ☐Faxed to Inspection Unit

Revised August 2014

RESCINDED EFF. 01/01/18
SEE NEW GPOs 2.01.01-2.01.04

RMS REPORT#_____

ENDORSEMENTS/COMMENTS

_____

Platoon/Unit Supervisor Signature/Badge _____ **Date** _____

Highest Level of Force Used in the incident: ☐ Category 1 ☐ Category 2 ☐ Category 3

PHOTOS ☐Yes ☐ No Describe: _____

VIDEO ☐Yes ☐ No Describe: _____

_____

Other Supervisor Signature/Badge _____ **Date** _____

_____

Other Supervisor Signature/Badge _____ **Date** _____

_____

Commander's Signature _____ **Date** _____

_____

Deputy Chief's Signature _____ **Date** _____

Officer Injury Package required and completed: ☐Yes ☐ No

Attachments:

☐Supervisor Form-1(s) ☐RMS Report(s) ☐Photographs

☐Medical Records ☐ Taser Data ☐ Audio/Video

Entered By SDCO: _____

RESCINDED EFF. 01/01/18
SEE NEW GPOS 2.01.01-2.01.04

CLEVELAND DIVISION OF POLICE

USE OF LESS LETHAL FORCE REPORT

GPO 2.1.01 Attachment B

PERSON INFORMATION **RMS Report #** _____

Name: _____ **Address:** _____ **DOB:** _____
Last Name, First Name

OFFICER #3 INFORMATION (Cleveland Division of Police officer only)

Name: _____ Badge _____ RMS ID# _____ Assignment _____

Gender: ☐ Male ☐ Female Height _____ Weight _____ Age _____

Force used (check all that apply):

☐ Body Force ☐ Asp ☐ OC Spray ☐ Baton ☐ Firearm ☐ Taser ☐ Beanbag Shotgun

☐ Other _____

OFFICER #4 INFORMATION (Cleveland Division of Police officer only)

Name: _____ Badge _____ RMS ID# _____ Assignment _____

Gender: ☐ Male ☐ Female Height _____ Weight _____ Age _____

Force used (check all that apply):

☐ Body Force ☐ Asp ☐ OC Spray ☐ Baton ☐ Firearm ☐ Taser ☐ Beanbag Shotgun

☐ Other _____

OFFICER #5 INFORMATION (Cleveland Division of Police officer only)

Name: _____ Badge _____ RMS ID# _____ Assignment _____

Gender: ☐ Male ☐ Female Height _____ Weight _____ Age _____

Force used (check all that apply):

☐ Body Force ☐ Asp ☐ OC Spray ☐ Baton ☐ Firearm ☐ Taser ☐ Beanbag Shotgun

☐ Other _____

OFFICER #6 INFORMATION (Cleveland Division of Police officer only)

Name: _____ Badge _____ RMS ID# _____ Assignment _____

Gender: ☐ Male ☐ Female Height _____ Weight _____ Age _____

Force used (check all that apply):

☐ Body Force ☐ Asp ☐ OC Spray ☐ Baton ☐ Firearm ☐ Taser ☐ Beanbag Shotgun

☐ Other _____

OFFICER #7 INFORMATION (Cleveland Division of Police officer only)

Name: _____ Badge _____ RMS ID# _____ Assignment _____

Gender: ☐ Male ☐ Female Height _____ Weight _____ Age _____

Force used (check all that apply):

☐ Body Force ☐ Asp ☐ OC Spray ☐ Baton ☐ Firearm ☐ Taser ☐ Beanbag Shotgun

☐ Other _____

RESCINDED EFF. 01/01/18
SEE NEW GPOs 2.01.01-2.01.04

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 1, 2002	May 14, 2014	1 of 4	2.1.02

SUBJECT:	
BEANBAG SHOTGUNS	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.1.22, 1.3.16, 2.1.01, 2.1.03
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

Substantive changes are italicized

PURPOSE: To establish beanbag shotgun training, deployment, and reporting standards.

POLICY: The Cleveland Division of Police has a variety of force options available to address the different levels of threat. The beanbag shotgun is a **less-lethal** force option intended to preserve life. The beanbag shotgun may be used by authorized officers to protect themselves and others to gain control and/or compliance from violent aggressors or self-destructive persons when other force options appear to be less appropriate or ineffective. Supervisors and SWAT officers who successfully complete the Division approved training course provided by the Training Section are authorized to use the beanbag shotgun.

Users of the beanbag shotgun shall be cognizant of the fact that the beanbag shotgun is known to have caused serious physical injury and even death, and that any application of this force option shall be made with the utmost judicious consideration. Any investigation of a discharge of the beanbag shotgun other than for training purposes or a Use of Deadly Force Investigation Team call-out shall be overseen by a *Bureau of Integrity Control* call-up.

The Chief of Police, or designee, may grant administrative leave to an officer involved in a less-lethal force incident.

PROCEDURES:

I. Beanbag and beanbag shotgun description

A. The beanbag shotgun is identified with distinctive **yellow** markings on the buttstock of the gun.

B. A beanbag shotgun shell is a standard 2 ¾ inch, 12-gauge shotgun shell with a transparent hull.

RESCINDED EFF. 01/01/18
SEE NEW GPOs 2.01.01-2.01.05

II. Guidelines for the Use of the beanbag shotgun

A. When circumstances exist that meet the guidelines for deployment of the beanbag shotgun, officers shall request via the Communications Control Section (CCS) a Beanbag Shotgun equipped supervisor respond to the scene.

B. CCS shall make a district wide broadcast for the closest available trained and equipped beanbag shotgun supervisor.

C. Beanbag shotgun shall be used only when:

1. A suicidal person presents an imminent risk of serious physical harm to themselves or others; **or**

2. A person is threatening an officer or other with a sharp edged instrument, blunt object, instrument or substance with potential to cause serious physical harm; **and**

3. Verbal commands have failed to achieve compliance; **and**

4. Hand techniques and other use of force options such as the ASP baton, Taser, or OC Spray are not prudent or have not been effective; **and**

5. The person is within the safe range of beanbag shotgun accuracy and effectiveness.

D. Officers shall not subject themselves or others to undue risk while waiting for the arrival of a supervisor with a beanbag shotgun. The situation must be continually assessed and other appropriate action must be taken if the risk to self or others demands immediate attention.

E. To protect others from the harm of a misdirected beanbag round, supervisors shall use the equivalent standard precautions as used with all firearms.

F. If the suspect represents a lethal threat, a second officer prepared to employ deadly force shall be present when deploying a beanbag shotgun.

G. Supervisors may fire beanbag rounds as necessary. However, no more than two beanbag shotguns shall be fired simultaneously. In the event that four rounds have proven to be ineffective, officers shall consider the beanbag shotgun ineffective and exercise other options.

RESCINDED EFF. 01/01/18
SEE NEW GPOS 2.01.01-2.01.05

H. Supervisors deploying the beanbag shotgun shall aim for the abdomen, avoiding the body's center mass, head, neck, and groin.

I. The optimal range for effective deployment while minimizing risk is 21 to 50 feet. At less than 10 feet, the risk of serious injury or death is greatly increased. At over 50 feet, the effect and accuracy of the beanbag shotgun are diminished to the point that this option will not achieve its purpose.

J. Supervisors shall avoid the use of the beanbag shotgun on juveniles, persons of small stature, elderly persons, visibly or known to be pregnant females, or persons with a known medical condition (e.g. a physical condition that the officer reasonably perceives would prevent a person from physically withstanding a beanbag deployment) unless deadly force is the only other option. In these instances, supervisors shall consider aiming at thighs and extremities if practical in their judgment and to the extent that it does not compromise the safety of the officer or innocent bystanders.

K. The use of the beanbag shotgun is not a substitute for notifying the SWAT Unit when circumstances warrant that unit's deployment.

III. Deployment of the beanbag shotgun

A. The officer-in-charge (OIC) of the Ordnance Unit shall maintain an adequate supply of beanbag shotguns and ammunition, and provide for its inventory control and issuance.

B. The district administrative officer shall equip each basic patrol supervisor's vehicle with a beanbag shotgun and hard case. Supervisory officers shall secure beanbag shotguns in the hard case and store them in the trunk of their vehicle **unloaded**.

C. At the start of each tour of duty, supervisors shall inspect the condition of the beanbag shotgun.

D. **No officer shall ever load regular shotgun ammunition into a beanbag shotgun or beanbag ammunition into a regular shotgun.** Supervisors shall ensure that there is an adequate degree of separation between the two types of ammunition so as to minimize any chance of the ammunition being inadvertently interchanged.

RESCINDED EFF. 01/01/18
SEE NEW GPOs 2.01.01-2.01.05

E. *District or unit OICs shall inspect beanbag shotguns and beanbag shotgun ammunition inventories concurrently with firearms. The inspection shall be documented on the Quarterly Shotgun and Ammo Box Inspection Form (attachment). The completed form shall be forwarded through the chain of command to the respective Deputy Chief. Each Deputy Chief shall review the forms for completeness and forward all documentation to the Ordnance Unit within 20 business days of the end of the quarter*.

IV. Medical Treatment

A. Officers on the scene shall notify EMS via CCS to respond and convey persons struck by a beanbag round to the hospital for medical evaluation.

B. When booking in a prisoner that was struck by a beanbag round, officers shall ensure that the booking Correction Officer is advised that the prisoner was struck with a beanbag round. The same notification shall be made when transporting or transferring the prisoner to any other entity outside of the Cleveland Division of Police.

V. Reporting Procedures

A. Use of the beanbag shotgun requires officers to complete a Record Management System (RMS) report. The report shall detail the use of the beanbag shotgun and its effectiveness.

B. The Use of Deadly Force Investigation Team (UDFIT) shall respond to the scene when a beanbag round has caused death or serious physical harm.

C. A *Bureau of Integrity Control* call-up shall *occur for* a discharge of the beanbag shotgun when no death or serious injury has occurred, regardless if a person was struck by a beanbag round, and conduct the investigation and produce the required reports.

D. UDFIT, or the investigating supervisor, shall cause the Crime Scene and Record Unit to photograph the impact areas on any person struck with a beanbag round.

E. Expended beanbag rounds shall be entered into evidence.

CDW/jeh
Policy & Procedures Unit
Attachment

RESCINDED EFF. 01/01/18
SEE NEW GPOS 2.01.01-2.01.05

Cleveland Division of Police
Quarterly Shotgun and Ammuntion Box Inspection

District / Bureau: **Quarter Ending:**

Platoon / Unit: **Year:**

Shotgun Serial #	Location	Checked by: (name/badge)	Ammo box#	Location	Checked by: (name/badge)

Cleveland Division of Police
Quarterly Shotgun and Ammuntion Box Inspection

District / Bureau: **Quarter Ending:**

Platoon / Unit: **Year:**

Bean Bag Shotgun		**Checked by:**
Serial #	**Location**	**(name/badge)**

Additional Items		**Checked by:**
Serial #	**Location**	**(name/badge)**

Additional Items		**Checked by:**
Serial #	**Location**	**(name/badge)**

Reviewing OIC Signature / Badge Date

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
JANUARY 9, 2007	March 22, 2013	1 of 4	2.1.03

SUBJECT:	
FIREARM DISCHARGE INVESTIGATIONS	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.1.22, 1.3.16, 2.1.01, 2.1.02, 2.1.04
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are in italicized

PURPOSE: To state guidelines to document and investigate all firearms discharged by Cleveland police officers in any jurisdiction and other than Cleveland law enforcement officers within the jurisdiction of the City of Cleveland.

POLICY: To require the completion of Record Management System (RMS) reports and a supervisory investigation whenever a Cleveland police officer discharges a firearm or another law enforcement officer discharges a firearm within the jurisdiction of the City of Cleveland, regardless if the discharge is intentional or accidental. An accidental firearm discharge is any firearm discharge that is not intentional. All firearm discharge investigations shall be forwarded through the chain of command with thorough reviews to the Chief of Police. The Use of Deadly Force Investigation Team (UDFIT) shall investigate all firearm discharges, *both on and off duty, other than: authorized firearms training, an accidental shooting not resulting in injury or death, or the necessary destruction of a sick or injured animal*.

PROCEDURES:

I. When an officer discharges a firearm, the officer shall promptly contact the Communications Control Section (CCS) which in turn shall request that a sector supervisor respond to the scene. The officer shall also advise CCS of any injuries and request medical assistance as necessary. The CCS will relay to the sector supervisor the appropriate information that includes whether the officer is on or off duty, *the nature and details* of the discharge and if there are any injuries/deaths.

II. The sector supervisor shall first determine if the firearm discharge meets the criteria for investigation by the UDFIT. If the firearm discharge DOES meet the UDFIT criteria, the sector supervisor shall contact CCS to make the appropriate notifications.

III. Prior to UDFIT's arrival, the sector supervisor shall ensure that (as applicable):

A. Emergency medical assistance is being rendered.

B. A crime scene perimeter has been established and secured.

C. A crime scene log has been created.

D. Witnesses and others involved have been identified.

E. Involved officers have been separated but NOT isolated.

F. The Crime Scene and Records Unit has been notified.

G. Enough personnel are available to assist with crowd control, area canvassing for witnesses, suspects, other victims or evidence, transportation of suspects/witnesses and any other duties as necessary.

IV. Upon UDFIT's arrival, the sector supervisor shall relinquish investigative responsibility to the Officer-in-Charge (OIC) of UDFIT but remain on scene to assist the UDFIT at the discretion of the UDFIT OIC.

V. *A "Firearm Discharge" RMS report will be completed by the officer(s) involved. For firearm discharges involving the destruction of a sick or injured animal, the sector supervisor shall direct the officer involved to complete a "Firearm Discharge/Animal Incident" RMS report containing the particulars of the incident. The Inspection Unit shall be contacted via CCS to respond to a scene of the destruction of a sick or injured animal and monitor the investigation.*

A. An on-duty supervisor from the district in which the firearm discharge occurred shall investigate off-duty firearm discharge incidents *involving a firearm discharge involving an animal. This includes animal incidents occurring during secondary employment.*

B. *The UDFIT OIC will determine the appropriate response to Cleveland police officer discharges outside the City of Cleveland regardless if on or off-duty. In the instance of a discharge that would not meet the criteria for a UDFIT response in the City, an on-duty supervisor closest to the location of the firearm discharge shall respond and investigate.*

C. The sector supervisor shall promptly begin an investigation that will include a Form-1 report from each involved officer. The supervisor's investigation shall note any violations of federal, state or city laws as well as Divisional policies and procedures. *The supervisor's report shall include a recommendation that may range from no corrective action necessary to* re-instruction, re-training and/or discipline.

D. A "Firearm Discharge" RMS report shall be a separate report from any other report generated concerning a related incident. Reporting officers shall cross-reference related RMS report numbers.

E. The sector supervisor shall notify the Commander of the district/bureau involved and promptly forward all reports with recommendations through the chain of command to the Deputy Chief in that investigating supervisor's chain of command.

1. In non-UDFIT investigated instances involving an off-duty police officer or one working secondary employment, the sector supervisor of the district of occurrence shall handle the investigation and forward all reports to the Deputy Chief of Field Operations.

2. In non-UDFIT investigated instances involving an on-duty police officer, the supervisor of the officer shall handle the investigation and forward all reports to the Deputy Chief in their chain of command. If that involved officer's superior is not on-duty or otherwise unavailable, then the sector supervisor of the district of occurrence shall handle the investigation and forward all reports to the Deputy Chief of Field Operations.

F. The Deputy Chief shall review the supervisor's investigation and forward any recommendations to the Chief. The Commander of the Bureau of Communications shall determine if the incident will be included in the Chief's "Items of Interest" log, and if a Group One notification of Division members is necessary.

G. Firearm discharge reports shall be forwarded through the chain of command within seven calendar days. A thorough review shall be conducted at every level of the chain of command. A simple concurrence is not sufficient.

VI. When a Cleveland police officer at a shooting scene gains knowledge that a law enforcement officer from another agency has discharged a firearm within the City

of Cleveland, the Cleveland officer shall promptly request a supervisor to respond to the scene. The sector supervisor shall determine if the firearm discharge meets the criteria for investigation by the UDFIT. If the firearm discharge meets the UDFIT criteria, the supervisor shall contact CCS for the appropriate notifications. If the criteria are not met, the sector supervisor shall direct that a "Firearm Discharge/Foreign Agency" RMS report is completed by a Cleveland police officer.

VII. If the firearm discharge is accidental and *involves a death or injury* <u>*or*</u> *involves a citizen regardless of injury*, the firearm involved shall be taken into evidentiary custody by the UDFIT OIC's designee.

If the firearm discharge is accidental and *does not involve death or injury* <u>*and*</u> *does not involve a citizen*, then the *Integrity Control Section call-up group OIC* shall make arrangements to have the firearm forwarded to the Ordnance Unit for testing.

If the weapon involved is the officer's service weapon, the Ordnance Unit shall issue a replacement for the duration of the testing process. *If retraining is required, the commander of the involved officer shall be responsible for scheduling the officer for the next available retraining opportunity at the Ordnance Unit as a tour of duty (as the officer is physically able). Officers shall not be permitted to carry that manufacturer and model of firearm until that officer has been cleared to do so by the Ordnance Unit. The officer's duties may be modified until such time the officer has permission to carry that particular firearm*.

VIII. The only exceptions to the above reporting requirements are firearms discharged in the *normal* course of training/testing or legal practice/recreational shooting purposes.

IX. *Accidental firearm discharges that occur during training and involve death or injury shall be investigated by UDFIT. The Inspection Unit shall respond to and monitor the investigation of accidental firearm discharges that occur during training and do not involve death or injury*.

X. For all firearm discharges meeting the UDFIT criteria, the investigation protocols are contained in General Police Order 1.1.22 Deadly Force Investigation Team.

XI. *For all other firearm discharges meeting the Integrity Control Section call-up criteria, the investigation protocols are contained in General Police Order 1.3.16 Integrity Control Section Call-up*.

MM/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 1, 2002	December 28, 2016	1 of 4	2.1.04

SUBJECT:	
ANIMAL INCIDENTS	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.1.22, 1.3.16,1.3.16, 2.1.03, 2.1.06
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

Substantive changes are italicized

PURPOSE: To establish guidelines for members involved in incidents with animals.

POLICY: The Cleveland Division of Police recognizes that interactions with animals pose a unique set of problems for members. It is the policy of the Division to address this issue by appropriate measures. These measures may be an enforcement action, a referral, and/or a documentation of the incident.

PROCEDURES:

I. Dog Incidents

A. Members who observe or receive reports of unmuzzled dogs, found on a public street, park, building or other public place except when held securely on a leash by the owner thereof or another responsible person, shall notify the Communications Control Section (CCS) dispatcher of any such dog(s) and provide a description and location of same. CCS personnel receiving this information shall notify the Division of Animal Care and Control.

B. The Division of Animal Care and Control is available to assist in instances of the crime of Dog Fighting. Dog Fighting is a felony of the fourth degree (O.R.C.959.16). Persons involved in this activity may pose a risk to unarmed Division of Animal Care and Control personnel. CCS shall dispatch a zone car prior to the arrival of any Division of Animal Care and Control staff.

C. For complaints of loose or barking dogs, residents may be advised to call the Division of Animal Care and Control, Monday through Friday from 0730hrs to 1500hrs. On weekends or after hours, a message may be left.

D. If members are confronted with a dog that is chasing or approaching in a menacing fashion or apparent attitude of attack, or attempts to bite or otherwise endanger, or kills or injures a person, they shall attempt to contain the dog in a confined area and request CCS to notify the Division of Animal Care and Control. If containment is not possible and the Division of Animal

Care and Control is not available to handle the situation, and the officer(s) perceives that the dog(s) present(s) a threat to the safety of themselves or others, they shall take that action that is necessary to ensure the safety of themselves and the public. Destroying the dog shall be the last resort. Extreme caution must be exercised when shooting at a running or fleeing dog/dangerous animal. Members shall also be keenly aware of the projectile paths of any fired rounds.

E. If it becomes necessary to kill the dog, and the involved dog has bitten a person, members shall avoid striking the head of the dog. An intact brain is necessary for rabies testing. Members shall secure the animal carcass and contact the Division of Animal Care and Control. The Division of Animal Care and Control shall remove the carcass for rabies testing.

F. Victims of dog bites shall be encouraged to seek professional medical attention. Such treatment will result in the generation of a "Dog Bite" report by the treating physician, which is forwarded to the Division of Animal Care and Control. The Division of Animal Care and Control, based upon this notification, may institute quarantine.

II. All requests for Division of Animal Care and Control assistance shall be made through CCS. Field units shall not communicate directly with the Division of Animal Care and Control unless specifically ordered.

A. Members shall note in their duty report when CCS is requested to notify the Division of Animal Care and Control.

B. Members shall take all precautions to ensure the safety of the Division of Animal Care and Control personnel while they are assisting the Division of Police. Division of Animal Care and Control personnel have the discretion and final authority to decide if a situation is too risky for them to precede.

C. *Members shall not leave the scene until the Division of Animal Care and Control personnel complete their duties and clear the scene.*

III. Dead or Injured Animal Procedures

A. Members encountering an animal carcass in a public place shall request CCS to notify the Waste Division-Dead Animal Pickup Unit.

B. Members encountering an injured animal shall notify CCS. CCS personnel shall request the assistance of the appropriate agency.

C. In the event that an animal is seriously injured to the point that euthanizing the suffering animal may be the most humane course of action, members shall request a supervisor to respond to the scene to make the determination to euthanize the animal. However, a member may euthanize a seriously injured animal prior to the arrival of a supervisor if there are well-articulated reasons to do so, such as the extent of the animal's suffering and/or the public sensitivities involved.

D. In all instances, members shall exercise reasonable due care in accommodating public sensitivity in carrying out any task involving the euthanizing of an animal.

IV. Wildlife/Pest Procedures

A. For problems with skunks, raccoons, groundhogs, or opossums, residents are to call the Division of Animal Care and Control to arrange for a wildlife trapper to come out.

B. CCS shall refer deer complaints to the Ohio Division of Wildlife.

V. Tasers have been shown to be effective in some incidents of controlling or minimizing threats posed by animals. While it may be extremely difficult to shoot an animal accurately and effectively with a Taser, the use of the Taser on an animal is permissible.

VI. Animal incidents that involve a horse require a detailed Form-1 that includes the circumstances of the incident and identifies all parties involved. The Form-1 and all related reports shall be forwarded to the Mounted Unit for any follow-up.

VII. Reporting Procedures

A. *A firearm discharge at an animal that is being used as a weapon to attack a member or another person requires the notification of the Use of Deadly Force Investigation Team.*

B. A firearm discharge at an animal for any other reason than that stated immediately above requires *notifying the Inspection Unit via CCS*.

C. When an animal causes serious injury or death of a person or is criminal in nature, members shall complete a Record Management System (RMS) report. Minor dog bites shall be handled as above, but shall not require an RMS report. Members shall notify a supervisor.

D. Members shall complete an "Animal Incident" RMS report whenever an action is taken that results in the death or serious injury of an animal. Members shall complete a "Firearm Discharge/Animal Incident" RMS report whenever a firearm is discharged in that incident. Refer to GPO 2.1.03 for additional information regarding Firearm Discharges. Members shall complete an "Animal Incident/Taser" RMS report whenever a Taser is used in that incident. Refer to GPO 2.1.06 for additional information regarding Tasers.

CDW/jeh
Policy Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
DECEMBER 9, 2004	March 22, 2013	1 of 2	2.1.05

SUBJECT:	
WEAPON CLEARING TRAP	
ASSOCIATED MANUEL:	RELATED ORDERS: 1.3.16, 2.1.03
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are italicized

PURPOSE: To provide guidelines for the use of weapon clearing traps at all Cleveland Division of Police facilities.

POLICY: Firearms shall be charged and cleared in a safe manner. The clearing trap is not for discharging weapons and shall be used only for its designed purpose

PROCEDURES:

I. Use of the clearing trap

A. To clear a firearm, the magazine must first be removed. The barrel shall be inserted into the clearing trap approximately one inch and the slide pulled rearward, ejecting any possible round.

B. To charge a firearm, a full magazine must be inserted in the firearm. The barrel shall be inserted into the clearing trap approximately one inch and the slide pulled rearward. Upon holstering the firearm, the magazine shall be removed and topped off to the magazine's maximum capacity and then re-inserted into the firearm.

II. Clearing trap maintenance

A. The Officer-in-Charge (OIC) shall inspect the clearing trap monthly for any obstruction or foreign object that may have been placed in the trap and remove such to properly maintain the device.

B. A log shall be maintained by the OIC for any firearm's discharges into the clearing trap.

1. Maintenance is required after 200 discharges have been recorded. The OIC shall notify the Ordnance Unit to perform the maintenance.

2. *The discharge of any weapon into a clearing trap requires an Integrity Control Section call-up and a Firearm Discharge report. (Refer to General Police Orders 1.3.16 Integrity Control Section Call-up and 2.1.03 Firearm Discharge Investigations).*

C. Questions on the use or maintenance of the trap shall be directed to the OIC of the Ordnance Unit.

MM/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
October 24, 2005	March 22, 2013	1 of 12	2.1.06

SUBJECT:	
TASER - CONDUCTED ELECTRICAL WEAPON (CEW)	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.1.22, 2.1.01
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are italicized

RESCINDED EFF. 01/01/08
SEE NEW GPOs 2.01.01-2.01.04

PURPOSE: To establish training guidelines for Taser use, deployment, and reporting standards.

POLICY: The Cleveland Division of Police uses a variety of responses for different levels of threat in order to promote officer and public safety. The Taser is a less-lethal *weapon* intended to preserve life. Officers who have successfully completed a Division-approved training course are authorized *to carry* and use the Taser. *Officers shall use and handle their Taser in a safe, proper, and authorized manner*. Authorized officers may use the Taser to protect themselves or others, to gain compliance from combative, actively resisting, and/or violent persons when there is a reasonably perceived threat at the time of the incident and such use is deemed the most effective response. The Taser may also be used on persons threatening to cause serious physical harm to themselves. The Taser is approved for use against animals that pose a threat as exhibited by their behavior or purpose.

The Chief of Police, or designee, may grant administrative leave to an officer involved in a less-lethal force incident.

Officers shall be trained, tested and recertified annually on the Taser and its proper use. A failure to recertify in any calendar year shall result in the loss of certification on January 1 of the following year until such time that the officer recertifies.

DEFINITIONS:

Excited delirium: is a condition that manifests itself as a combination of delirium, psychomotor agitation, anxiety, hallucinations, speech disturbances, disorientation, violent and bizarre behavior, insensitivity to pain, elevated body temperature, and superhuman strength. The signs and symptoms for excited delirium may include paranoia, disorientation, hyper-aggression, hallucination, incoherent speech or shouting, incredible

strength or endurance (typically noticed during attempts to restrain the person), and hyperthermia (overheating)/profuse sweating (even in cold weather).

TASER: is a conducted electrical weapon that generates electricity in a small hand-held battery-operated unit the approximate size of a handgun. Its primary function is to disrupt the neuro-muscular signals transmitted within the body, and secondarily in drive stun mode as a pain compliance instrument.

PROCEDURES:

I. Taser and Mechanics

A. Depressing the trigger will propel two probes from the attached cartridge. Once the Taser is fired, it will automatically cycle for five seconds. The officer can disengage before the five second cycle is completed by placing the safety on. It is recommended that officers let the Taser cycle for the full five seconds on the initial application. This maximizes the effectiveness of the Taser. Officers should give commands to the person and attempt to gain compliance. If the officer continues to hold the trigger down through the five second cycle on the X26 model, it will extend the duration of the application until the trigger is released. **Cycles shall NOT exceed 5 seconds in duration.**

B. It is necessary for both probes to contact some part of the person's clothing or body for effectiveness. The circuit can be closed through a combined thickness of two inches (one inch per probe). If this occurs and the person continues aggressive behavior, place the Taser against the person's body to complete the circuit.

C. When fired, the top probe impacts at the point of aim (laser sight).The bottom probe travels at an eight degree angle downward. The approximate probe spread is one foot for every seven feet traveled. The Taser should be held level, not tilted, for a vertical target.

D. Optimum range for probe deployment is 7 to 15 feet with a 25 foot maximum distance. If a Taser is deployed using the cartridge at a distance of less than three feet, the effect will be very similar to a drive stun.

E. The Taser may be operated in drive stun mode, with or without the **fired cartridge attached.** *This is not the preferred use of the Taser as it is based on pain compliance which is not always a reliable method of gaining*

RESCINDED EFF. 01/01/08
SEE NEW GPOs 2010.01-2.01.04

submission. If operating in this mode, the preferred method is to drive stun with the fired cartridge still attached. The Taser *shall not* be used in drive stun mode with a **non-fired cartridge attached**. *Though this may be effective, there is a chance the probes could deploy causing serious physical injury*. The pressure point areas of the body are the preferred areas of the body to drive stun.

II. *Additional mechanics particular to the Taser Model X2*

A. *Depressing the trigger will propel two probes from the attached cartridge located in bay #1. Depressing the trigger a second time will deploy the cartridge in bay #2. The Taser will automatically cycle for 5 seconds then shut off. At four seconds, there will be an audible alarm (loud beeps) that will warn the user the cycle is finishing. Officers are reminded that at any time during the 5 second cycle, depressing the trigger again will automatically fire the cartridge in bay #2. The officer can end the cycle sooner by placing the safety in the on position.*

B. *The X2 is equipped with the Auto Shut-Down Performance Power Magazine (APPM). Every trigger pull is limited to a 5 second cycle. Holding the trigger down will* ***not*** *cause the cycle to exceed the 5 seconds.*

C. *Pulling the trigger affects only the selected cartridge. Firing the second cartridge does not re-energize the first cartridge.*

D. *Once both cartridges are expended, the officer is able to select between the fired cartridges by depressing the ARC switch.*

E. *Pulling the trigger again will re-energize the selected cartridge for another 5 second cycle. A sustained press of the ARC switch will re-energize both deployed cartridges.*

F. *ARC Switch*

1. *Performs ARC display without deploying the probes.*

2. *Re-energizes the electrical circuit through the deployed probes.*

3. *Toggles between both cartridges.*

4. *Located on both sides of the X2.*

RESCINDED EFF. 01/01/08
SEE NEW GPOS 2.01.01-2.01.04

G. *The X2 has a Dual Laser System which shows where each probe will strike. The top laser shows a steady beam, the bottom laser will flash*.

H. *The battery level on the X2 is indicated by the number of displayed bars with each bar representing 20% battery reserve.*

III. Guidelines for Using the Taser

A. In order to gain compliance prior to deploying the Taser, officers may:

1. Verbalize their intent to deploy the Taser.

2. Display and/or point the Taser at the person.

3. Point the red laser light at the suspect, ensuring that the laser light is never pointed in the area of the eyes.

4. With the Taser cartridge removed, display the electric arc of the Taser *(model X26). The cartridge for the model X2 does not have to be removed to display the electric arc*.

B. Officers should, if possible, obtain backup and issue a loud verbal warning to the person before *the initial cycle and for every subsequent cycle of* the Taser to control the person.

C. Upon deployment, each five second cycle is a window of opportunity for the arrest team to apprehend the person. Officers can touch the person during discharge without receiving an electrical shock, as long as the officer does not make contact with the wires and/or probes or touch the person between the probes.

D. The preferred target zones are lower center mass of the body on the front of the body and *below the neck line* of the back, because clothing is usually tighter across the back. If a suspect is wearing loose or heavy clothing on the upper body, the legs may be considered a target.

E. Caution is urged when dealing with exhausted individuals or persons exhibiting symptoms of distress or excited delirium. Physical struggles that involve intense high levels of exertion beyond 45 seconds should be minimized if there is the possibility that they may result in a TASER deployment. High intensity struggles should be expeditiously resolved by

RESCINDED EFF. 01/01/08
SEE NEW GPOS 2.01.01-2.01.04

either the use of the TASER or by way of another Division approved use of force. Given that even medical professionals under optimal circumstances cannot unequivocally diagnosis excited delirium, and that in such fast evolving circumstances where confrontations or physical struggles spike in intensity and outcomes are uncertain at best, officers shall be held only to the "objective reasonableness" standard as established by the U.S. Supreme Court in Graham v. Conner (1989).

F. Officers shall have their trigger finger outside the trigger guard unless actively engaged in deploying their Taser. Trigger fingers inside the trigger guard may lead to unintended Taser activations especially if the incident is still actively evolving.

G. Officers shall avoid hitting the person in sensitive tissue areas, such as the head, face, neck, groin, or breast area. EMS personnel or medical personnel at a medical facility shall remove probes penetrating these sensitive areas. *While it is preferred that medical personnel remove penetrating probes*, a Taser-certified officer *may* remove probes penetrating non-sensitive areas *(e.g. buttocks, thigh) if it is reasonable to do so*.

H. Officers shall rely on their most recent training to determine probe placement and when to use the Taser on *"special populations" (a juvenile, person of small stature, elderly person, or persons with a known medical condition.) When dealing with these persons, officers shall be mindful that in some instances a person's disability or condition may limit or restrict their ability to physically comply with an officer's direction*.

I. The Taser may be deployed on persons who are *actively* resistant or self-destructive, or who have otherwise taken an aggressive attack posture against the officer or other innocent person.

J. The Taser shall not be used:

1. To prevent the destruction of evidence.

2. On women known or believed to be pregnant unless deadly force is the only other option.

3. On a person that has come in contact with highly flammable liquids, substances, or volatile gases (propane, natural gas); or is in a flammable atmosphere.

RESCINDED EFF. 01/01/08
SEE NEW GPOs 2.01.01-2.01.04

4. On a person that is in a position where falling could cause *injury that exceeds the reasonableness of the deployment*.

5. On a person that is operating a motor vehicle or heavy machinery.

6. On a person that is riding a bicycle (or similar, e.g. skate board)) and the deployment of the Taser has the potential to cause injury that exceeds the reasonableness of the stop.

7. On a person that appears to be under the age of 13 or over the age of 60, due to the potential of falling when incapacitated, unless the encounter rises to a deadly force situation.

8. In a situation where deadly force is clearly justifiable unless another officer is present and capable of providing deadly force to protect the officer and/or civilians as necessary.

K. If an initial Taser shot does not make contact or is ineffective, the same or another officer may attempt additional shots as needed or practical in order to make successful contact on a person.

L. After successful Taser contact is made, an officer, or if there are multiple officers who have made successful Taser contacts on a person, shall not exceed three 5 second cycles in total on any one person. *Rare exceptions may exist*. In circumstances where officer(s) exceeded the three 5 second cycle threshold, officers shall complete a well-articulated Form-1 explaining *why each successive cycle* of the Taser *was administered*. This form shall be in addition to any other forms required in a Use of Force incident. These exceptions may include but are not limited to:

1. Persons whose continuing *physical* aggression is so intense and unmitigated that the officer is forced to weigh the use of deadly force as one of the remaining use of force options.

2. Persons who are *aggressively resisting being taken into custody* and where alternate uses of force such as baton/asp strikes, striking, punching, kicking are ineffective or may be causing greater harm to the person than the continued deployment of the Taser.

3. Situations where lone officers, while waiting for backup to arrive, are facing aggressively resisting persons who pose a reasonably perceived

RESCINDED EFF. 01/01/08
SEE NEW GPOs 2.01.01-2.01.04

risk of serious physical harm to the police officer or others *and there is no other reasonable alternative to diminish that risk*.

M. Taser usage on a handcuffed or restrained person is warranted only in the most limited of circumstances. Extreme caution, judicious decision-making, *and reasonableness* shall be the guide for officers deploying a Taser on a handcuffed/restrained person. Taser usage on a handcuffed or restrained person shall also be the subject of a well-articulated Form-1 report. This Form-1 shall be in addition to any other forms required in a Use of Force incident. These circumstances may include but are not limited to:

1. Highly combative persons who are actively engaged in causing serious physical harm by way of biting, head butting, kicking; or the handcuffed/restrained person has gained access to a deadly weapon

2. The handcuffed/restrained person has mobility and has escaped physical custody and is placing themselves or others in extreme peril such as where the direction of flight is towards a body of water, vehicular traffic, or where a fall from a building or structure can cause serious physical harm or death.

N. Officers shall <u>never</u> deploy a Taser against fleeing persons who do not pose a threat of physical harm to the officer, bystanders, or themselves.

O. A Taser or CEW in the hands of a suspect is considered *deadly active force when no other officer is present to provide deadly force cover. A lone officer risks the possibility that the Taser may be used against the officer and that deadly force may be forthcoming as a result of the officer's incapacitation. If multiple officers are present, the presence of a CEW in the hands of a suspect is in and of itself not cause to use deadly force unless it can be clearly articulated that an officer or innocent party was in imminent danger of serious physical injury or death.*

P. *Tasers have been shown to be effective in some incidents of controlling or minimizing threats posed by animals. While it may be extremely difficult to shoot an animal accurately and effectively with a Taser, the use of the Taser on an animal is permissible*.

IV. Medical Treatment Guidelines

RESCINDED EFF. 01/01/08
SEE NEW GPOs 2.01.01-2.01.04

A. Officers shall have EMS respond to the scene without unnecessary delay to evaluate a person who has been exposed to a Taser shock. Supervisors shall ensure that this requirement is met.

B. *For persons who are in custody but who remain combative or violent (thereby constituting a danger to medical personnel or others) the supervisor shall not expose medical personnel, officers, or innocent bystanders to danger but rather shall have the officers transport the person to a hospital for examination, ensuring that the hospital is advised of the incoming person. Officers shall ensure that any refusal of treatment by the person is documented in any subsequent reports.*

C. Officers shall monitor the person for signs of medical distress for as long as the person is in Division of Police custody. *As abnormal breathing can be an indication of positional asphyxia, the officer shall immediately reposition the person to avoid asphyxia.*

D. If a Taser is deployed on a juvenile, elderly, pregnant or physically disabled person, they shall be transported to the nearest hospital for treatment.

1. Transport suspects for emergency medical care immediately if:

a) The suspect experiences *or complains of* difficulty breathing, chest pains or loss of consciousness.

b) The officer believes the suspect requires medical attention (whether or not the suspect requests attention).

c) The officer becomes aware afterward of a medical condition (e.g. epilepsy or a heart ailment) that a Taser may aggravate.

E. At the time of booking, members shall notify Correction personnel that the person was struck with Taser probes or received a drive stun.

V. Reporting Procedures

A. Each Taser has an internal chip that stores the time, date and duration of the last 1500 times the trigger was engaged and firing was initiated.

B. *When a Taser cartridge is expended striking a person, members shall collect each expended cartridge, Taser wires, and probes <u>as one single</u>*

RESCINDED EFF. 01/01/08
SEE NEW GPOs 2.01.01-2.01.04

unit when possible. The Taser wire shall be loosely collected (scooped up) along with the cartridge and probes and secured in an evidence envelope. The Taser wire shall not be tightly wrapped or rolled up. It is suggested that the probe be double or triple wrapped in paper to resist puncturing the evidence bag. The evidence envelope shall be clearly marked that it contains a used Taser probe.

C. Members shall present the Taser to their superior for data download prior to the end of their tour of duty. A copy of the downloaded data shall be attached to the *Use of Less Lethal Force (ULLF*) report. If the download is not available, a notation explaining why the download is not attached shall be made on the *ULLF* report and the supervisor shall forward the download as soon as it is available. An instructional booklet on Taser downloading shall be maintained in the OIC's office. *Refer to General Police Order 2.1.01 Use of Force for additional reporting procedures*.

D. *In instances where a Taser dart has penetrated the person's skin or a drive stun has left a visible mark on the person's skin, the "yes" check off box in the "Suspect Injury from Use of Force" section of the ULLF report (GPO 2.1.01 Attachment A) must be checked.*

E. Taser shall appear in the title of any RMS report where the Taser was used (e.g. Animal Incident/Taser).

F. The Use of Deadly Force Investigation Team (UDFIT) shall respond to the scene when a Taser application has caused death or serious physical harm. UDFIT, or the investigating supervisor, shall require the Crime Scene and Records Unit to photograph the affected Taser-impacted areas.

VI. Taser Replacement Cartridges/Replacement Batteries

A. After an officer has fired a Taser cartridge, the district OIC or unit administrative officer shall issue a new cartridge to the officer. *Each request for a replacement Taser cartridge must be accompanied by an RMS report that indicates the circumstances of the deployment, or a Form-1 for all other circumstances not subject to an RMS report. RMS reports and Form-1's requesting replacement cartridges shall be forwarded to the Gymnasium Unit for filing*.

B. Replacement cartridges will be logged and maintained in a secured location by the district/unit administrative supervisor. The district OIC or unit administrative officer is responsible for contacting the Gymnasium

RESCINDED EFF. 01/01/08
SEE NEW GPOS 2.01.01-2.01.04

Unit for an adequate supply of cartridges. Defective Tasers and cartridges shall be bad ordered and delivered to the Gymnasium Unit for replacement.

C. The Gymnasium Unit shall issue Tasers and cartridges. The OIC of the Gymnasium Unit shall maintain an adequate supply of Tasers and cartridges. The Gymnasium Unit shall maintain a list of Taser trained officers along with the serial numbers of the units assigned.

D. *Defective or depleted batteries shall be returned to the Gymnasium Unit for replacement*.

VII. Summary of Functions, Conditions, and Limitations of the Taser

A. Only Taser certified officers may carry or use the Taser. They shall be aware of their Taser's condition, its functions and limitations. The information is provided through officer training, the Taser Operations Manual, Divisional orders, policies and procedures.

B. The Taser holster *shall be* worn on the non-weapon side of the officer's body (opposite from where the firearm is holstered). This reduces the risk of drawing a firearm while under stress when the use of a firearm is not intended.

C. The Taser is a sensitive electronic device and should avoid being dropped. The Taser *shall* be secured in its Division-approved protective holster when not in use. The Taser shall always be stored with the Digital Power Magazine (DPM) inserted.

D. At the start of each tour of duty, officers who carry a Taser shall inspect the condition of their Taser and cartridges. Officers carrying the *model X26* shall conduct a test by removing the cartridge from the Taser, placing the safety in the off position and pulling the trigger. This should create a constant, visible spark across the front of the Taser. *Officers carrying the model X2 must conduct a minimum one-second ARC display, and toggle between the two cartridge bays. It is not necessary to remove the cartridge for a spark test of the model X2*.

1. Officers assigned to duties that typically do not require carrying a Taser shall ensure that they spark test their Tasers at *least once a week.*

RESCINDED EFF. 01/01/08
SEE NEW GPOS 2.01.01-2.01.04

2. Officers shall check the expiration date of the cartridges and replace as needed; and occasionally wipe out the cartridge firing bay with a dry cloth. Multiple firings create a carbon build-up.

3. Officers shall never place a hand in front of the Taser, especially when changing the cartridge. This may lead to accidental shock or probe penetration.

4. Officers *assigned the model X26* shall also view the Central Information Display (CID) at the start of their shift. This window is located on the rear of the Taser below the rear sight. It indicates the percentage of battery power, the internal temperature of the Taser, burst-time countdown, illumination status, current date and time, and software version level. The current date and time are displayed in Greenwich Mean Time. The software converts to local time when downloaded.

5. The illumination selector is located on top of the Taser *X26* to the rear, just before the rear sight. It is a small button that may be depressed to select the illumination mode *when the safety is in the down position*.

   a) LF: Laser and Flashlight both illuminate,

   b) LO: Laser Only,

   c) OF: Only Flashlight,

   d) OO: Neither Laser nor Flashlight will illuminate.

6. Because laser light can cause damage if directed into the eyes, officers shall **not** direct lasers at the eyes of themselves or others.

7. Water does not affect the output of the Taser or cause electrocution. If the target is wet, there is no increase in the power output. The Taser is splash resistant; however, it should **not** be used if it is believed that the Taser has had prolonged exposure to liquids or moisture. Allow it to air dry completely before turning it on.

VIII. Taser Inspection

A. Tasers shall be inspected *concurrently with firearms* on a quarterly basis.

RESCINDED EFF. 01/01/08
SEE NEW GPOS 2.01.01-2.01.04

1. Inspections shall entail the following:

   a) A confirmation via visual inspection that the member is in possession of the assigned Taser. The serial number on same correlates to the Taser weapon assigned to that member.

   b) *A spark test and battery level check*.

   c) A data download from the member's Taser is completed. *The download time frame shall encompass at least the current calendar quarter. Supervisors shall not print the results of the download unless it is to record anomalies that may require further inquiry, or Taser repair or replacement. Taser data download printouts are work product subject to public records retention and shall be treated as such*.

2. *Officers with Tasers that are not functioning properly or are in need of a replacement battery shall be referred to the Gymnasium Unit for follow-up*.

3. Supervisors shall cause the completion of the *combined Quarterly Firearm/Taser Inspection form* for each quarter ending on the last day of March, June, September, and December. *Supervisors determining that a spark test is not being performed at least once a week shall counsel the officer to ensure that the spark tests are done as required*.

4. Originals of the *Quarterly Firearm/Taser Inspection form* shall be forwarded through the chain of command to the respective Deputy Chief. Each Deputy Chief shall review the forms for completeness, produce a cover memorandum to that effect, and forward all documentation to the Inspection Unit within 20 business days of the end of the quarter. Copies shall be maintained at the district/bureau/platoon/unit level.

5. Full inspections of the Taser shall be conducted by the Gymnasium Unit during the annual *recertification Taser* training.

MM/ajg
Policy & Procedures Unit
Attachment

RESCINDED EFF. 01/01/08
SEE NEW GPOS 2.01.01-2.01.04

Cleveland Division of Police
Quarterly Equipment Inspection Report

District / Bureau: **Quarter Ending**
Platoon / Unit:

Badge #	Officer Last Name	Primary Firearm #	Taser #	Patrol Rifle #	Personal Firearm #	Portable Radio #	Wearable Camera #	Inspecting Supervisor

Respectfully,

_____

Page # 1 OF 1

The above items were inspected under my supervision and all officers are compliant with GPOs : N/A= Not Applicable (Revised 8-7-15)

RESCINDED EFF. 01/01/08
SEE NEW GPOs 2.01.01-2.01.04

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
FEBRUARY 11, 2003	JANUARY 27, 2003	1 of 6	2.2.01

SUBJECT:	
FORFEITURE OF CONTRABAND	
ASSOCIATED MANUAL:	RELATED ORDERS: 4.1.01, 8.2.01
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

Substantive revisions are in Italic.

PURPOSE: To establish procedures to forfeit contraband and other property used or intended to be used to further criminal activity or obtained with proceeds from criminal activity.

POLICY: The Cleveland Division of Police shall seek forfeiture of property seized as contraband, or confiscated as a criminal tool. Requests for the forfeit of property shall be processed through the Forfeiture Unit.

DEFINITION:
Contraband is defined in ORC 2901.01 (A)(13), as that property which by its nature is illegal to possess (drugs, drug paraphernalia, dangerous ordnances, etc.), or is used or intended to be used in the furtherance of criminal activity or obtained with the proceeds from criminal activity (criminal tools, money, vehicles, pagers, scales, dice, betting slips, etc.)

PROCEDURES:

I. Reporting Procedures.

A. All property seized as contraband and/or as a criminal tool shall be listed in a Record Management System (RMS) report.

B. Seized property shall be identified and described including physical characteristics and serial numbers.

C. In cases with multiple defendants, the officer seizing the property shall identify from which defendant each listed property was seized.

II. *Duties and Responsibilities*

A. Detectives

1. Felonies.

The assigned detective is responsible to make forfeiture requests in all felony incidents involving seized contraband and/or criminal tools.

2. Misdemeanors.

a. Detectives shall make forfeiture requests for misdemeanor incidents originally generated by their unit.

b. District Vice Unit detectives are responsible for making forfeiture requests in all applicable misdemeanor incidents in their districts when property is seized as contraband and/or as a criminal tool.

c. Requests shall not be submitted for music equipment confiscated for misdemeanor offenses.

B. Statement Unit.

All statement and grand jury packages shall be held until reviewed by the Forfeiture Unit. Packages not prepared and logged before 0900 hours shall be held until the following business day.

C. Officer in Charge (OIC)

The first platoon OIC of each district or unit shall ensure that property seized as contraband and/or as a criminal tool is conveyed to the Property Unit within three working days.

III. *General Forfeiture Procedures.*

A. Felonies.

1. The original and one copy of the Request For Forfeiture Proceedings' form (Appendix A), one copy of the RMS report (including the Impound Vehicle Inquiry), supplemental reports, Form-1 reports and search inventory sheets shall be submitted to the Forfeiture Unit prior to or

the same day as the statement package is submitted to the Statement Unit.

2. *A third copy of the Request For Forfeiture Proceedings Form shall be attached to the statement package. The Forfeiture Unit will attach the original Request For Forfeiture Proceedings Form to the statement package.*

3. *If a case requires immediate processing, the assigned detective shall also physically convey the package through the Forfeiture Unit to insure that proper and timely forfeiture proceedings are instituted.*

4. *The assigned detective shall provide the Forfeiture Unit with the Journal Entry or Court Order disposing of the forfeiture issue immediately upon the disposition of the underlying criminal proceedings.*

B. *Misdemeanors.*

The original forfeiture request, one copy of the request and two copies of the RMS report shall be submitted to the Forfeiture Unit within five working days.

IV. *Forfeiture Procedures for Drugs only; no other tangible property.*

Forfeiture requests shall not be submitted in cases involving drugs only. Drugs only cases are defined as those cases, which involve ***only*** *drugs and/or paraphernalia with residue, which are submitted to the lab.*

V. *Buy money is not contraband to be forfeited.*

VI. *Forfeiture Procedures for Tangible Property.*

A. *Forfeiture requests shall be submitted for confiscated property* ***not*** *submitted to the lab. Examples include but are not limited to; motor vehicles, cash, jewelry, pagers, telephones, computers, etc. including scales or other paraphernalia* ***not*** *submitted to the lab.*

B. *Forfeiture requests for property and the accompanying felony charges shall be filed within 30 days.*

1. *Ohio Revised Code §2933.43(C), states in part, "Any property seized because of its relationship to an underlying criminal offense or administrative violation shall be returned to its owner if charges are not filed in relation to that underlying offense or violation within 30 days after the seizure…"*

2. *If a forfeiture request and felony charges are not filed within 30 days, the assigned detective shall forward a completed Property Return Form (Appendix B) instead of a forfeiture request and shall notify the owner to pick up the property.*

VII. *Special Consideration for Motor Vehicles and All Titled Property.*

Failure to provide timely notification or failure to file charges within 30 days will result in the release of the seized vehicle and may subject the City of Cleveland, the Division of Police and its members to civil liability.

A. Motor Vehicle.

1. *A motor vehicle is subject to forfeiture proceedings only when felony charges are filed within 30 days of the seizure. In addition, the titled owner of a seized motor vehicle shall be notified within 72 hours of the seizure*

2. *Motor vehicles subject to felony forfeiture proceedings must be impounded in Lot Two except in cases that mandate the vehicle shall be impounded elsewhere. For example, a vehicle too large to go to Lot Two.*

3. *Assigned detectives shall insure that the titled owner has been notified of the seizure within 72 hours.*

    a. *In compliance with the Ohio Revised Code §2933.43(A)(2):*

    b. *"The notification shall be given to the owner at the owner's last known address within 72 hours after the seizure, and may be given orally by any means, including telephone, or certified mail, return receipt requested.*

c. If the officer or the officer's agency is unable to give the notice required by this division despite reasonable, good faith efforts to do so, the exercise of the reasonable, good faith efforts constitutes fulfillment of the notice requirements imposed by this division."

4. The notification, or in lieu, the reasonable, good faith efforts to do so shall be documented in a supplemental report and included as part of the forfeiture request.

5. In cases where forfeiture requests and felony charges are not filed within 30 days, the assigned detective shall forward a completed Vehicle Return Request (Appendix C) and notify the titled owner to pick up the vehicle.

B. The seizure of real estate shall be immediately reported to the Forfeiture Unit OIC.

VIII. *Forfeiture Procedures for Motor Vehicles and All Titled Property; owner other than defendant.*

A. Motor vehicles titled to someone other than a defendant shall not be subject to forfeiture proceedings, except in 1 or 2 below:

1. Where the detective establishes, by a preponderance of the evidence, that the owner either knew, or should have known after a reasonable inquiry, that the vehicle was, or was likely to be used, in a crime or administrative violation, and the detective is prepared to present such evidence in court. The evidence required above shall be documented in a supplemental report and forwarded to the Forfeiture Unit with the forfeiture request.

2. Where the detective can prove that the motor vehicle title with another's name is, in fact, owned by the defendant.

B. The evidence required above shall be documented in a supplemental report and forwarded to the Forfeiture Unit with the forfeiture request. Detectives shall notify the Forfeiture Unit within 72 hours of the seizure with their intent to request a forfeiture of a vehicle titled to someone other than the defendant. Failure to notify the Forfeiture Unit shall result in release of the vehicle in accordance with Ohio law.

C. Detectives shall forward a Vehicle Return Request to the Forfeiture Unit within 72 hours of the seizure when a motor vehicle is located at Lot 2, titled to someone other than a defendant and evidence is not established for the exceptions listed in Section VIII, A, 1.

IX. *Forms.*

A. The following forms shall be used to request forfeitures and/or the return of property. They are available at the Forfeiture Unit and may be duplicated on a copy machine:

1. Request For Forfeiture Proceedings' form.

a. The front of the Request For Forfeiture Proceedings' form shall be completed in its entirety and signed by the detective completing the form.

b. Vehicles shall be listed on the back of the form and identified by year, make, model, license and vehicle identification number.

c. Firearms shall be listed on the back of the form and identified by make, caliber, number of live rounds and serial number.

d. All other property shall be individually listed on the back of the form and identified as completely as possible by make, description, and serial number.

2. Vehicle Return Request form.

3. Property Return form

EFL/TAH/MB/jsb
Policy & Procedures Unit
Appendices (A-C)

CIF_____

CLEVELAND DIVISION OF POLICE
FORFEITURE UNIT

REQUEST FOR FORFEITURE PROCEEDINGS

--1-- NAME AND ADDRESS OF ARRESTED PERSON OR PERSON TO BE PROSECUTED

_____ D.O.B. _____

--2-- NAME (s) OF SEIZING OFFICER(S) UNIT/DISTRICT

_____ _____

--3-- NAME (s) OF ASSIGNED DETECTIVE(S) UNIT/DISTRICT

_____ _____

--4-- DATE OF SEIZURE_____ REPORT NUMBER _____

NO DRUGS SEIZED ☐ NO VEHICLE SEIZED ☐

--5-- LAB NUMBER: _____

--6-- V.I.U.#_____ PLATE#_____ LIEN? YES☐ NO☐ UNK ☐

--7--- IF AUTO NOT OWNED BY ARRESTED PERSON ANSWER BELOW

Relationship: Spouse_____ Parent_____ Boy/Girl/Friend_____ Unknown _____

--8-- Was the owner notified of the Seizure and Forfeiture Proceedings?

Yes ☐ No ☐ Unable to locate or verify owner ☐

--9--Notified By:_____ Date and Time_____

PLEASE FILL IN NOTIFICATION INFORMATION EVEN IF NOTFIED DAYS LATER

--10-- OFFENSE CHARGED OR TO BE PRESENTED TO THE GRAND JURY

TITLE CODE SECTION

_____ _____

_____ _____

THE DETECTIVE COMPLETING THIS FORM BADGE

CIF_____

DEFENDANT:_____

(ONLY ONE NAME PER FORFEITURE FORM)

PROPERTY SEIZED: DESCRIPTION IN DETAIL

BELOW TO BE FILLED IN BY FORFEITURE UNIT FOR PROSECUTOR'S USE

TITLE#_____ ABOVE VIN VERIFIED: Yes _____ No _____

OWNER DIFFERENT THAN DEFENDANT: YES _____ No _____ UNABLE TO VERIFY _____

CLEVELAND DIVISION OF POLICE

DIVISIONAL INFORMATION

FORFEITURE UNIT (Fax: 5258)

EXAMINED BY _____ RANK _____ DATE _____

FROM: TO:

SUBJECT: PROPERTY RETURN

COPIES To: PROPERTY ROOM, FORFEITURE UNIT, UNIT FILES

SIR:

I RESPECTFULLY REQUEST THAT THE BELOW DESCRIBED PROPERTY BE RETURNED TO

_____

(NAME) (ADDRESS) (CITY, STATE, ZIP)

WHICH WAS SEIZED ON: _____

Incident #: _____

PROPERTY TO BE RETURNED:

(1) _____ (6) _____

(2) _____ (7) _____

(3) _____ (8) _____

(4) _____ (9) _____

(5) _____ (10) _____

THE REASON FOR THE RELEASE AND RETURN OF THIS PROPERTY IS:

_____

_____

_____

_____

_____

RESPECTFULLY,

_____

FORFEITURE UNIT RELEASE PER _____ DATE _____

RELEASED BY _____ DATE _____

(PROPERTY ROOM)

CLEVELAND DIVISION OF POLICE

DIVISIONAL INFORMATION

FORFEITURE UNIT (Fax: 5258)

VCU (Fax: 5832) / VIU (Fax: 5826)

EXAMINED BY _____ RANK _____ _____

FROM: To:

SUBJECT: VEHICLE RETURN REQUEST

COPIES TO: FORFEITURE UNIT, UNIT FILES

SIR:

I RESPECTFULLY REQUEST THAT THE BELOW DESCRIBED VEHICLE BE RETURNED TO:

_____

(NAME) (ADDRESS) (CITY, STATE, ZIP)

WHO IS THE OWNER OF THE BELOW MENTIONED VEHICLE. THE VEHICLE WAS TOWED C/W THE ARREST OF _____

(NAME) (D.O.B.) (SSN)

INCIDENT # _____ VIU # _____

VEHICLE IMPOUND UNIT NUMBER

LICENSE PLATE# _____ VIN# _____

SERIAL NUMBER

THE REASON FOR THE RELEASE OF THIS VEHICLE Is:

_____

_____

_____

_____

_____

RESPECTFULLY,

_____

IF FURTHER INFORMATION IS NEEDED I MAY BE REACHED:

_____ _____ _____

DISTRICT UNIT UNIT PHONE EXT. CELL# (if desired, state hours)

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	2.2.02

SUBJECT:		
WARRANT SUMMONS IN LIEU OF ARREST		
ASSOCIATED	MANUAL:	RELATED ORDERS: 3.4.06
CHIEF OF POLICE: *Edward F. Lohn, Chief*		

PURPOSE: To establish guidelines for the use of the multi-purpose complaint form as a warrant summons instead of executing a warrant by arrest.

POLICY: The policy of the Cleveland Division of Police is to work efficiently. The physical arrest of defendants who have traffic or non-violent misdemeanor warrants reduces the Division's efficiency. Officers shall use the multi-purpose complaint form as a warrant summons for defendants with City of Cleveland traffic or non-violent misdemeanor warrants, if they meet certain minimum criteria.

Rule 4, Paragraph 2 of the *Ohio Revised Code* states in part: "In misdemeanor cases where a warrant has been issued to a law enforcement officer, he may, unless the issuing authority includes a prohibition against it in the warrant, issue a summons in lieu of executing the warrant by arrest, when issuance of a summons appears reasonably calculated to assure the defendant's appearance."

PROCEDURES:

I. Criteria for Issuance of a Warrant Summons

A. Officers shall only issue a warrant summons for City of Cleveland traffic or non-violent misdemeanor warrants when the defendant lives in Cuyahoga or an adjacent county. Counties adjacent to Cuyahoga are Lorain, Lake, Medina, Summit, Geauga and Portage. Officers **shall not** use a summons for capias, contempt of court warrants, or any warrant listed as an attachment.

B. Officers making a physical arrest on fresh charge(s) and/or non-qualifying warrant(s) shall not issue a summons. Officers shall book the prisoner on all warrant(s).

C. Officers **shall issue** a warrant summons when the defendant can be identified and meets all the required criteria established in this directive.

D. Officers responding to a suburban police department to pick up a prisoner arrested on a City of Cleveland warrant **shall issue** a warrant summons in lieu of an arrest if the prisoner meets all the criteria established in this order. After issuing the warrant summons, officers shall release the prisoner at the suburban police department.

II. General Provisions for the Issuance of the Warrant Summons.

A. Officers shall obtain a warrant check from Communication Control Section (CCS) channel nine, (or the district channels if channel nine is down). The dispatcher making the warrant check shall make **a complete warrant check** to ensure that there are no outstanding non-qualifying (Sec. I. A.) warrants, which would require an arrest. If the warrant check reveals a **verified warrant** meeting the above listed criteria, and the officer(s) have decided to issue a warrant summons in lieu of the arrest, the officer shall notify the verifying dispatcher and must provide CCS with the multi-purpose complaint form number from the warrant summons.

B. To enable the dispatcher to advise the Clerk of Courts during the same telephone call made to confirm the warrant, officers shall determine whether or not they will issue a warrant summons between the time dispatch advises them of the existence of an unconfirmed warrant, and the time dispatch advises them of confirmation of the warrant.

C. The dispatcher confirming the warrant shall advise the Clerk of Courts personnel that a warrant summons is being issued in lieu of an arrest, and give them the multi-purpose complaint form number for each warrant. The dispatcher confirming the warrant shall update the incident with the multi-purpose complaint form number(s). The officer shall write the name of the Clerk's Office employee that verified the warrant in the description of the offense section of the form.

D. In the case of multiple qualifying warrants, a separate multi-purpose complaint form shall be issued for each individual warrant. The dispatcher confirming the warrants must be advised of all of the corresponding multi-purpose complaint form numbers.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 01, 2002	DECEMBER 31, 2007	1 of 1	2.2.03

SUBJECT:	
CUYAHOGA COUNTY WARRANT OR CAPIAS ARRESTS	
ASSOCIATED MANUAL: CS&RU, SUPPLY	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To set guidelines to book and transfer persons arrested on Cuyahoga County warrants and capiases.

POLICY: *The Cleveland Division of Police shall, when possible, convey and book persons arrested on Cuyahoga County warrants and capiases to the Cuyahoga County Corrections Center.*

PROCEDURES:

I. When Division officers arrest an individual on a Cuyahoga County warrant or capias, and no other wants/warrants or fresh charge(s) are involved, the officers shall transport the prisoner directly to the Cuyahoga County Corrections Center.

II. Upon arrival at the Cuyahoga County Corrections Center, officers shall complete a Commitment Information for Cuyahoga County Jail Card (Form C of C 71-2640) for each prisoner. Prior to acceptance by the Cuyahoga County Corrections Center, officers shall re-search the prisoner and inventory their property in front of a Cuyahoga County Corrections Center Corrections Officer. If any contraband or weapons are discovered during this search, the transporting officers shall transport the prisoner to a *Cleveland Division of Corrections (CDOC)* jail facility and book the prisoner on the fresh charge(s).

III. Officers arresting an individual for an offense and a Cuyahoga County warrant or capias shall book the prisoner at a *CDOC* jail on the charge(s) and the county warrant(s). The arresting officers shall complete a Commitment Information for Cuyahoga County Jail Card (Form C of C 71-2640), which accompanies the prisoner at the time of transfer.

MM/TAH/JCO/mg
Policy &Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
October 24, 2005	October 20, 2015	1 of 11	2.2.04

SUBJECT:	
WARRANT SERVICE	
ASSOCIATED MANUAL:	RELATED ORDERS: 3.2.09
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

Substantive changes are in italics

PURPOSE: To ensure that search warrants are served in a legal and constitutional manner that ensures the safety of all *members* involved as well as the safety of innocent bystanders and subjects; *retrieval of evidence is a secondary concern after safety issues are addressed.* To provide guidelines for documenting and serving search warrants so they are documented and served in a uniform manner throughout the Division.

POLICY: *Members* of the Cleveland Division of Police shall obtain a review and approval of search warrants from their immediate supervisor before contacting the court. *Members* shall consult with the appropriate prosecutor for advice in drafting the search warrant and affidavit. The primary goal of any high-risk, tactical operation is always safety.

Search warrants are one of the most valuable and powerful tools available to law enforcement officers. They aid in detecting and arresting persons who have committed crimes and in procuring evidence in criminal cases. They prevent the suppression of evidence and dismissal of cases on procedural grounds. Search warrants develop public confidence in the Division when carried out ethically, lawfully, protecting the constitutional rights of citizens, and protecting against civil liability. Successful search warrant service is comprised of three components: planning, execution, and documentation.

PROCEDURES:

I. Members shall comply with the following mandates.

A. Unless specifically requested by the judge, *members* shall not take confidential informants to the judge's home when applying for a search warrant.

B. If the judge makes such a request, the involved supervisor shall contact the judge to set an appointment.

C. Affiant *members* and their supervisors will direct and control those who aid in the service of search warrants.

D. Final responsibility for proper service of search warrants remains with the affiant *member* and the supervisor in charge.

E. *Member*s shall notify their immediate supervisor before aiding in the service of a search warrant obtained by another law enforcement agency. The supervisor will respond to ensure the search warrant meets Divisional standards.

F. *Member*s shall seek permission from their immediate supervisor before allowing a third party into the home during the execution of a warrant. Permission shall only be granted if the third party's presence will aid in the execution of the warrant.

G. Every effort should be made to conduct searches involving school or adjacent school property at times other than arrival or dismissal or any other time children are likely to be present.

H. When conducting a search on or near school property the supervisor in charge shall ensure that the Communications Control Section (CCS) is notified. CCS shall notify the Chief of the Cleveland Metropolitan School District (CMSD) prior to any search on CMSD property or adjacent areas. CCS shall notify the appropriate authority for schools other than CMSD.

I. If a search is required for a student in class.

1. The supervisor shall advise the principal and request security assistance.

2. *Member*s shall make every effort not to enter a classroom. When ever possible, the student shall be brought to a secured office area.

II. Obtaining a Search Warrant.

A. An affidavit is the basis for a search warrant. A search warrant is valid when the affidavit satisfies the legal requirements for such warrants. Members shall prepare the affidavit stating the following information.

1. The nature of the offense. The affidavit and warrant must describe the actual criminal offense being investigated.

2. A precise description of the place to be searched. Affiant *members* must have knowledge or verify the exact location in order to obtain the warrant, (e.g., house, apartment, floor, and door where officers will enter to serve the search warrant). Supervisors shall confirm that affiant *members* have this personal knowledge before approving plans for serving the search warrant.

3. Where possible, use the actual street addresses. Ensure the address given is complete and accurate. Include a brief description of the premises and exact portion of the house or other building to be searched. Example: Apartment #28, 5th floor, inside the large brown brick apartment building located at 3500 Main St., Cleveland, Ohio.

4. When searching a motor vehicle, include the name of the owner (if known), the make and license number of the vehicle, (e.g.: a 1976 Chevrolet Cavalier, red in color, bearing Ohio license plate number 123ABC. License plates on said vehicle are registered to John Doe, 550 Madison Ave., Cleveland, Ohio).

5. Specify in the affidavit and warrant the items or persons sought. When searching for evidence there are four categories of items that may be the subject of a search warrant:

    a. Evidence of the commission of a criminal offense.

    b. Fruits of a crime.

    c. Instruments of a crime, weapons or other things by means of which a crime has been committed or reasonably appears about to be committed.

    d. Contraband or things otherwise criminally possessed.

6. Absent consent or exigent circumstances, an arrest warrant is required to search a subject's home, or place where he/she is expected to be living, for that subject.

7. Absent consent or exigent circumstances, and if probable cause exists to believe that the subject of an arrest warrant is in a third party home not mentioned in the arrest warrant itself, a search warrant must be obtained to search that home for the suspect.

   a. Although the person wanted on the arrest warrant does not have his individual right to privacy violated by an entry into a third party home without a search warrant, the homeowner's right to privacy cannot be overcome in these situations with an arrest warrant alone.

   b. If a search of the premises where the person wanted on an arrest warrant is conducted by officers who have **only an arrest warrant for that person**, any evidence seized during the search that can be used against the homeowner will likely be suppressed and civil liability exists, even if the subject of the arrest warrant is found to be present.

B. *Members* may seize items discovered during the search.

   1. That are named or described in the warrant, or

   2. That are not named or described in the warrant, are discovered in plain view, or in any area or container capable of holding the evidence or person(s) sought in the warrant, and sufficient cause exists that they are related to the crime being investigated or are evidence of other crimes.

C. Probable cause.

   1. Probable cause for a search warrant is comprised of facts and circumstances strong enough by themselves to cause a prudent officer to believe articles subject to seizure are being held on the property, or that the person wanted in the arrest warrant is present.

   2. *Member*s may have either first or second-hand knowledge of the facts.

      a. If second-hand knowledge involves information from an undisclosed informant, the *member* must be able to support the informant's trustworthiness. Explain how the informant had a reasonable basis for obtaining the information.

b. Independent corroboration by *members* of investigative details will assist in showing reliability of second hand knowledge.

D. Complete the search warrant form in duplicate.

E. Direct the search warrant to the head of the local law enforcement agency where service will occur.

III. Requesting a “No Knock” Search Warrant.

A. *In addition to the probable cause listed in Section II. C. to obtain a “No Knock” search warrant, the affiant member shall include four points.*

1. Show why the police need a "No Knock" waiver (e.g., risk of serious physical harm to the law enforcement officers who execute the warrant, violent history of suspect).

2. Give the names and descriptions of armed suspects he believes may try to harm officers during the search.

3. Give a statement showing a connection between the address in question and the criminal activity. (e.g., the building owner states Jane Doe is the resident on record for apt. #5, 1234 Smith St. Jane Doe is the wife of suspect John Doe.)

4. Add the waiver, just above the judge’s signature on the warrant: "Furthermore, for good cause shown, I waive the statutory precondition for nonconsensual entry."

B. After review by a supervisor, contact the appropriate city, county, or federal prosecutor. The prosecutor will review the warrant and affidavit for accuracy and completeness. Arrangements shall be made for the judge to review and sign two original copies of the search warrant.

C. *The SWAT Unit, Gang Impact Unit members trained in warrant execution, or another (local, state, or federal) tactical team shall assist in executing all "No Knock" search warrants*.

IV. Service of the Warrant.

A. Search warrant service normally occurs during daylight hours defined by State law as 0700 hours to 2000 hours. If a nighttime search is required, the reasons that make it so shall be clearly stated in the affidavit.

B. Without the nighttime entry specification, the warrant restricts the officer to a daytime entry. A detailed and thorough search starting during the daytime may extend into the night without becoming an illegal search.

V. Supervisor's responsibility before entry.

A. Have members of the affiant unit, if available and circumstances allow, begin watching the premises approximately one hour before serving the search warrant.

1. Estimate the number, nature, and sex of probable occupants.

2. Determine whether there are others in the premises requiring special consideration during the entry (e.g., children, elderly, dog).

3. It is recommended that a uniformed basic patrol officer(s) be present prior to entry.

B. Determine how many *members* it will take to safely enter the premises and conduct a thorough controlled search. Limit the size of the search party to the number of personnel needed to carry out the search properly.

C. Ensure the Pre-Entry Planning Report (*Attachment*) is completed.

D. Obtain the aid of the SWAT Team in the service of high-risk search or arrest warrants.

1. A high risk search warrant is one where the officers expect at least one of the following situations:

a. Fortified locations.

b. Armed subject.

c. Subject has an outstanding warrant for Homicide, Rape, Felonious Assault, Aggravated Robbery, or Aggravated Assault.

d. Any other situation where the potential for violence is great (No-Knock search warrants).

e. A probate warrant with sufficient information to believe that situations A-D (above) may exist.

2. When possible, submit requests to use SWAT through the SWAT commander before preparing the warrant.

3. SWAT personnel shall handle the entry phase of all high-risk searches and shall secure the premises. The unit obtaining the search warrant is responsible for the actual search.

E. Conduct a detailed briefing.

1. Include the use of charts, photographs, floor plans, etc., where available.

2. Assign specific duties to each individual.

3. Select a specific radio channel to use during service of the search warrant.

4. Inform all officers involved of the type of warrant being served, the exact location and description of the residence or facility in question.

5. Describe the suspects in detail.

6. Assess doors for their locations and accessibility. Include their direction of opening, material construction, and locking devices.

7. Identify the best route for approaching the location.

8. Assess the types of weapons and fortification expected, including possible booby traps.

9. Complete a detailed Pre-Entry Planning Report. Supervisors shall ensure that DECONFLICTION through the HIDTA is completed.

10. Know the location of the nearest hospital.

11. Determine the evacuation command word. When announced this term serves to signal the immediate evacuation of the premises due to the presence of a *safety hazard (e.g., methamphetamine lab, booby traps)*.

12. Ensure that all involved *members* are wearing body armor.

VI. Gaining entry.

A. A supervisor shall be on the search warrant scene during the service of all search warrants.

B. A supervisor shall ensure the perimeter of the premises is secure before entry. Have all doors and windows under observation.

C. *Members shall* clearly notify persons inside the search site of their authority and purpose. Example: "Police officers, search warrant, open the door".

D. Use force to enter the premises only after waiting a reasonable amount of time for an occupant to open the door.

1. A reasonable amount of time is that time necessary for an occupant to reach the door from the furthest part of the premises.

2. If, while waiting for the door to open, there is some sign the occupant is fleeing, fortifying their position, destroying evidence or contraband, or taking action that would jeopardize the safety of the *members*, force the door open immediately.

3. Upon entry, have one *member* continue to announce the identity and purpose of the entering *members*.

4. *Members not in uniform will display proper identification (e.g., badge, ID, raid jacket) when serving the search warrant.*

5. *A uniformed local law enforcement officer will be present during a search executed outside of the City of Cleveland.*

VII. Search procedures.

A. The supervisor in charge of the search warrant scene shall ensure that officers do a security sweep of the entire premises immediately after entry.

B. Secure and identify any occupants by location. After securing any weapons, direct all occupants to a previously searched area. Assign one or more *members* to remain with the subjects.

C. The supervisor in charge shall ensure an officer presents and explains the search warrant to the responsible occupant. **A signed copy of the search warrant shall be given to the occupant or left behind if no one is present.**

D. Search the premises in a thorough, orderly and systematic fashion. Upon discovering an article subject to seizure, the finding *member* will summon a witnessing *member*. If practical, videotape or photograph the article in the location where it was found.

1. Assign one person to collect, preserve, and document all items seized until possession is completed.

2. A supervisor shall witness the counting and handling of large sums of money and other valuables.

E. *When on-site counting of seized currency is impractical (e.g., large volume of paper money or coins), the on-scene supervisor may determine the counting should be done at another location.*

1. *On those occasions, the money shall be secured by the recovering detective and a supervisor in large drug bags. The drug bag containing the currency shall be sealed at the scene and marked in red ink with the name and badge number of:*

   a. *Member(s) who located the currency.*

   b. *Witnessing member(s).*

   c. *Witnessing supervisor(s).*

2. *The number of the drug bag containing the currency shall be listed on the inventory sheet or pink property held in evidence receipt and on the RMS report.*

3. *The drug bag containing the currency shall be transported and secured in a safe unless arrangements are made with a federal agency.*

F. *A member shall be assigned to complete the Search Warrant Inventory List (C of C 71-2635), available at the Supply Unit, for all evidence seized. The supervisor shall confirm the items being seized and sign the Search Warrant Inventory List prior to leaving the scene with the items. The copies of the Search Warrant Inventory List shall be distributed as described on the form.*

G. Special care shall be given to the elderly, handicapped or juveniles present at the premises. Custodial interrogations of a juvenile require the presence of a supervisor, and where appropriate, a parent or a guardian.

VIII. Post-search requirements.

A. Properly secure the premises upon completion of the search.

B. Note the nature and extent of any damage caused during the entry and, when applicable, use the appropriate RMS report to document any damage.

C. *Members* taking property under the authority of a search warrant shall:

1. Give the person from whom or from whose premises the property was taken a copy of the warrant and completed return portion of the search warrant as receipt for the property taken.

2. Make the property inventory in the presence of the applicant or their designee for the warrant and the person from whose possession or premises the property was taken if they are present. If no one is present, make the inventory in the presence of at least one credible person other than the applicant for the warrant or the person from whose possession or premises the property was taken.

3. If the person is not present, leave the copy and return portion of the search warrant at the place from which the property was taken.

4. Return the affidavit, the warrant itself, and the completed return as soon as practical to the issuing judge. The evidence taken in the search warrant must be available to the judge accepting the return if requested.

5. Deliver the affidavit, warrant, and return to the Clerk of Courts after review by the judge accepting the return.

D. *When a large volume of currency is seized and removed from the search location, as described in section VII. E., the following shall apply:*

1. *Arrangements shall be made to have the currency counted as soon as practical.*

2. *The currency shall be counted in the presence of at least one supervisor and one detective using a money counting machine. A Form-1 report shall be completed with the following:*

   a. *The location of the counting.*

   b. *The amount of the seized currency.*

   c. *A list of those present when the currency was counted (e.g., civilians, supervisor(s), transporting detectives)*

3. *The disposition of the money (e.g., deposited in a federal case or property room).*

IX. Executing Arrest and Probate Warrants.

A. The same general search and seizure legal principles apply when executing an Arrest or Probate Warrant.

B. In the case of probate warrant service:

1. Every reasonable and appropriate effort shall be made to take a person into custody in the least conspicuous manner possible.

2. The person named in the warrant shall be advised of the name, professional designation, and agency affiliation of the officer taking the person into custody. The person shall also be advised that the custody-taking is not a criminal arrest and that the person is being taken for examination by mental health professionals at a specified mental health facility identified by name, (reference pertinent parts of Ohio Revised Code Chapter 5122).

C. Ohio Revised Code 2935.12 allows non-consensual forcible entry by a police officer executing a warrant to break down an outer or inner door or window of a dwelling house or other building, if, after notice of the officer's intention to make the arrest or to execute the warrant or summons, the officer is refused admittance. The *member* shall enter only that house or building being described in the warrant.

CDW/jeh
Policy Unit
Attachment

Cleveland Division of Police

PRE-ENTRY PLANNING REPORT

PRIMARY INVESTIGATING OFFICER _____ # _____

TYPE OF OPERATION:

Search Warrant ( )
Arrest Warrant ( )
Other ( )

Case Number _____
Date: _____

SUBJECT ASSESSMENT:

Name _____ AKA _____
Address _____ Telephone # _____
City _____County_____State _____Zip_____
Sex _____Race _____ Age _____DOB _____Hair _____Eyes _____
Height _____ Weight _____ Build _____ Occupation _____
Scars/Tattoos _____

Business: Name/Address _____
_____

Hangouts: _____
_____

Associates: _____
_____

Criminal History: _____
_____

Other Information (Spouse, Children, Dogs, Narcotics Dealer [User])
_____
_____

Vehicle Information: Yr. _____ Make _____ Model _____ Color _____
Style _____ License # _____State _____

Unique Identifiers (Bumper Stickers. Damage, Etc.) _____
_____

INFORMATION SOURCES CHECKLIST: (Attach to report)

Utilities	( )	Deed Records	( )
BMV	( )	Employer/Co-Worker	( )
LEADS	( )	Local Police	( )
County	( )	Address A-Key	( )
Web Sites	( )	MAC Complaints	( )
HIDTA	( )	Probation/Parole	( )

Cleveland Division of Police

PRE-ENTRY PLANNING REPORT

CRITICAL INFORMATION (Y/N)

1. Record of Violence
   - Homicide ( )
   - Assault ( )
   - Robbery ( )
   - Rape ( )
   - Major Narcotics Violator ( )
   - History of Resisting Arrest ( )
2. On Parole ( )
   On Probation ( )
3. Substance Abuse
   - Drugs ( )
   - Alcohol ( )
   - Other (describe) ( )
4. Mental History
   - Legal Determination ( )
   - Apparent ( )
5. Military/Police Background ( )
6. Associations
   - Known Criminals ( )
   - Criminal Organizations ( )
   - Paramilitary ( )
   - Terrorist ( )
   - Religious Extremist ( )
7. Weapons (Subject is known to possess)
   - Rifles ( )
   - Shotguns ( )
   - Handguns ( )
   - Explosives ( )
   - Machine guns ( )
   - Other (describe) ( )

SITE ASSESSMENT:

1. Urban ( )
2. Rural ( )
3. Terrain ( )
4. Fortifications ( )*
5. Is Site Booby Trapped ( )**
6. Hazardous Materials Present ( )**
7. Electronic Counter Surveillance ( )
8. Possible Armed Counter Surveillance ( )*
9. Friends, Relatives, Associates on Site ( )
10. Juveniles on Site ( )
11. Other (explain) ( )

_____

Photograph ( ) Video ( )

A yes answer to any question marked with an "*" is an automatic SWAT call up.

A yes answer to any question marked with an "**" indicates that an alternative course of action should be considered.

Based on a review of the totality of information provided, the unit supervisor has determined that the following course of action will be taken:

1. SWAT call tip ( )
2. SWAT not needed ( )
3. Other action recommended ( )

UNIT SUPERVISOR _____ (print)

UNIT SUPERVISOR _____ (signature)

(Attach diagram to this report)

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 01, 2002	July 14, 2011	1 of 15	2.3.01

SUBJECT:	
SUBPOENAS	
ASSOCIATED MANUAL:	RELATED ORDERS: 2.3.03
CHIEF OF POLICE: *Michael McGrath, Chief*	

Revisions are printed in italics

PURPOSE: To establish procedures for the distribution, service, and return of all subpoenas (criminal and civil) issued by the Cleveland Municipal Court, Cuyahoga County Common Pleas and Juvenile Courts, as well as criminal and civil subpoenas issued by any other Federal, State, County, or Municipal courts.

POLICY: To ensure prompt distribution, service, and return of Cleveland Municipal and Cuyahoga County Common Pleas Court subpoenas. The City of Cleveland shall not compensate personnel for court attendance generated by activities related to secondary employment. The City of Cleveland shall compensate court appearances due to arrests made outside the scope of secondary employment duties/venue, which result from the member's primary responsibility to the citizens of Cleveland.

DEFINITIONS:

Common Pleas Court Subpoenas are issued by the Common Pleas Court, the Grand Jury, or the Juvenile Court.

"Hot" Subpoenas are received by the bailiff's office or Court Unit and require the subpoenaed member to appear at the next scheduled session of court.

Misdirected Subpoenas are delivered to a district or bureau where the subpoenaed member is not assigned.

Subpoena Logbooks shall be maintained as loose leaf log sheets in a 3-ring binder and contain the following column headings: date received; entered by; subpoenaed member and badge number; court date; court room; defendant's name; subpoenaed member's signature; serving supervisor's signature; date of service; and time of service.

PROCEDURES:

I. Distribution of Subpoenas

A. Municipal Court Subpoenas for district personnel

1. Municipal court subpoenas issued to district personnel will be delivered by the bailiff's office to the District Administrative Supervisor. The bailiff's office will record each subpoena on a register.

2. The District Administrative Supervisor shall acknowledge receipt of delivered subpoenas by signing and dating the register.

3. The original register shall be placed in a binder. The binder shall be maintained in the District Administrative Supervisor's office. A copy shall be provided to the Bailiff's Office messenger on the following business day.

4. The District Administrative Supervisor shall cause prompt pickup of subpoenas by the Patrol and Support Sections.

5. The member designated to retrieve subpoenas from the District Administrative Supervisor shall acknowledge receipt by signing the register. The District Administrative Supervisor shall then sign the register and enter the date and time of pickup.

6. The retrieving member shall *place a copy of the register into the section/unit subpoena logbook*.

7. Support Section OICs shall ensure that someone is available to pickup subpoenas from the District Administrative Supervisor during normal business hours.

B. Municipal Court Subpoenas for bureau personnel

1. Municipal court subpoenas issued to bureau personnel (e.g., Bureau of Traffic, Bureau of Special Investigations) will be delivered by the Bailiff's Office to the Commander's Executive Assistant. The Bailiff's Office will record each subpoena on a register.

2. The Bureau Executive Assistant shall acknowledge receipt of delivered subpoenas by signing and dating the register.

3. The original register shall be placed in a binder. The binder shall be maintained in the Bureau Executive Assistant's Office.

4. The Bureau Executive Assistant shall cause prompt pickup of subpoenas by all units reporting to the bureau.

5. The unit member designated to retrieve subpoenas from the Bureau Executive Assistant shall acknowledge receipt by signing the register. The Bureau Executive Assistant shall then sign the register and enter the date and time of pickup.

6. The retrieving member shall *place a copy of the register into the section/unit subpoena logbook*.

7. Unit OICs shall ensure that someone is available to pickup subpoenas from the executive assistant during normal business hours.

C. Municipal Court Subpoenas for sections and units not reporting to districts or bureaus

1. Municipal Court subpoenas issued to section/unit personnel not reporting to districts/bureaus (e.g., Intelligence Unit) will be delivered by the Bailiff's Office to the section/unit OIC. The Bailiff's Office will record each subpoena on a register.

2. The OIC shall acknowledge receipt of delivered subpoenas by signing and dating the register.

3. The register shall be placed in a binder. The binder shall be maintained in the section/unit.

D. "Hot" Municipal Court Subpoenas for district and bureau personnel

1. When the Bailiff’s Office receives a “hot” subpoena, the subpoena and its register will be faxed to the District/Bureau Administrative Supervisor/Executive Assistant.

2. The District/Bureau Administrative Supervisor/Executive Assistant shall review the subpoena register and subpoenas for accuracy and note errors/omissions on the register.

3. After signing and dating the register, the District/Bureau Administrative Supervisor/ Executive Assistant shall fax it back to the Bailiff's Office.

4. If the "hot" subpoena is issued to district personnel, procedures contained in (A) (3) through (6) of this section shall apply.

5. If the "hot" subpoena is issued to bureau personnel, procedures contained in (B) (3) through (6) of this section shall apply.

E. "Hot" Municipal Court Subpoenas for sections and units not reporting to districts or bureaus

1. When the Bailiff's Office receives a "hot" subpoena, the subpoena and its register will be faxed to the section/unit OIC.

2. The section/unit OIC shall review the subpoena register and subpoenas for accuracy and note errors/omissions on the register.

3. The section/unit OIC shall sign and date the register. The OIC shall then fax it back to the Bailiff's Office.

4. The OIC shall comply with procedures contained in (C) (3) of this section.

F. Commons Pleas Court Subpoenas for District Personnel

1. Common Pleas Court subpoenas issued to district personnel will be delivered by the Sheriff's Office to the Court Unit.

2. Court Unit personnel shall record delivered subpoenas into a computerized database maintained for that purpose.

3. Each weekday, excluding holidays, the District Administrative Supervisor shall dispatch a district member to retrieve subpoenas from the Court Unit.

4. The district member shall acknowledge receipt of all subpoenas by signing the log sheet and entering the date and time of pickup.

5. The district member shall deliver the subpoenas to the District Administrative Supervisor and *place a copy of the register into the subpoena logbook* maintained in the office.

6. The District Administrative Supervisor shall cause the subpoenas to be promptly retrieved by the Patrol and Support Sections.

7. The member designated to retrieve subpoenas from the District Administrative Supervisor shall acknowledge receipt by signing the logbook. The Administrative Supervisor shall then sign the logbook and enter the date and time of pickup.

8. The retrieving member shall *place a copy of the register into the section/unit subpoena logbook*.

9. Support Section OICs shall ensure that someone is available to pickup subpoenas from the District Administrative Supervisor during normal business hours.

G. Common Pleas Court Subpoenas for Bureau Personnel

1. Common pleas court subpoenas issued to bureau personnel (e.g., Bureau of Special Investigations) will be delivered by the Sheriff's Office to the Court Unit.

2. Court Unit personnel shall record delivered subpoenas into a computerized database.

3. When a bureau has subpoenas requiring pickup, Court Unit personnel shall notify the commander's executive assistant. Upon receipt of such notification, the executive assistant shall promptly dispatch a bureau member to retrieve the subpoenas.

4. The bureau member shall acknowledge receipt of all subpoenas by signing the log sheet and entering the date and time of pickup.

5. The bureau member shall deliver the subpoenas to the Bureau Executive Assistant and *place a copy of the register into the subpoena logbook* maintained by the office.

6. The Bureau Executive Assistant shall cause the subpoenas to be promptly retrieved by units reporting to the bureau.

7. The unit member designated to retrieve subpoenas from the Bureau Executive Assistant shall acknowledge receipt by signing the logbook. The Bureau Executive Assistant shall then sign the logbook and enter the date and time of the pickup.

8. The retrieving member shall *place a copy of the register into the bureau/section/unit subpoena logbook*.

9. Unit OICs shall ensure that someone is available to pickup subpoenas from the executive assistant during normal business hours.

H. Common Pleas Court subpoenas for sections and units not reporting to districts or bureaus

1. Common Pleas Court subpoenas issued to section/unit personnel not reporting to districts/bureaus (e.g., Internal Affairs Unit) will be delivered by the Sheriff's Office to the Court Unit.

2. Court Unit personnel shall record all delivered subpoenas into a computerized database.

3. When a section/unit has subpoenas requiring pickup, Court Unit personnel shall notify the OIC of the section/unit. Upon receipt of such notification, the OIC shall promptly dispatch a section/unit member to retrieve the subpoenas.

4. The section/unit member shall acknowledge receipt of all subpoenas by signing the log sheet and entering the date and time of pickup.

5. The retrieving member shall record the subpoenas into a log sheet maintained by their unit.

I. "Hot" Common Pleas Court Subpoenas for district and bureau personnel

1. "Hot" subpoenas shall be recorded in the Court Unit's computerized database.

2. Upon receipt of a "hot" subpoena, Court Unit personnel shall telephone the Administrative Supervisor/Executive Assistant and request immediate pickup.

3. The administrative supervisor/executive assistant shall promptly dispatch a district/bureau member to retrieve the "hot" subpoena from the Court Unit.

4. The district/bureau member shall acknowledge receipt of the "hot" subpoena by signing the log sheet and entering the date and time of pickup.

5. If the "hot" subpoena is issued to district personnel, procedures contained in (F) (5) through (8) of this section shall apply.

6. If the "hot" subpoena is issued to bureau personnel, procedures contained in (G) (5) through (8) of this section shall apply.

J. "Hot" Common Pleas Court Subpoenas for sections and units not reporting to districts or bureaus

1. "Hot" subpoenas shall be recorded in the Court Unit's computerized database.

2. Upon receipt of a "hot" subpoena, Court Unit personnel shall telephone the section/unit OIC and request immediate pickup.

3. The OIC shall promptly dispatch a section/unit member to retrieve the "hot" subpoena from the Court Unit.

4. The section/unit member and Court Unit personnel shall comply with procedures contained in (H) (4) and (5) of this section.

II. Service and Return of Subpoenas

A. Maintenance of subpoena logbooks

1. Patrol section and support section/specialized unit OICs shall make daily checks of the logbook to ensure that recorded subpoenas have been disposed of in a timely and proper manner.

2. When a subpoena is personally served:

   a. The served member shall sign the logbook to acknowledge receipt of the subpoena.

   b. The serving supervisor shall sign the logbook to document service of the subpoena.

   c. The serving supervisor shall record the date and time of service.

3. When a subpoena cannot be personally served:

   a. The patrol section and support section/specialized unit OICs shall make reasonable and timely, and if necessary, multiple attempts to notify the member of the subpoena by telephone.

   b. If telephone service is successful, the OIC shall enter the word "telephone" in the "subpoenaed member's signature" field, sign as the serving supervisor and record the date and time of service.

   c. Telephone service of a subpoena cannot be made by leaving a message with a family member, answering machine/voicemail or e-mail.

4. When a subpoena cannot be personally or telephonically served and the court date is within three days, the OIC shall enter the reason for non-service (e.g., furlough, vacation day, compensatory time off) in the "subpoenaed member's signature" field and sign their own name in the "serving supervisor's signature" field and record the return date and time in the appropriate fields.

5. When the logbook does not contain an entry in the "subpoenaed member's signature" field and the court date is within three days, the OIC shall presume that the subpoena has yet to be disposed of. In such cases, the OIC shall serve the subpoena. *If the OIC is unable to do so, the OIC will enter the reason for non-service (e.g. furlough, vacation day, extended illness) in the "subpoenaed member's signature" field*

and sign their own name and badge in that section and return it without service. In either case, proper entries shall be made in accordance with (3) through (5) of this subsection.

6. Whether served or unserved, OICs shall ensure that every subpoena recorded in the logbook contains a proper disposition as provided for in this subsection.

B. Maintenance of Subpoenas

1. Patrol Section and Support Section/specialized unit OICs are responsible for securing subpoenas.

2. Patrol Section and Support Section/specialized unit OICs shall make daily checks of subpoena storage areas to ensure that all subpoenas issued to their personnel have been disposed of in a timely and proper manner.

3. When a subpoena is personally served, the serving supervisor shall:

   a. Note on the subpoena that personal service was made by signing their name and recording the date of service.

   b. Provide the original of the served subpoena to the subpoenaed *member*.

   c. Promptly return a copy of the served subpoena to the Administrative Supervisor/Executive Assistant. [Sections and units not reporting to districts or bureaus refer to (C) (3) of this section for return procedure.]

4. When a subpoena is telephonically served, the serving supervisor shall:

   a. Note on the subpoena that telephone service was made by signing their name and recording the date of service.

   b. Make available the original of the served subpoena to the subpoenaed member.

   c. Promptly return a copy of the served subpoena to the Administrative Supervisor/Executive Assistant. [sections and

units not reporting to districts or bureaus refer to (C) (3) of this section for return procedure.]

5. When a subpoena cannot be personally or telephonically served and the court date is within three days, the OIC shall:

   a. Note on the subpoena the reason for non-service (e.g., furlough, vacation day, and compensatory time off) sign their name and record the return date.

   b. Promptly return the unserved subpoena to the Administrative Supervisor/Executive Assistant. [Sections and units not reporting to districts or bureaus - refer to (C) (3) of this section for return procedure.

6. Whether served or unserved, OICs shall ensure that every subpoena contains proper entries regarding its disposition in accordance with (3) through (5) of this subsection.

C. Return of Served and Unserved Subpoenas to the Bailiff's Office and the Court Unit

1. Returned Municipal Court subpoenas shall be separated into groups of “served” and “unserved” and be returned to the Administrative Supervisor/Executive Assistant who shall promptly give them to the bailiff's representative when fresh subpoenas are delivered to the district/bureau.

2. Served and unserved Common Pleas Court subpoenas shall be separated by served/unserved and returned to the Administrative Supervisor/Executive Assistant who shall promptly deliver them to the Court Unit.

3. OICs of sections and units not reporting directly to a district or bureau shall promptly deliver subpoenas separated by served/unserved to either the Bailiff's Office (Municipal Court) or the Court Unit (Common Pleas Court).

4. Common Pleas Court subpoenas returned to the Court Unit shall be given to the Sheriff's representatives promptly when they deliver fresh subpoenas to the Court Unit.

III. Misdirected Subpoenas

A. Upon receipt of a misdirected subpoena, the Administrative Supervisor/ Executive Assistant shall ascertain the subpoenaed member's current district/bureau of assignment.

B. The Administrative Supervisor/Executive Assistant, under whose command the subpoenaed member is currently assigned, shall be notified by telephone of the misdirected subpoena. The subpoena shall then be promptly faxed to the member subpoenaed. The faxing Administrative Supervisor/Executive Assistant shall make a follow-up call to ensure that the fax was successfully transmitted.

C. After sending the misdirected subpoena to its proper destination, the faxing Administrative Supervisor/Executive Assistant shall record its disposition in the register/logbook and on the subpoena itself. They shall then file the subpoena for accountability purposes.

D. Upon receipt of the faxed subpoena, the receiving Administrative Supervisor/Executive Assistant shall comply with the distribution procedures contained in Section I of this directive.

IV. Response to Subpoenas

A. Court Attendance

1. Subpoenaed members shall attend any arraignment, grand jury hearing, pre-trial, trial or continuance as required.

2. Members shall sign in at the Court Unit or Juvenile Liaison Office prior to a court appearance. If the Court Unit is closed, officers shall sign in at the Record Section.

3. Members shall obtain a Prosecutor/Court Attendance Information Card from the Court Unit, Juvenile Liaison Office or the Record Section.

4. Members shall obtain a time stamp on the back of the Prosecutor/Court Attendance Information Card. The time stamp indicates the time the member signed in for court. If the Court Unit is closed, members shall sign in and receive their time stamp at the Warrant Unit.

a. If the time stamp is inoperable, Court Unit personnel shall promptly notify the OIC of the Record Section who shall initial the back of the card and enter the sign-in time.

b. The time entry on the card should be the same as that entered on the Court Attendance Sheet and the Court Attendance sign-out Sheet.

5. Members shall complete a Courtroom Log Sheet in each courtroom for which they have been subpoenaed.

a. The Courtroom Log Sheet will require the member's sign in time, name and badge number, district/assignment, shift, duty status, the defendant's name, the case number, and the other courtrooms for which subpoenas were received for that day.

b. The Courtroom Log Sheets will be provided and maintained by the Municipal Prosecutor's Office

6. Excused Absence/Tardiness

a. After a subpoena has been served, only the assigned prosecutor can excuse the subpoenaed member from attendance at the proceeding. Leaving a message with the Grand Jury bailiff or on a prosecutor's answering machine does not constitute being excused from a court proceeding.

b. Members excused from appearing in court shall record the following information on their copy of the subpoena:

i. The name of the prosecutor who agreed to seek a continuance of the case.

ii. The date that the agreement was made.

iii. The time that the agreement was made.

c. When members are excused from appearing in court, they shall, for accountability purposes, maintain the subpoena with the above documentation recorded on it.

d. Members who anticipate arriving after the scheduled start of their court case shall notify the prosecutor. The name of the prosecutor notified along with the date and time of notification shall be documented on the member's copy of the subpoena.

e. Failure to respond to a subpoena may result in Divisional charges and/or contempt of court proceedings.

7. Witness Vouchers

a. Whenever members respond to a Common Pleas Court subpoena, they shall obtain a witness voucher from the County Clerk's Office. In order to obtain a witness voucher, the original (white) subpoena must be presented to the cashier.

b. Members shall endorse the witness voucher by their signature and badge number.

c. The member shall surrender the endorsed witness voucher to the Court Unit.

8. After completion of the court appearance, members are to sign out at the Court Unit or Juvenile Liaison Office. If the Court Unit is closed, members shall sign out at the Record Section OIC's office.

9. Members shall obtain a time stamp on the back of the Prosecutor/Court Attendance Information Card.

a. If the Court Unit is closed, members shall sign in and receive their time stamp at the Record Section OIC's office.

b. The time stamp requirement applies only to members attending court at the Justice Center or who otherwise sign in or out at the Court Unit.

10. Members shall submit to their OIC a copy of their subpoena(s) attached to the Prosecutor/Court Attendance Information Card.

11. Members shall not submit subpoenas that have material information marked over, crossed out or otherwise altered unless the prosecutor assigned to that case signs and dates the subpoena.

a. If material information is altered, the member may seek counter service at the respective prosecutor's office.

b. Overtime shall not accrue for submitting an altered subpoena.

c. Overtime shall not accrue when a member has to return to the prosecutor's office to receive the issuing prosecutor's signature and date when that member failed to obtain the signature's during the original appearance.

V. Subpoenas from jurisdictions outside of Cuyahoga County Common Pleas Courts shall be handled in the same manner as Cuyahoga County Common Pleas Courts subpoenas to the extent possible. Witness vouchers or other similar payments received for attending to subpoenas issued outside of Cuyahoga County's jurisdiction shall be handled as other such payments to the extent possible.

VI. *Grand Jury Subpoenas*

A. *Grand Jury subpoenas for specialized units assigned to Cleveland Police Headquarters shall continue to be delivered to the Court Unit.*

B. *Grand Jury subpoenas for districts shall be e-mailed directly to the appropriate district.*

C. *The district detective unit OIC or designee shall check the district's email twice a day (Monday-Friday), once before 1000 hours and again after 1400 hours. The district detective unit OIC or designee shall ensure that the Grand Jury subpoenas are logged into the Subpoena Log Book and the subpoenas dispensed to the appropriate shift and unit.*

D. *Misdirected subpoenas shall be routed by forwarding the email to the appropriate district or unit. Hard copies shall be faxed if necessary (see Section III).*

E. *Grand Jury Liaison*

1. *Each district shall designate an officer to act as Grand Jury Liaison*.

2. *The Grand Jury Liaison shall be responsible for*:

a. *Retrieving Grand Jury subpoenas and preparing cases for the Grand Jury*.

b. *Obtaining firearm test fire results (ballistic evidence)*.

c. *Obtaining drug evidence test results*.

d. *Obtaining any other forensic evidence necessary for presentation of the case to the Grand Jury*.

e. *Presenting felony cases to the Grand Jury via video testimony*.

3. *In the event the designated Grand Jury Liaison is not available to provide video Grand Jury testimony, the OIC of that investigative unit shall assign another detective as appropriate to handle that task*.

MM/LM/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 1	2.3.02

SUBJECT:	
SUBPOENAS FROM THE OFFICE OF PROFESSIONAL STANDARDS	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To ensure that officers appear at public hearings before the Police Review Board.

POLICY: The Division of Police shall issue subpoenas from the Office of Professional Standards (OPS).

PROCEDURES:

I. An OPS supervisor shall personally deliver subpoenas to the District or Bureau Commander ten days before the scheduled hearing and obtain a signature from the Commander to acknowledge receipt.

A. The District or Bureau Commander shall ensure the officer receives the subpoena no later than five days before the hearing and require the officer's signature for receipt.

B. The delivering supervisor shall fax the form to OPS (420-8764), with all signatures and return the original through Division mail.

C. Officers who receive an OPS subpoena shall attend the scheduled hearing unless excused for a valid reason that would excuse an officer from appearing in a court of law. If there is a valid excuse, the District or Bureau Commander shall denote the reason on the form and fax it to OPS forty-eight hours before the hearing.

D. Officers assigned to uniform duty shall appear in the uniform of the day and specialized units that normally wear civilian clothes shall appear in proper business attire.

EFL/TAH/LM/bdg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 1, 2002	March 20, 2013	1 of 3	2.3.03

SUBJECT:	
PROSECUTOR CONSULTATIONS	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.1.26, 2.3.04, 4.1.12
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are italicized

PURPOSE: To establish guidelines for officers to consult with prosecutors.

POLICY: The City of Cleveland shall not compensate officers for prosecutor consultations generated by activities related to secondary employment. The City of Cleveland shall compensate prosecutor consultations due to arrests made outside the scope of secondary employment duties/venue when they are the result of the officer's primary responsibility to the citizens of Cleveland.

When a superior officer is satisfied that it is necessary for the successful prosecution of a case, that superior officer may grant a deviation from this order.

Prosecutor consultations for <u>misdemeanor only</u> arrests generated by the Patrol Section shall be handled by the Record Section. Refer to General Police Order 4.1.12 Charging Procedures: Warrantless Non-Escalating Misdemeanor Arrests.

PROCEDURES:

I. Officers shall consult with the prosecutor while on-duty when possible, or as an extended tour when approved by a supervisor. If off-duty consultation is necessary, officers shall obtain prior approval from a superior officer.

II. Only one officer shall attend a prosecutor consultation per case, unless a probationary officer is involved. Supervisors may approve the probationary officer's field training officer to accompany the probationary officer to the prosecutor consultation. When officers are involved in a matter requiring a prosecutor consultation, and one of them has been subpoenaed for court the following day, that officer shall handle both matters whenever possible. Any deviation from this procedure shall require a supervisor's approval.

III. Officers shall consult with the prosecutor within 24 hours of the arrest or before 0730 hours on the next day that court is in session, whichever comes first.

IV. On reports that allege both misdemeanor and felony offenses, Patrol Section officers **shall not** consult with the prosecutor for that offender. When a misdemeanor charge is accompanied by a felony charge, the detective handling the felony charge(s) shall consult with the prosecutor (or present to the Grand Jury) to obtain misdemeanor charges.

V. Officers shall sign in at the Court Unit or Juvenile Liaison Office prior to a prosecutor consultation. If the Court Unit is closed, officers shall sign in at the Record Section Office.

VI. Officers shall obtain a Court Information Card from the Court Unit, Juvenile Liaison Office or Record Section office.

VII. Officers shall supply the prosecutor with a copy of the Record Management System (RMS) report(s), and may present the prosecutor with a recommendation of an acceptable defendant plea.

VIII. When consulting with the prosecutor, officers shall complete the *Affidavit Establishing Probable Cause (PC Affidavit) form (Attachment) and check the "Statement of Facts" box*.

A. *Only one officer's name may appear on the Officer/Detective/Complainant line*.

B. The officer shall write a brief description of the incident that supports and articulates the elements of the crime, *ensuring that the time, date, and location (address specific if possible) are included in the narrative*.

C. The prosecutor will review the elements to determine probable cause for the arrest and issue a complaint.

IX. Officers shall complete the Prosecutor/Court Information Card and obtain the prosecutor's signature on the back of the card.

X. The officer shall convey the complaint and the *PC Affidavit form* to the Sixth Floor Central Charging Office. At the Central Charging Office, officers will obtain a Case Information Form (CIF). The CIF and *PC Affidavit* forms shall then be taken to the Municipal Clerk of Courts for filing.

XI. Officers shall sign out at the Court Unit or Juvenile Liaison Office after a prosecutor consultation or court appearance. Prior to leaving the Court Unit the officer shall ensure that a time stamp is placed on the back of the blue Court/Prosecutor Information Card.

If the Court Unit is closed the officer shall sign out in the Record Section. The Officer in Charge (OIC) of the Record Section shall sign and write the time the officer signed out on the back of the officer's blue Court/Prosecutor's Information Card.

In the event that the Court Unit's time stamp is inoperable the clerk assigned shall immediately notify the OIC of the Court Unit. The clerk shall then handwrite the time on the back of the blue Court/Prosecutor Information Card along with their initials.

Stamped or handwritten times on the back of the blue Court/Prosecutor Information Card must be the same as the time indicated when signing out on the Court Attendance sign out sheet.

XII. Officers shall complete the Revised Overtime Card (C of C 71-OT-2), and attach it to the Prosecutor/Court Information Card before turning them in to a superior officer.

XIII. The time stamp requirement applies only to officers who attend a prosecutor consultation at the Justice Center or who otherwise sign in or out at the Court Unit.

MM/ajg
Policy & Procedures Unit
Attachment

Case#: _____

IN THE CLEVELAND MUNICIPAL COURT

CUYAHOGA COUNTY, OHIO

IN RE:

_____

CIF#: _____

DOB/SSN: _____ / _____

Police Report #: _____

Arresting Agency: _____

) AFFIDAVIT ESTABLISHING
) PROBABLE CAUSE FOR
)
) ☐ WARRANTLESS ARREST
) R.C. 2935.08
)_____
) ☐ ARREST WARRANT
)
) ☐ STATEMENT OF FACTS

I, _____, being first duly sworn according
(Officer/Detective/Complainant)

to law, depose and say that the probable cause that the above-named person committed the offense **in the City of Cleveland** for which said person was arrested is as follows:

_____

_____

_____

_____

_____

☐ Additional Page(s)

Date/time of arrest: _____

The basis for this is in whole or in part based upon the following evidentiary sources and information: Police Report; Witness statement(s); and/or Investigative materials.

Sworn to and signed by_____
(Officer/Detective/Complainant)

Sworn to and signed before me_____
(Notary/Deputy Court Clerk) (Notary/Clerk stamp)

CLERK OF COURTS OFFICE USE ONLY

I, _____, a Deputy Clerk for the Cleveland Municipal Court, Office of the Clerk of Courts, have independently examined the above statement and have determined that there is a reasonable basis for believing that the statement is credible and that there is factual basis that there is probable cause that a violation of ORC/MC _____ has been committed and that _____has committed it.

Earle B. Turner,
Cleveland Municipal Clerk of Courts _____ by: _____
Date Deputy Clerk

JUDICIAL REVIEW OF INFORMATION

Upon review of the Statement of Facts and/or the complaint, I find:

☐ There **IS** probable cause at this time.

☐ **The defendant is to remain in custody.** This finding shall serve as a post-arrest warrant pursuant to R.C. 2935.08.

☐ **NO** probable cause at this time and the defendant is to be released from custody. No facts submitted.

_____ _____
Judge Date/Time

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 01, 2002	March 20, 2013	1 of 3	2.3.04

SUBJECT:	
PROBABLE CAUSE: ESTABLISHING AND FILING FOR WARRANTLESS ARRESTS	
ASSOCIATED MANUAL: WARRANT UNIT	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

This General Police Order has been revised in its entirety.

PURPOSE: To establish procedures for the filing of probable cause for warrantless arrests.

POLICY: To meet the requirements of the United States Supreme Court ruling in County of Riverside (CA) v. McLaughlin (1991), the Division of Police shall ensure that probable cause is established and filed with the Cleveland Municipal Clerk of Courts within 24 hours of a warrantless arrest. All warrantless arrests shall be accompanied by the completion of the Affidavit Establishing Probable Cause form (Attachment A) checking off the "Warrantless Arrest" box.

The completion of an Affidavit Establishing Probable Cause form is not required for persons arrested on a warrant or for persons arrested using a Misdemeanor Complaint Summons Citation where the citation contains the appropriate statement of facts and is properly notarized. Arrests made using a Uniform Traffic Ticket (UTT) also require the completion of the Affidavit Establishing Probable Cause form.

PROCEDURES:

I. Officer's Responsibilities:

A. Officers/detectives making a warrantless arrest shall follow up the arrest with the completion of a Record Management System (RMS) report endorsed by the appropriate district/bureau/unit supervisor.

B. Officers/detectives shall properly complete the Affidavit Establishing Probable Cause (PC affidavit) form, <u>checking only the "Warrantless Arrest" box on the form</u>, and ensuring that the form is presented to a supervisor for review and notarization.

RESCINDED EFF. 01/01/20
SEE NEW GPO 3.04.01

C. In the case of officers working secondary employment, the supervisor in the district of occurrence shall handle this function; or as the case may be, a supervisor that is also concurrently working that secondary employment.

D. Officers/detectives shall fax the RMS report per established protocol.

E. Officers shall make copies of both the RMS report and the PC affidavit form.

F. Copies of the RMS report and PC affidavit form and the original RMS report shall be filed in the normal manner (in a district station that would be placing the paperwork in the file basket where all RMS reports are placed after being faxed to the Record Intake and Review Unit).

G. Felony, Combination Felony/Misdemeanor, Escalating Misdemeanor, and Misdemeanor arrests where the arresting detective is also handling the charging duties (reference GPO 4.1.06):

1. Officers/detectives shall file the original PC affidavit form in a file basket designated solely for original PC affidavit forms.

2. Officers/detectives shall ensure that proper follow-up is completed in charging or releasing of arrested persons as applicable.

3. Detectives shall handle the charge/release of escalating misdemeanors generated by the Patrol Section regardless if the misdemeanor has been determined to not have "escalated" to a felony. This is necessary to ensure that persons are charged/released within the 36 hour requirement.

H. Non-UTT Misdemeanor Arrests (reference GPO 4.1.12):

1. Officers shall complete a <u>second</u> PC affidavit form <u>checking only the "Statement of Facts" box on the form</u> and ensuring that the form is presented to a supervisor for review and notarization. This second form is required by the Record Section supervisor to file charges on the misdemeanor arrest.

2. Officers shall then attach originals of both PC affidavit forms (one with only the Warrantless Arrest box checked and the other with only the Statement of Facts box checked) to a copy of the accompanying

RESCINDED EFF. 01/01/20
SEE NEW GPO 3.04.01

RMS report and place both in a file basket designated solely for original PC affidavit forms.

3. Officers assigned to investigative units are not required to route the misdemeanor charging process through the Record Section, but rather may opt to handle the charging process as is normally handled in their investigative unit, as long as all the filing requirements are met.

I. The PC affidavit form establishing probable cause for a warrantless arrest shall be completed before the end of the arresting officer's tour of duty. Only one officer's name may appear on the Officer/Detective/Complainant line.

J. When completing the PC affidavit form, officer's shall begin the narrative with the day, date, time, and location (e.g. On Friday, April 20, 2012, at approximately 1020 hours at a residence located at 1234 Maple Street…or an approximate location e.g. in the vacant field located on Oak Street between First and Second Streets).

K. When arresting on a UTT such as Driving Under Suspension (DUS), officers must articulate the probable cause for the traffic stop (ran red light) that led to the discovery of the DUS; as well as include time, date, and location on the PC affidavit form for all UTTs

II. Supervisor's Responsibilities:

A. Supervisors shall review and sign the RMS reports of their subordinate officers and shall ensure that all arrests are supported by the elements of the offense(s) articulated in the RMS report.

B. A supervisor reviewing the PC affidavit forms shall ensure that the probable cause articulated in the PC affidavit form is the same as and is supported by the facts contained in the RMS arrest report.

C. Officers-in-Charge (OIC) shall ensure that copies of the RMS arrest reports and accompanying original PC affidavit forms are hand delivered to the Record Section **daily at 0230 hours, 0830 hours, and 1530 hours.**

MM/ajg
Policy & Procedures Unit
Attachments A (PC affidavit form) & B (Flowchart)

RESCINDED EFF. 01/01/20
SEE NEW GPO 3.04.01

Case#: _____

IN THE CLEVELAND MUNICIPAL COURT

CUYAHOGA COUNTY, OHIO

IN RE:

_____

CIF#: _____

DOB/SSN: _____ / _____

Police Report #: _____

Arresting Agency: _____

) AFFIDAVIT ESTABLISHING
) PROBABLE CAUSE FOR
)
) ☐ WARRANTLESS ARREST
) R.C. 2935.08
)
) ☐ ARREST WARRANT
)
) ☐ STATEMENT OF FACTS

I, _____, being first duly sworn according
(Officer/Detective/Complainant)

to law, depose and say that the probable cause that the above-named person committed the offense **in the City of Cleveland** for which said person was arrested is as follows:

_____

_____

_____

_____

_____

☐ Additional Page(s)

Date/time of arrest: _____

The basis for this is in whole or in part based upon the following evidentiary sources and information: Police Report; Witness statement(s); and/or Investigative materials.

Sworn to and signed by_____
(Officer/Detective/Complainant)

Sworn to and signed before me_____
(Notary/Deputy Court Clerk) (Notary/Clerk stamp)

CLERK OF COURTS OFFICE USE ONLY

I, _____, a Deputy Clerk for the Cleveland Municipal Court, Office of the Clerk of Courts, have independently examined the above statement and have determined that there is a reasonable basis for believing that the statement is credible and that there is factual basis that there is probable cause that a violation of ORC/MC_____ has been committed and that _____has committed it.

Earle B. Turner,
Cleveland Municipal Clerk of Courts _____ by: _____
Date Deputy Clerk

JUDICIAL REVIEW OF INFORMATION

Upon review of the Statement of Facts and/or the complaint, I find:

☐ There **IS** probable cause at this time.

☐ **The defendant is to remain in custody.** This finding shall serve as a post-arrest warrant pursuant to R.C. 2935.08.

☐ **NO** probable cause at this time and the defendant is to be released from custody. No facts submitted.

_____ _____
Judge Date/Time

RESCINDED EFF. 01/01/20
SEE NEW GPO 3.04.01

Warrantless Arrest

- Misdemeanor
- UTT

- Felony
- Combination Felony/Misdemeanor
- Escalating Misdemeanor
- Misdemeanor (where arresting detective is handling the charging)

- **Book prisoner**
- Complete RMS report
- Complete PC Affidavit form - Warrantless Arrest checkbox
- Complete PC Affidavit form - Statement of Facts checkbox (Not required for UTT)
- Supervisor reviews/signs RMS report
- Supervisor reviews/signs/notarizes PC Affidavit forms
- Fax RMS report
- Attach copy of RMS report to original PC forms and place in designated basket
- File remainder of paperwork in standard manner

- **Book prisoner**
- Complete RMS report
- Complete PC Affidavit form - Warrantless Arrest checkbox
- Supervisor reviews/signs RMS report
- Supervisor reviews/signs/notarizes PC Affidavit form
- Fax RMS report
- File original PC Affidavit form in designated basket
- File remainder of paperwork in standard manner

* PC Affidavit form does not require RMS report to be attached.

Original PC affidavit forms and copies of RMS reports (when attached) delivered daily to the Record Section at 0230 hrs, 0830 hrs, & 1530 hrs

Record Section supervisor handles the charging.

Detective handles charging (<u>including MMs determined not to have escalated</u>)

RESCINDED EFF. 01/01/20
SEE NEW GPO 3.04.01

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	JUNE 2, 2015	1 of 1	2.3.05

SUBJECT:	
WILLARD PARK GARAGE PARKING	
ASSOCIATED MANUAL: COURT UNIT, RECORD SECTION	RELATED ORDERS:
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

Substantive changes are italicized

PURPOSE: To provide parking guidelines for members of the Cleveland Division of Police using their private automobiles to attend court and conduct Division business at the Justice Center.

POLICY: Division members shall use the Willard Park Garage for their private automobiles when attending court and conducting Division business.

PROCEDURES:

I. *During business hours or restricted parking hours on P-2, members* attending court, consulting a prosecutor, or conducting other Division business (*including fitness related activities*) at Cleveland Police Headquarters shall:

A. Park their private automobiles on the surface lot at the Willard Park Garage.

B. If the surface lot is full, park in the Willard Park Garage building.

C. If the Willard Park Garage building is full, members shall park *legally*.

II. When entering Willard Park Garage, members shall:

A. Take the ticket from the parking attendant or ticket dispenser.

B. Have the ticket stamped at the Court Unit. If the Court Unit is closed, members shall have the ticket stamped at the Record Section.

C. Sign and write their badge number on the ticket and present it to the parking attendant when exiting the parking lot.

CDW/jeh
Policy & Procedure Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
NOVEMBER 1, 2006	OCTOBER 27, 2006	1 of 2	2.3.06

SUBJECT:	
NOTARY PUBLIC CERTIFICATION AND RENEWAL	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE:	

PURPOSE: To provide notaries public for the Cleveland Division of Police and guidelines for maintaining or renewing the commission.

POLICY: The Cleveland Division of Police shall use sergeants as notaries public to attest to the genuineness of minor misdemeanor citations, administrative license suspension forms and other documents. Newly promoted sergeants shall become notaries public. These sergeants shall not notarize documents for the public. Commanding officers shall ensure that sergeants under their command are sworn notaries public. A sergeant shall obtain and maintain their commission as long as they hold the rank of sergeant in the Division. Involved fees and supplies will be paid by the Budget Unit

PROCEDURES:

I. Applying for the notary public commission. (Residents of Cuyahoga County)

A. Apply for the test at the old courthouse, located at 1 Lakeside Avenue, room 101, two weeks prior to taking the exam. This allows preparation time.

B. Applicants must be residents of Cuyahoga County and registered voters.

C. A $15.00 refundable fee is required at the time of the test. A $40.00 fee will be paid by the city, once the applicant takes the test on the scheduled date. Failure to keep or reschedule the test date will suspend the city's obligation to pay the $40.00 fee and make it the sergeant's responsibility.

D. A $6.00 refundable fee is also required to record the Notary Public commission with the Clerk of Courts.

E. The $15.00 and $6.00 fees and all required supply costs for Cuyahoga County sergeants are repaid by the Budget Unit after the member submits the necessary receipts and attached form.

F. Direct scheduling and expired certification concerns to Mary Phillips or Jane Briggs at the Notary Commission; the telephone number is (216) 443-5414.

II. Sergeants who do not reside in Cuyahoga County shall make test arrangements in the county of their residence and submit paid receipts for all test fees and supplies to the Budget Unit for reimbursement with the form attached.

III. Sergeants shall use their notary public certification to sign Minor Misdemeanor Citations and Administrative License Suspensions on the Deputy Clerk's line.

A. Sergeants shall put a line through the words "Deputy Clerk".

B. They shall place their Notary Public impression near the signature.

IV. A notary public commission expires five years to the day it is issued. A sergeant has up to one year beyond the expiration date to renew without retesting, but the commission is ineffective/unusable immediately upon expiration.

V. Maintaining a Notary Public Commission

A. Apply six weeks prior to the expiration date to extend a commission.

B. File with the commission at the address listed in I.A.

C. Renewal in Cuyahoga County requires a $45.00 fee, which the Budget Unit will repay when they are billed by the Notary Commission. The member must also present their notary card and notary commission at the time of renewal. Sergeants who reside outside of Cuyahoga County shall present paid receipts and the form attached to the Budget Unit for reimbursement.

VI. Commanding officer's shall ensure that sergeants under their command are sworn notaries public and verify biannually, in January and July, that their commissions are current.

VII. Sergeants shall serve as notaries public for the Division, notarizing documents with a notary public seal and using a rubber stamp bearing their name and the expiration date of their commission.

MM/TAH/JCO/JM/pmz
Policy & Procedures Unit
Attachment

DIVISION OF POLICE

CLEVELAND, OHIO

DIVISIONAL INFORMATION

DIST./BUR. ZONE/UNIT _____ 20 ____

EXAMINED BY _____ RANK _____ _____ 20 ____

FROM: TO:

SUBJECT: Justification For Petty Cash Expenditure

COPIES TO:

Sir/Ma'am:

The following item(s) were purchased for Division use:

NOTARY FEE, NOTARY COMMISSION, NOTARY STAMP AND SEAL

The vendor for the above purchase was: _____

Total amount of purchase: $_____

(Original receipts must be attached to this form. Handwritten receipts are unacceptable. The City will not reimburse for sales tax. The City Tax Exempt ID number is 34-6000646. Only items submitted for reimbursement are allowed on the receipt).

It was necessary to utilize petty cash for this purchase because:

PER GPO 2.3.06 NOTARY PUBLIC CERTIFICATION AND RENEWAL

Respectfully,

_____ #_____

Current Assignment: _____

Phone #: _____

Questions should be directed to the Budget Unit at (216) 623-5580

Office use only:

Signature of person receiving reimbursement: _____

Date: _____

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1 , 2002		1 of 1	2.3.07

SUBJECT:	
WITNESS FOR DEFENSE / SUBPOENA REQUIRED	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To set the conditions under which members may serve as a witness for the defense.

POLICY: No member of the Cleveland Division of Police, sworn or civilian, shall be a witness for the defense in a criminal prosecution unless served with a lawfully issued subpoena. This applies to depositions and civil cases wherein the City of Cleveland, or the Division, or any member of the Division is the defendant. Unless subpoenaed no member shall give a deposition or be a witness for the plaintiff.

PROCEDURES:

I. If subpoenaed, a member shall submit a Form-1 containing information relative to the time of service and if known, the testimony required.

II. The member's immediate supervisor shall cause notification of the prosecutor handling the case, or in civil cases the Law Department, to obtain advice and direction before the member gives testimony.

III. The member's Form-1 and the original subpoena, or Notice of Deposition served upon the member shall be forwarded to the Chief's Office.

EFL/TAH/LM/pmz
Policy and Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
AUGUST 16, 2002		1 of 6	2.3.08

SUBJECT:	
INVESTIGATIVE STOPS	
ASSOCIATED MANUAL:	RELATED ORDERS: 8.2.07
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

RESCINDED EFF. 01/01/20
SEE NEW GPOs 2.02.01-2.02.04

PURPOSE: To establish Cleveland Division of Police guidelines for carrying out field interrogations also known as Terry Stops.

POLICY: It is the policy of the Division of Police that field interrogations will be conducted in a manner that not only promotes the safety of police officers and the public, but also affords the individuals stopped of their basic constitutional rights established by the constitutions of the United States and the State of Ohio.

PROCEDURES:

I. Investigative Stops

A. An investigative stop is the temporary detention of a person for investigation. A "stop" or "seizure" occurs whenever officers use their recognized authority to have an individual submit to their order.

B. If a reasonable person would believe, based on the circumstances of the police—citizen contact, that they are not free to leave or are compelled to cooperate with the officer, a "stop" or "seizure" has occurred.

II. Basis for an Investigative Stop

A. Officers may stop a person in a **public place**, after identifying themselves as law enforcement officers, if they reasonably believe that a person has committed, is committing, or is about to commit any offense.

B. Both pedestrians and persons in vehicles may be stopped.

III. Reasonable Suspicion

A. The term "Reasonable Suspicion" is not capable of precise definition; however, it is more than a hunch or mere speculation on the part of an officer, but less than the probable cause necessary for an arrest.

B. Every officer conducting a stop must be prepared to cite the existence of specific, articulable facts in support of that officer's determination that a "reasonable suspicion" was present.

C. Articulating Reasonable Suspicion

1. The existence of reasonable suspicion is determined by the totality of the circumstances. The totality is based on all of the facts known to the officer and the circumstances that existed at the time the stop took place.

2. Reasonable suspicion is obtained through activity perceived by officers through their own senses, through information obtained from other persons, or through a combination of both factors, including the following:

a. *The Person's Appearance*: Does this person generally fit the description of a suspect in a known offense?

b. *The Person's Actions*: What suspicious activity has been observed? Is the person attempting to flee, making furtive movements, displaying signs of nervousness or involved in activity commonly known to the officer as criminal in nature?

c. *Prior Knowledge of the Person*: Does the suspect have a criminal record? Has this person been arrested in the past for certain types of criminal behavior? What information has been received from other parties (informants) about this person?

d. *Demeanor During the Contact*: What is the nature of the suspect's answers? Were questions answered evasively or were they suspicious or obviously false? What non-verbal cues were observed? Is the person cooperative or resistant?

RESCINDED EFF. 01/01/20
SEE NEW GPOs 2.02.01-2.02.04

e. *Area of the Stop:* Is the suspect near or at the location of a recently committed crime? Is this area known for high levels of criminal activity like drug trafficking? Has this area been inundated with a certain type of crime?

f. *Time of Day*: Is it unusual for people to be in this area at this time? Is it the time of day when a certain type of crime has been taking place according to your knowledge?

g. *Law Enforcement Training and Experience*: Does this person's appearance or behavior resemble a pattern followed in a particular offense? How does this person's behavior compare to the behavior of others in this area under similar conditions?

h. *Law Enforcement Purpose*: Are you investigating a specific crime, type of crime or pattern of criminal activity?

i. *Source of Information*: From whom did you receive your information? How credible is the person you are receiving information from? How did this person obtain their information? Can you corroborate the information?

(1) Information received from other police officers can be acted on without further analysis.

(2) Information received from upstanding citizens will be deemed credible and can be acted on once their basis of knowledge is established.

(3) Information received from confidential or criminal sources can be acted on but corroboration will protect their anonymity.

(4) Information received from anonymous sources must be corroborated and must be predictive of future behavior before any action can be taken.

RESCINDED EFF. 01/01/20
SEE NEW GPOS 2.02.01-2.02.04

IV. Stopping Vehicles at Roadblocks

A. If authorized to do so by a superior officer, a police officer may order the drivers of vehicles moving in a particular direction to stop.

B. Authority to make such stops shall be given in those situations where such action is:

1. Taken pursuant to a driver license or sobriety checkpoint operation; or

2. Necessary to apprehend the perpetrator of a crime who, if left at large, can be expected to cause physical harm to other persons, or to discover the victim of a crime whose physical safety is presently or potentially in danger. Once a vehicle is stopped pursuant to this section, it may be searched only to the extent necessary to determine if the perpetrator or victim is present in the vehicle, and the search shall be made as soon as possible after the stop.

V. Police Conduct During the Stop

A. Proper justification for a stop does not permit unreasonable conduct during the stop. Every phase of the detention must be reasonable, for the United States Supreme Court has stated in *Terry v. Ohio, 392 U.S. 1, 28 (1968)*, that the manner in which stops and frisks are conducted is "as vital a part of the inquiry as whether they were warranted at all."

B. Duration of Stop

1. A person stopped pursuant to these rules may be detained at or near the scene of the stop for a reasonable period of time.

2. Officers should detain a person only for the length of time necessary to obtain or verify the person's identification, or an account of the person's presence or conduct, or an account of the offense, or otherwise determine if the person should be arrested or released.

C. Explanation to Detained Person

1. Officers shall act with courtesy towards the person stopped, if at all feasible.

2. At some point during the stop the officer shall, in every case, give the person stopped an explanation of the purpose of the stop.

RESCINDED EFF. 01/07/20
SEE NEW GPOs 2.02.01-2.02.04

D. Rights of Detained Person

1. The officer may direct questions to the detained person for the purpose of obtaining their name, address and an explanation of the conduct.

2. The detained person may not be compelled to answer questions or to produce identification documents for examination by the officer; however, the officer may request the person to produce identification and may demand the production of an operator's license if the person has been operating a vehicle.

3. During the questioning, the detained person need not be advised of their Miranda rights until probable cause to arrest develops, or until the questioning becomes sustained and coercive rather than brief and casual.

4. Refusal to answer questions or to produce identification does not by itself yield probable cause to arrest, but such refusal may be considered along with other facts as an element adding to probable cause.

E. Effecting a Stop and Detention

1. Officers shall use the least intrusive means necessary under the circumstances to effect a stop and to detain a person.

2. An officer may use only the minimum amount of non-deadly force or restraint that is reasonably necessary to stop and detain a person and to protect the officer, pursuant to these guidelines.

   a. Weighing the totality of the circumstances known to the officer at the time of the stop, particularly when stops are made for violent offenses, an officer is justified in using restraints, i.e., handcuffs, including drawing a weapon.

   b. In other circumstances, the use of the firearm or restraints may elevate the stop into a de-facto arrest, leading to civil liability or suppression of evidence.

3. If an officer is attacked, or circumstances exist that create probable cause to arrest, the officer may use that amount of force necessary for defense or to effect a full-custody arrest.

RESCINDED EFF. 01/01/20
SEE NEW GPOs 2.02.01-2.02.04

F. Stopping Witnesses Near the Scene of a Crime

1. A police officer who has probable cause to believe that a felony or a misdemeanor involving danger to persons or property has just been committed, and who has probable cause to believe that a person found near the scene of such offense has knowledge of significant value to the investigation of the offense, may order that person to stop.

2. The sole purpose of the stop authorized by this section is the obtaining of the witness' identification so that the witness may later be contacted by the officer's agency. Officers shall not use force to obtain this information.

RESCINDED EFF. 01/01/20
SEE NEW GPOs 2.02.01-2.02.04

EFL/TAH/MB/td/mg
Policy and Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
AUGUST 16, 2002		1 of 6	2.3.09

SUBJECT:	
FRISK SEARCHES	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

RESCINDED EFF. 01/01/20
SEE NEW GPOs 2.02.01-2.02.04

PURPOSE: To establish Cleveland Division of Police guidelines for carrying out frisk searches.

POLICY: It is the policy of the Division of Police that frisk searches will be conducted in a manner that not only promote the safety of police officers and the public, but also afford the individual(s) stopped and frisked of their basic constitutional rights established by the constitutions of the United States and the State of Ohio.

PROCEDURES:

I. Weapons Frisks

A. Basis for a Terry Frisk

1. Officers may frisk a person for weapons, after identifying themselves, if not readily identifiable as law enforcement officers, if they have a reasonable, articulable belief that:

a. The person may be **armed; and,**

b. Poses a threat to the officer or others.

2. Pedestrians, personal effects and lunge areas in vehicles can be frisked.

B. Reasonable Suspicion That a Suspect is Armed

1. "Reasonable suspicion" for a valid frisk is more than a vague hunch and less than probable cause. If a reasonably prudent police officer under the circumstances would be warranted in believing anyone in the vicinity was in danger, a frisk is justified.

2. Every officer conducting a frisk must be prepared to cite the existence of specific facts in support of that officer's determination that a "reasonable suspicion" was present to stop the person in the first place.

3. That being the case, an additional articulable justification must exist to frisk the person. A frisk is **NOT** an automatic byproduct of a Terry stop.

C. Articulating Reasonable Suspicion for a Frisk

1. The existence of reasonable suspicion is determined by the totality of the circumstances. The totality is based on all of the facts known to the officer and the circumstances that existed at the time the stop took place.

2. Reasonable suspicion is obtained through activity perceived by an officer through his/her own senses, through information obtained from other persons, or through a combination of both factors, including the following:

a. *The Persons' Appearance*: Is the person wearing clothing or carrying items that are capable of concealing a weapon? Do the clothes bulge in a manner suggestive of a concealed weapon?

b. *The Person's Actions*: Was a furtive movement made consistent with hiding a weapon as your presence was noticed or as you approached? Is the suspect displaying signs of extreme nervousness? Are the suspect's words or actions threatening?

c. *Prior Knowledge of the Person*: Does the suspect have a reputation for carrying weapons? Have you received information that the suspect is armed? Has this suspect previously assaulted officers or is the suspect known for violent behavior? What is the suspect's past criminal history?

d. *Area of the Stop*: Is the suspect near or at the location of a recently committed crime where the suspect was armed? Is this area known for high levels of violent crime or drug trafficking?

RESCINDED EFF. 01/01/20
SEE NEW GPOs 2.02.01-2.02.04

e. *Time of Day*: Is this a nighttime or low light encounter? Do conditions improve the ability of the suspect to assault you or conceal weapons?

f. *Law Enforcement Training and Experience*: What training or experience do you have for dealing with street stops? Do you commonly find weapons during frisk situations? Where do you conceal weapons? What past behavior have you associated with armed suspects?

g. *Law Enforcement Purpose*: Do your suspicions about this person relate to a violent or other serious offense? What type of crime are you investigating?

(1) Violent crimes such as homicide, felonious assault, kidnapping, rape, burglary and drug trafficking make the frisk automatic.

(2) In the Terry decision, Justice Harlan wrote, "the right to frisk must be automatic if the reason for the stop is an articulable suspicion of a crime of violence."

h. *Companions*: Have you stopped a number of persons at once? Has the frisk of one person led to the discovery of a weapon?

i. Source of information: From whom did you receive your information? How credible is the person you are receiving information from? How did this person obtain their information? Can you corroborate the information?

(1) Information received from other police officers can be acted on without further analysis.

(2) Information received from upstanding citizens will be deemed credible and can be acted on once their basis of knowledge is established.

(3) Information received from confidential or criminal sources can be acted on but corroboration will protect their anonymity.

RESCINDED EFF. 01/01/20
SEE NEW GPOs 2.02.01-2.02.04

(4) Information received from anonymous sources must be corroborated and must be predictive of future behavior before any action can be taken.

II. Frisk Defined: A frisk is a limited protective search for concealed weapons or dangerous instruments.

A. Scope of the Search

1. The scope of a frisk is limited to a "patting down" of the outer garments and the officer should not reach inside the clothing unless an object is felt which the officer reasonably believes to be a weapon or dangerous instrument.

2. If the outer clothing is too bulky to allow the officer to determine if a weapon or dangerous instrument is concealed underneath, then the outer clothing may be opened to allow a patdown directly on the inner clothing.

3. A frisk does not allow a full-scale search of pockets, personal effects or other areas, nor a search for anything other than a weapon.

4. If the officer has a reasonable belief, based on reliable information or personal knowledge and observations, that a weapon or dangerous instrument is concealed at a particular location on the person, such as a pocket, waistband, or sleeve, then the officer may reach directly into the suspected area.

5. An officer may also frisk those areas that the person could reach to obtain an object (a vehicle interior) that could be used to harm the officer, if the officer reasonably suspects that the person is armed.

6. If during the course of a frisk, the officer discovers an object that is a container capable of holding a weapon or dangerous instrument and if the officer reasonably believes that it does contain such an item, the officer may look inside the object and briefly examine the contents.

7. If during a lawful frisk of a container or vehicle interior the officer discovers evidence or contraband those items may be seized under the plain view doctrine.

RESCINDED EFF. 01/01/20
SEE NEW GPOs 2.02.01-2.02.04

III. Discovery of Weapon, Instrument, or other Property

A. If a frisk or search discloses a weapon or instrument which may constitute a threat to personal safety, the officer may take it and keep it until the completion of the questioning, at which time it shall either be returned, if lawfully possessed, or the person so questioned shall be arrested if unlawfully possessed.

B. Because weapons are not always of an easily discernable shape, any hard object discovered during a frisk, including keys, lighters, etc. can be removed to assure that they are not weapons.

C. If, while conducting a frisk, an officer feels an object, which is reasonably believed not to be a weapon or dangerous instrument—the officer may not—on the basis of the officer's authority to frisk—take further steps to examine the object.

1. However, if the nature of the object felt—in combination with other factors provides probable cause to arrest, the officer may then conduct a full-custody search incident to arrest; or

2. If the object felt provides the officer with probable cause to believe it is contraband by its contour or mass, without any further examination, the item may be seized under the plain feel exception.

IV. Other Authorized Frisks for Officer Safety

A. In certain limited circumstances officers can frisk drivers or occupants of cars without articulating suspicion that the person may be armed.

B. If an officer effects a lawful traffic stop (based on probable cause for a violation observed or reasonable suspicion of criminal activity) the officer may frisk a driver or occupant before placing them into a police vehicle if:

1. The person is placed in the police vehicle for a legitimate reason, which include:

a. The person is placed in the vehicle because they do not have a driver license, it is discovered that they are driving without

RESCINDED EFF. 01/01/20
SEE NEW GPOS 2.02.01-2.02.04

privilege or the officer has received information that the driver may have a warrant and the information is being verified.

b. The person is placed in the vehicle to prevent them from being subjected to a dangerous condition, such as a violent situation or hazardous condition on a roadway.

2. If the driver or occupant is placed in the police vehicle for officer convenience only, officers cannot frisk unless they receive consent to do so or at some point during the stop the officer develops articulable suspicion that the person may be armed.

C. If probable cause to arrest the person is present, officers can conduct a more extensive search incident to the arrest, since frisk searches are so limited in scope.

RESCINDED EFF. 01/01/20
SEE NEW GPOs 2.02.01-2.02.04

EFL/TAH/MB/td/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
JULY 17, 2003	DECEMBER 31, 2007	1 of 6	2.3.10

SUBJECT:	
SEARCHES INCIDENT TO ARREST	
ASSOCIATED MANUAL:	RELATED ORDERS: 7.1.04
CHIEF OF POLICE: *Michael McGrath, Chief*	

Changes in italics

PURPOSE: To ensure persons arrested or taken into custody by the Cleveland Division of Police are properly searched.

POLICY: Officers shall conduct searches incident to arrest in compliance with the constitutions of the United States and the State of Ohio.

DEFINITIONS:

Search Incident to Arrest: A search of an arrested person, their personal effects, the passenger compartment of their motor vehicle or their "lunge" area, incident to, and conducted during the same time period as, their arrest.

Frisk Search: *A thorough search or "pat down" of a detainee's clothes and head cavities, while the detainee is still clothed.*

Strip Search: *An inspection of the genitalia, buttocks, breasts, or undergarments of a detainee that is preceded by the removal or rearrangement of some or all of the detainee's clothing that directly covers the detainees genitalia, buttocks, breasts, or undergarments and that is conducted visually, manually, by means of an instrument, apparatus, or object, or in any other manner while the detainee is detained or confined.*

Body Cavity Search: *An inspection of the anal or vaginal cavity of a detainee that is conducted visually, manually, by means of any instrument, apparatus, or object, or in any manner while the detainee is confined.*

Lunge Area: The area within which a person can logically reach for a weapon, means of escape, evidence or contraband.

RESCINDED EFF. 01/01/20
SEE NEW GPOs 2.02.01-2.02.04

RESCINDED EFF. 01/01/20
SEE NEW GPOs 2.02.01-2.02.04

I. General Requirements

A. Searches incident to arrest shall only be conducted after an officer has developed probable cause to arrest an individual for any offense that allows an officer to take a person into full custody by state law or municipal ordinance.

B. Officers shall conduct a thorough search incident to arrest to assure that the person is not armed, does not have implements of escape on their person or that they do not possess any evidence of a crime or contraband.

C. Searches shall be conducted contemporaneously (in the same time period) as the arrest itself.

1. The search should be conducted as soon as possible following the arrest.

2. The search can be conducted as soon as the officer develops probable cause to arrest and may precede the actual arrest in certain circumstances.

3. Searching a person may be delayed for logistical reasons, including the safety of the person or officer, for privacy reasons, if the person's clothing has evidentiary value (*i.e.* sexual assault evidence) or a strip or body cavity search is necessary.

4. Vehicle searches, incident to arrest, shall be conducted immediately after the person has been placed in police custody and only while the arrested person is on scene.

5. Searches of lunge areas within the home shall be conducted only while the suspect is on scene, however, if a weapon is discovered, the suspect may be removed from the area before retrieving the weapon and continuing the search.

II. Scope of the Search

A. Search of the Person

1. This search includes, but is not limited to, the search of all garments (**not including those areas described in the definitions of strip search and body cavity search**). This includes pockets; contents of the pockets including, but is not limited to, wallets and other containers; the search of any purse, fanny pack or any other such article designed to store items; the removal and search of footwear; or the search of any other item found on a person.

B. Search of a Motor Vehicle

1. When a custodial arrest of any occupant of a motor vehicle is made, for any charge, officers may search the passenger compartment of the motor vehicle incident to arrest.

2. All containers, open or closed, may be searched.

C. Search of Areas Within a Home

1. Once a custodial arrest is made within a home, officers may search the lunge area of the person arrested. Officers must make a common sense conclusion as to what constitutes the "lunge area."

2. The search is limited to the room the person is arrested in.

3. The search area does not expand with the movement of the prisoner unless the prisoner's movement in the home is voluntary. If the prisoner requests that a coat be removed from the closet, for example, the area of the search can expand to the location of the coat, as long as the prisoner is in the general area.

4. Protective Sweeps

a. For officer safety, without probable cause or reasonable suspicion but incident to arrest, an officer may look in spaces **immediately adjacent** to the place where the suspect was arrested (closets and other areas where an attack against the officer could originate).

RESCINDED EFF. 01/01/20
SEE NEW GPOs 2.02.01-2.02.04

b. Additionally, officers may conduct a limited protective sweep of the entire house subsequent to an in-house arrest if there **is an articulable reasonable suspicion** that the area to be swept harbors an individual posing a danger to those on the arrest scene.

c. **Such a protective sweep is not a full search of the premises, but may extend only to a cursory inspection of those spaces where a person may be found.** The sweep shall last no longer than is necessary to dispel the reasonable suspicion of danger and in any event no longer than it takes to complete the arrest and depart the premises.

D. *Strip Searches and Body Cavity Searches*

1. *Strip searches and body cavity searches may be conducted by the Division of Police anytime while the prisoner to be so searched is in the custody of the Division of Police or during the booking process when custody of the prisoner is being transferred to the Division of Correction or that of another law enforcement agency. All strip searches and body cavity searches must be pre-approved by a Division of Police supervisor.*

2. *Strip searches and body cavity searches shall be made by a person of the same sex as the prisoner and in a manner that permits only the person(s) conducting it to observe the search. A body cavity search shall be conducted under sanitary conditions and only by a physician, or registered nurse, or licensed practical nurse, who is registered or licensed to practice in the State of Ohio. In the absence of qualifies medical personnel, prisoners shall be transported to the nearest hospital emergency room for completion of a body cavity search.*

3. *In misdemeanor or traffic cases, a strip search or body cavity search may be conducted if there is probable cause to believe that the person is concealing evidence of the commission of a criminal offense, including fruits or tools of a crime, contraband, or a deadly weapon that could not otherwise be discovered.*

RESCINDED EFF. 01/01/20
SEE NEW GPOs 2.02.01-2.02.04

4. In felony cases, a strip search or body cavity search must be based upon reasonable belief supported by articulable facts (within the context of the nature of the offense, circumstances of the arrest, and if known, prior criminal/conviction record of the person) that the prisoner may possess weapons or contraband on their body.

5. A body cavity search shall be conducted only after a search warrant has been issued that authorizes the search, unless there is legitimate medical reason or medical emergency justifying a warrantless search.

6. All strip searches and body cavity searches shall require the completion of a Prisoner Search Report form.

E. *Reporting Procedures*

1. A Cleveland Division of Police Search report shall be made upon completion of any strip or body cavity search. When medical personnel conduct a body cavity search, the officer who conducted or caused the search to be conducted shall complete the report.

2. The narrative section shall contain the facts upon which the officer based probable cause (for misdemeanants) or articulable reasonable suspicion (for felons) including factors such as the nature of the offense, the circumstances of the arrest and if known, any prior criminal/conviction record of the offender.

3. If a body cavity search is conducted without a warrant, the officer shall list the emergency exigent reasons that make obtaining a warrant impractical.

4. Documentation

a. The original Prisoner Search Report shall be maintained in unit files and a copy shall be attached to the booking papers that accompany the prisoner.

b. A third copy shall be given to the prisoner.

RESCINDED EFF. 01/01/20
SEE NEW GPOs 2.02.01-2.02.04

c. The narrative section of the Record Management System (RMS) arrest report shall contain all details of the strip or body cavity search.

III. Supervisory Responsibilities

A. Supervisory officers shall review all information pertaining to any request by a police officer to conduct a strip or body cavity search.

B. After the responsible supervisor determines that a strip or body cavity search is warranted, the supervisor shall give "prior written authorization" to conduct the search by signing his/her name along with the date and time in the space provided near the top of the Prisoner Search Report. (Noted exception – Unless a medical emergency makes doing so impracticable.)

C. The endorsing supervisor shall sign his/her name in the space provided near the bottom of the Prisoner Search Report and include the date and time that the strip or body cavity search was completed. This endorsement shall serve as a confirmation that the strip or body cavity search was performed in the manner prescribed by law.

RESCINDED EFF. 01/01/20
SEE NEW GPOs 2.02.01-2.02.04

CLEVELAND DIVISION OF POLICE
Prisoner Search Report

The supervisor' s signature below is the " prior written authorization" required to conduct a strip or body cavity search. The supervisor shall also include the date and time that " prior written authorization" was granted.

_____ **Date** _____ **Time** _____

RMS REPORT #: ☐☐-☐☐☐☐☐☐

TYPE OF SEARCH: ☐ **STRIP SEARCH** ☐ **BODY CAVITY SEARCH** ☐ **BOTH**

NAME OF PRISONER (INCLUDE ALIASES):

Last Name	*First Name*	*Alias Name #1*	*Alias Name #2*	*Date of Birth*
				/ /

FELONY ARREST ☐ **MISDEMEANOR ARREST** ☐

OFFENSE(S):

Offense #1	
Offense #2	
Offense #3	
Offense #4	

PERSON(S) REQUESTING SEARCH:
Name/Badge

PERSON(S) CONDUCTING SEARCH:
Name & Badge (If CPD Employee)

PERSON(S) WITNESSING SEARCH:
Name & Badge (If CPD Employee)

	#	
	#	
	#	
	#	
	#	
	#	

DATE:	/ / /	**TIME:**		**LOCATION:**	

ITEMS RECOVERED AS A RESULT OF SEARCH:

1	
2	

NARRATIVE:

_____

_____

_____

The supervisory signature below, which includes the date and time of completion of the strip or body search, confirms that the above detailed search was performed in the manner prescribed by law.

_____ **Date** _____ **Time** _____

RESCINDED EFF. 01/01/20
SEE NEW GPOs 2.02.01-2.02.04

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
JUNE 01, 2008		1 of 1	2.3.11

SUBJECT:	
JURY DUTY	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To establish guidelines for members of the Cleveland Division of Police who receive jury duty notification.

POLICY: Division members shall perform their civic duty by serving jury duty when summoned.

PROCEDURES:

I. Upon receipt of notification for jury duty members shall complete an informational Form-1, attach a copy of the notification and submit it to their Officer in Charge (OIC). Members called for jury duty shall be determined to be on a tour of duty and will be compensated for the jury duty. Jury duty shall be indicated as such on the Daily Duty Assignment Form.

II. Members performing jury duty as a tour of duty shall remit payment received for such duty to the City. Members shall sign the voucher (unsigned vouchers will be returned), attach a jury duty validation letter to the signed voucher, and submit it to the Court Unit OIC upon completion of jury duty service.

III. The Court Unit shall record the vouchers in a Log Book and forward the signed vouchers with the attached validation letters to the Record File Section in a timely manner.

IV. The Record File Section shall indicate receipt by signing the Court Unit's Log Book, record and promptly forward vouchers to the City Treasurer, and submit a monthly report to the Budget Unit.

MM/TAH/JCO/pmz
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 01, 2002	August 10, 2015	1 of 2	3.1.01

SUBJECT: PATROL SECTION DUTY HOURS & REPORTING ON AND OFF DUTY

ASSOCIATED MANUAL:	RELATED ORDERS:

CHIEF OF POLICE: *Calvin D. Williams, Chief*

Substantive changes are in italics

PURPOSE: To establish platoon starting and duty hours for the Patrol Section.

POLICY: The Cleveland Division of Police shall establish and maintain such duty hours for the Patrol Section to maximize the delivery of police services in the most *effective and* efficient manner possible. All Division *members* shall be available for assignments or tasks for their entire tour of duty.

PROCEDURES:

I. Patrol Section non-supervisory *members* starting hours are:

A. First Platoon: *0700* hours and *0800* hours.

B. Second Platoon: *1400* hours and *1500* hours.

C. Third Platoon: *2100* hours and *2200* hours.

II. *Members* shall work such hours as assigned and report promptly for duty at the time and place assigned. *Members* shall not be absent from duty without permission from their supervisor or without making the proper notifications, *as described in the respective collective bargaining agreements*, when requesting sick time.

III. *Patrol Section members* assigned to respond to radio assignments shall:

A. Be equipped and prepared to respond to radio assignments for their entire regularly scheduled tour of duty (except as outlined in section IV).

B. Notify the Communications Control Section (CCS) when they are reporting off duty no earlier than the final five minutes of their tour of duty.

IV. The final five minutes of a tour of duty shall be used for returning keys of the zone cars to the officer-in-charge (OIC); the reviewing, signing and submitting of the Daily Duty Report; and reporting off duty.

V. Patrol Section supervisory *members* starting hours are:

A. First Platoon: 0600 hours and 0800 hours (0600 hours for Platoon OIC, 0700 for extra supervisors).

B. Second Platoon: 1400 hours and 1600 hours (1400 hours for Platoon OIC, 1500 hours for extra supervisor).

C. Third Platoon: 2000 hours and 2200 hours (2000 hours for Platoon OIC, 2100 hours for extra supervisor).

VI. Superior officers conducting roll call shall:

A. Assign duties and brief zone car *members* on items of Divisional or law enforcement interest.

B. Ensure that zone car *members* are prepared to answer radio assignments within 15 minutes of the start of their tour of duty.

C. Notify CCS of the zone cars in service and that they are ready to receive assignments.

D. Notify CCS of any deviation from the 15 minute standard or unavailability of any scheduled zone car for radio assignments within those first 15 minutes.

VII. Overtime is restricted to the absolute minimum required to *perform* a member's official duties and as determined essential to meet the Division's needs.

A. Overtime related to report writing involving a two-officer car is restricted to that *member* whose primary duty includes submitting the Daily Duty Report, making crime reports, or any other duty-related reports.

B. Deviation from this directive shall require advance approval from that *member*'s supervisor.

CDW/jeh
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 01, 2002	February 22, 2011	1 of 2	3.1.02

SUBJECT:	
DUTY REPORT	
ASSOCIATED MANUAL:	RELATED ORDERS: 3.1.05
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are in italics

PURPOSE: To establish guidelines for the proper completion of the Duty Report (Form 71-ZC-1), the Traffic Duty Report (Form 71-146) and the Supervisory Officer Daily Report (Form C of C 71-5).

POLICY: All sworn members through the rank of captain shall complete a Duty Report. Sworn members below the rank of sergeant shall complete the Duty Report (Form 71-ZC-1 or the Traffic Duty Report (Form 71-146) as applicable. Supervisory officers shall complete the supervisory officer Daily Report (Form C of C 71-5) *(may be printed on white paper). An equal facsimile of said forms can be used in lieu of the preprinted forms*. Only the Chief of Police or Chief's designee may grant an exception to any of the above.

PROCEDURES: Officers shall complete all duty reports in duplicate. Officers shall use only blue or black ink.

I. *Duty reports shall be completed in their entirety as applicable. There shall be no blanks spaces where there is information available to complete that section. Where information is not available or not applicable, members shall note same with "n/a". In instances where a rental vehicle is being used, members shall accurately note beginning and ending mileage in the mileage section. If more than one vehicle is used during a tour of duty, the other vehicle(s) and mileages shall be noted in the main body of the Duty Report. All vehicles shall be accurately identified by vehicle code, car number, or license plate.*

II. *Original Duty Reports shall have the original signatures of all members required to sign the Duty Report. Members shall not sign any name other than their own to a Duty Report. Every signature shall be accompanied by a legible badge number. Duty reports must be completed and turned in prior to completion of the tour of duty.*

RESCINDED EFF. 02/10/20
SEE NEW GPOS 4.01.03 & 7.01.02

III. Source of Assignment

A. Report time received, arrived, completed in military time.

B. No more than ten minutes shall elapse between duty *line* entries.

IV. Disposition

A. Complete report titles and numbers shall be included (Assault/Named Suspect #20011234).

B. Note any forms completed (Form 42, Hit-Skip Card, UTT, PIN…).

C. The last names of persons arrested shall be included. In cases of multiple arrests, one name followed by "et al" shall be sufficient.

D. List the complainant with the actions taken. Indicate if a report was not made.

E. List the last name and license plate number for any traffic stop and/or UTT issued.

F. Include notification to outside agencies with the last name of person contacted (Cuyahoga County Department of Children and Family Services, 696-KIDS, other law enforcement agencies, etc…).

G. Acceptable Disposition Abbreviations
- Adj – Adjusted
- Adv Juv Ct – Advised to Juvenile Court
- Adv Pros – Advised to Prosecutor ("Advised" by itself is not acceptable. Officers shall write the name of the agency to which they refer the complainant.)
- GOA – Gone on Arrival
- NC – No Cause
- NSA – No Such Address
- SA – Special Attention
- UTL – Unable to Locate

RESCINDED EFF. 02/10/20
SEE NEW GPOs 4.04.03 & 7.01.02

MM/LM/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	AUGUST 13, 2002	1 of 3	3.1.03

SUBJECT:	
PATROL AND PATROL SUPERVISION	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To establish the responsibilities of field supervisors and officers assigned to patrol.

POLICY: The Cleveland Division of Police shall provide for supervision in patrol for the safety of the officers and proper response to service calls.

District commanders shall assign lieutenants and sergeants to each of the patrol sections: first, second, and third platoons. The minimum supervisory staffing on first, second, and third platoons shall be two sector supervisors and a station Officer-in-Charge (OIC). The platoon commander shall assign a sergeant as the OIC. The district commander may assign a supervisor to the fourth platoon.

Zone Cars (ZC) shall be staffed before Special Response Cars (SR Cars) are placed into service in the car plan. If there are personnel beyond those required for the car plan, the platoon commander may decide to add either ZCs or SR Cars.

DEFINITIONS:

Extra Car: A two-officer patrol car not assigned to a zone (due to personnel in excess of the car plan). These cars shall have a call number of **XD#**. **X** indicates extra car, **D** indicates the assigned district, and **#** indicates which extra car in the district is being used.

Platoon Commander: The platoon's highest ranking officer.

Special Response Car: A patrol car staffed with one patrol officer. This patrol officer may not be a probationary officer. Special Response Cars may be dispatched to calls for service where available information indicates there is no apparent danger to the safety of the officer. For assignment purposes, two Special Response Cars are equivalent to one Zone Car.

Zone Car: A patrol car staffed with two patrol officers or two field training officers and a probationary officer.

PROCEDURES:

I. Sector supervisors shall monitor radio and give particular attention to dispatched assignments.

II. In the event of an immediate dispatch priority assignment for a ZC with either no ZC or only one SR Car available, the dispatcher shall contact the sector supervisor for instruction. **Sector supervisors have final authority for the dispatch of cars assigned to patrol.**

III. The platoon commander shall assign a superior officer to assume a sector supervisor's duties when that assigned sector supervisor is unavailable due to investigations or other duties.

IV. Patrol supervisors shall:

A. Closely monitor the status of patrol cars on assignments.

B. Ensure that patrol cars notify the Communications Control Section (CCS) of arrival times, departure times and the disposition of each assignment.

C. Respond frequently to the locations of SR Car and ZC assignments.

D. Ensure dispatch of two SR Cars when a ZC is not available and information indicates a danger to the officer.

V. When two SR Cars respond to an assignment, they shall determine a rendezvous point, then respond to the scene together. The rendezvous point will not be in view of the scene, but in close proximity to allow a correct response after the units have met and an approach has been planned.

VI. Patrol Cars shall not stop a vehicle without notifying the dispatcher of the location and the license number of the vehicle. An officer shall not leave a police vehicle to check persons or suspicious circumstances without giving the dispatcher the location and the reason for the stop.

VII. If an SR Car receives an assignment and there is reason to believe it would subject the officer to personal danger greater than that inherent in the occupation, the officer may decline that assignment. CCS shall advise the sector supervisor and the sector supervisor shall evaluate the circumstances of the assignment and make a decision regarding the dispatch of the assignment.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	JULY 18, 2007	1 of 2	3.1.04

SUBJECT:	
LOCKOUT GUIDELINES	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To provide guidelines for the forcible unlocking of vehicles, buildings or other structures.

POLICY: Officers shall not directly force entry or assist with the opening of locked vehicles, windows, doors or any other points of entrance or exit of a building or any other structure except in exigent circumstances. Entry into a vehicle is authorized only in the circumstances listed below. Because of the possibility of damage, persons requesting assistance in circumstances other than those authorized below are to be advised to seek assistance from a towing agency or locksmith.

Officers who attempt to enter a vehicle under circumstances other than those authorized shall be **responsible** for damage caused to the vehicle as a result of the attempted entry.

PROCEDURES:

I. Members of the Division of Police shall attempt to gain entry to a vehicle, building or structure **only** under the following circumstances.

A. In cases of medical emergency (e.g. a child, elderly, or incapacitated person locked inside a structure or vehicle).

B. Hazards to life or property if entry to the vehicle, building or structure is delayed (e.g. unattended heat source, biological or chemical contamination that is an imminent danger; or an animal is locked inside).

C. When the vehicle is blocking traffic, creating a hazard, or in danger of being damaged or destroyed and the dangerous condition precludes waiting for a tow truck to remove the vehicle.

D. When conditions exist that would reasonably lead an officer to believe that taking no action would lead to the conditions listed above.

E. When necessary to execute legal process (e.g. search and arrest warrants)

II. Dispatching

A. Communications personnel shall screen all caller requests for lockout service to verify that exigent circumstances exist that would require entry. No unit shall be dispatched unless exigent circumstances require a response.

B. If an emergency response is warranted, a supervisor shall respond to the scene of the lockout request to confirm that exigent circumstances exist for an immediate police action. Forced entry may be made prior to a supervisor's arrival if on-scene personnel believe that conditions exist that persons or property are in immediate peril.

C. If a citizen's request for lockout assistance does not meet the above criteria, the citizen shall be courteously advised to seek the assistance of a towing agency, auto club or locksmith of their choice.

III. Responses to lockout requests that result in property damage shall be properly documented with a RMS report, (e.g. Damage to Property while performing a police function). If damage is not caused, then the supervisor and on-scene officers shall make a notation on their duty reports: "NO DAMAGE", and the name of the person on scene, preferably the owner of the property.

MM/TAH/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	MAY 14, 2014	1 of 2	3.1.05

SUBJECT:
DISTRIBUTION AND HANDLING OF AMMUNITION BOXES

ASSOCIATED MANUAL:	RELATED ORDERS:

CHIEF OF POLICE:
Calvin D. Williams, Chief

Substantive changes are in italics

PURPOSE: To set guidelines for the contents, handling and distribution of ammunition boxes.

POLICY: The Cleveland Division of Police Ordnance Unit shall fill, distribute and replenish ammunition boxes for the Division.

PROCEDURES:

I. District Ammunition Boxes

A. Each zone car assigned to a district shall receive one *ammunition box*. The *ammunition* box shall be marked and assigned to a specific vehicle. The *ammunition* box shall remain in the vehicle at all times unless the vehicle is out of service for repairs or maintenance. When this occurs, the ammunition box shall be placed in the district's armory room and noted in the ammunition box logbook. This notation shall include the date and signature of the officer-in-charge (OIC). When returned to service, the district OIC shall ensure that *an* ammunition box is placed back in the vehicle. The OIC shall also note this in the ammunition box logbook.

B. Members *shall* note, on their duty report, the ammunition box number that is in the vehicle used. If there is no ammunition box in the vehicle, one shall be obtained from the OIC.

C. If a district acquires more *police vehicles* than the available ammunition boxes, the OIC who discovers the situation shall notify the district Administrative Officer. That Administrative Officer *shall* contact the Ordnance Unit and arrange to obtain additional ammunition boxes.

II. Specialized Units

A. Specialized units (Traffic, Strike Force, etc.) *shall* contact the OIC of the Ordnance Unit and provide a list of vehicles to obtain an ammunition box.

B. The OIC of the requesting unit shall set up an ammunition box log book and adhere to the handling and accountability procedures set forth in this order once ammunition boxes have been obtained.

III. Each ammunition box *shall* contain:

A. 100 rounds of 9 mm service ammunition

B. 60 rounds of 00 buck shotgun ammunition

IV. Ammunition Box Seal

A. Ordnance Unit personnel shall seal the ammunition boxes. **Personnel shall not break the seal on an ammunition box except to use the ammunition.** Once the seal is broken, the ammunition box shall be sent to the Ordnance Unit, as soon as possible, to be re-filled and re-sealed. The ammunition box must be accompanied by a Form-1 from the officer who breaks the seal or discovers the broken seal with the facts surrounding the break or discovery.

B. The OIC shall review and sign the Form-1 report and inventory the contents of the ammunition box. **If ammunition is missing**, an investigation shall be conducted by the OIC. A Form-1 shall be completed by the investigating supervisor and forwarded to the Ordnance Unit with a copy sent to the Chief's Office.

V. *District or unit OICs shall inspect ammunition box inventories concurrently with firearms. The inspection shall be documented on the Quarterly Shotgun and Ammo Box inspection form (attachment). The completed form shall be forwarded through the chain of command to the respective Deputy Chief. Each Deputy Chief shall review the forms for completeness and forward all documentation to the Ordnance Unit within 20 business days of the end of the quarter.*

CDW/jeh
Policy & Procedures Unit
Attachment

Cleveland Division of Police
Quarterly Shotgun and Ammuntion Box Inspection

District / Bureau: **Quarter Ending:**

Platoon / Unit: **Year:**

Shotgun Serial #	Location	Checked by: (name/badge)	Ammo box#	Location	Checked by: (name/badge)

Cleveland Division of Police
Quarterly Shotgun and Ammuntion Box Inspection

District / Bureau: **Quarter Ending:**

Platoon / Unit: **Year:**

Bean Bag Shotgun		**Checked by:**
Serial #	**Location**	**(name/badge)**
Additional Items		**Checked by:**
Serial #	**Location**	**(name/badge)**

Additional Items		**Checked by:**
Serial #	**Location**	**(name/badge)**

Reviewing OIC Signature / Badge Date

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
September 1, 2015		1 of 3	3.1.06

SUBJECT:	
MEDICAL TRAUMA RESPONSE	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

PURPOSE: To provide guidelines on the storage, use, resupply, and documentation of trauma kits.

POLICY: The safety of all persons is a priority of the City of Cleveland and the Division of Police. The Division shall provide trauma kits that are accessible to members during the course of their patrol duties. Members shall use trauma aid training and trauma kits during lifesaving efforts involving members or civilians prior to the availability of professionally trained medical personnel.

PROCEDURES:

I. Marked district zone cars and marked Bureau of Traffic cars shall be outfitted with a trauma kit secured in an area approved by the Chief. It is the responsibility of every member to verify the kit is intact, secure, and unopened prior to each tour.

II. The Division of Emergency Medical Service (EMS) Supply and Logistics Section will replenish and re-seal any used or damaged trauma kits. It is the responsibility of the district or bureau commander/commissioner to ensure an accurate and full inventory of used, replenished, and spare trauma kits.

III. Unsealed trauma kits shall be returned to EMS Supply and Logistics Section for replacement.

IV. Spare trauma kits shall be maintained at the district and Bureau of Traffic. Trauma kits shall be replaced immediately upon the breaking of the seal.

V. Members encountering a medical emergency shall:

A. Immediately request EMS respond to the scene.

B. Based on the totality of the circumstances (e.g., location of incident, proximity of a hospital, proximity of EMS, nature of injury) determine the best course of action including, but not limited to:

1. Waiting for EMS to arrive.

2. Immediately transporting the injured person to the hospital.

3. Provide trauma aid assistance to the person in the manner taught during trauma aid training with the trauma kit.

VI. Upon the arrival of EMS or arrival at the emergency room, members using a trauma kit in a lifesaving effort shall:

A. Inform EMS or emergency room personnel about all first aid efforts implemented by the member.

B. After the lifesaving efforts are completed:

1. Ensure their immediate supervisor is notified about the lifesaving efforts and that a trauma kit was opened and used.

2. Include in the Record Management System (RMS) report a description of first aid efforts and trauma kit utilization. If an RMS report is not needed the member shall document the kit use on their duty report.

3. Replace the used trauma kit with a sealed kit from the spare kits maintained at the district or Bureau of Traffic.

VII. Members discovering a trauma kit that is damaged or unsealed shall:

A. Notify their Officer-in-Charge (OIC) about the damaged or unsealed kit.

B. Complete a Form-1 describing:

1. The damage.

2. How the damage occurred, if known.

3. How the damage was discovered.

C. Replace the damaged or opened trauma kit with a sealed kit from the spare trauma kits maintained at the district or Bureau of Traffic.

VIII. OICs notified about a damaged or unsealed kit shall:

A. Inventory the contents of the kit noting missing or damaged items.

B. Complete and forward an investigatory packet through the chain of command to the Chief's Office. The investigatory packet shall contain:

1. A supervisory investigative Form-1

2. The discovering member's Form-1.

IX. Members discovering a problem or concern with the trauma kits or their contents, other than damage or unsealed kits, shall complete a Form-1 detailing the problem or concern and forward it through the chain of command to the Chief's Office for consideration. The Chief's Office shall address the problem or concern with the Division of EMS for a solution.

X. Members bad ordering a vehicle shall ensure that the trauma kit is removed prior to the vehicle being towed or dropped off for service. Members shall return the trauma kits to the district or Bureau of Traffic kit storage location.

XI. Each trauma kit shall be maintained in a logo tagged black-cordura zipper container sealed with a spring lock safety control seal. The trauma kit shall contain:

A. Quikclot 1st response 25 gram sponge (2)
B. Abdominal pad sterile 5"x9" (1)
C. Nitrile gloves (large) (4 pair)
D. Clear surgical tape ½" (1)
E. Gauze pad sterile 12 ply 4"x4" (1)
F. Medstrom shears-orange (1)
G. Bandage conform sterile 4"x4 yards (1)
H. Sani-hands alcohol gel hand wipes (5)
I. Medstrom pocket mask w/O2 inlet (1)
J. Blanket-silver emergency 52"x84" (1)
K. Soft tactical tourniquet (1)
L. Halo Vent Chest Seal (1)
M. Eye Wash (1)

CDW/jeh
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 1	3.2.01

SUBJECT:	
STANDARD PHONETIC ALPHABET	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To establish a standard phonetic alphabet for the Cleveland Division of Police.

POLICY: To provide uniformity in radio communications within the Division.

PROCEDURES:

I. Members shall use the standard phonetic alphabet in radio communications when transmitting names, license numbers, or other information where accuracy is required.

II. Members shall transmit "A – Adam, B – Barney." Members shall not transmit "A as in Adam, B as in Barney."

A	-	Adam	N	-	Nick
B	-	Barney	O	-	Ocean
C	-	Charles	P	-	Paul
D	-	David	Q	-	Queen
E	-	Edward	R	-	Robert
F	-	Frank	S	-	Sam
G	-	George	T	-	Tom
H	-	Henry	U	-	Union
I	-	Ida	V	-	Victor
J	-	John	W	-	Walter
K	-	King	X	-	X-ray
L	-	Lincoln	Y	-	Yesterday
M	-	Mary	Z	-	Zebra

EFL/TAH/LM/mg
Policy & Procedure Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 01, 2002	May 22, 2015	1 of 17	3.2.02

SUBJECT:	
VEHICLE PURSUITS	
ASSOCIATED MANUAL:	RELATED ORDERS: 3.2.07, 9.1.09
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

Substantive changes are in italics

PURPOSE: To establish guidelines for pursuit driving as required by the Ohio Revised Code, Section 2935.031. This policy is not all inclusive, but is designed to provide direction and clarity.

POLICY: The Cleveland Division of Police shall regulate the conduct of vehicle pursuits while balancing the need to carry out its law enforcement mission against the duty to protect the general public. The Division of Police shall proactively and vigorously enforce criminal and traffic laws. The Division of Police acknowledges the dangers associated with vehicle pursuits. Unless specifically approved by the controlling supervisor, no more than two police motor vehicles shall engage in a motor vehicle pursuit.

Officers shall err on the side of caution and interpret this policy in the more restrictive manner if, for any reason, this directive does not offer clear guidance for a specific set of circumstances.

Officers shall comply with the following sections of the Ohio Revised Code:

- 4511.03 - Emergency vehicles at red signal or stop sign
- 4511.041- Exceptions to traffic rules for emergency or public safety vehicle responding to emergency call
- 4511.24 - Speed limits not applicable to emergency or public safety vehicles
- 4511.45 - Right-of-way of public safety or coroner's vehicle
- 4513.21 - Horns, sirens, and warning devices

Ohio Revised Code Section 4511.041 establishes certain exceptions for public safety vehicles but, “does not relieve the driver...from the duty to drive with **DUE REGARD** for the safety of all persons and property upon the highway.”

DEFINITION:

Clear The Air - is a phrase used by CCS personnel or police officers to signify a vehicle pursuit is in progress and that only communications related to that pursuit should be broadcast. It shall not be construed as meaning only the zone car or officer involved in the pursuit may broadcast. Other information related to the pursuit shall be broadcast (e.g. officers responding, officers taking proactive measures to assist, supervisors granting or denying permission, supervisors moving zone cars to best resolve the pursuit). The phrase "clear the air" is not an official order but rather a prudent suggestion to units. Other critical incidents may make it necessary for units to broadcast information at the same time a pursuit is taking place.

Controlling Supervisor - is the supervisor that assumes all the responsibilities associated with the management of a pursuit (including the pursuit initiation, continuation, and termination). *The controlling supervisor is responsible for the investigations (i.e. Use of Less Lethal Force, member injury, damage to city property, etc.) created as a result of the pursuit, excluding investigations conducted by the supervisor of the controlling supervisor, Use of Deadly Force Investigation Team (UDFIT), or Pursuit Investigation Team (PIT).* The controlling supervisor shall be the *sector supervisor assigned to the sector the pursuit is initiated in. If the immediate supervisor of the officer initiating the pursuit is not the sector supervisor of the sector the pursuit is initiated in, the immediate supervisor may request to take over the controlling supervisor duties from the sector supervisor.* If the sector supervisor of the sector in which the pursuit began is handling an urgent and more pressing matter (handling a barricaded suspect, an officer involved shooting) that requires their full time and attention, then another sector supervisor or available higher ranking officer shall take control of the management of the pursuit.

Parallel Pursuit - is the tactic of a police vehicle operator to mirror, on adjacent streets, the direction and speed of vehicles actively involved in an authorized pursuit.

Pursuit Perimeter - is the zone the pursuit is occurring in. The pursuit perimeter is fluid and changes as the pursuit moves.

Radio Supervisor - is the supervisor assigned to the Communications Control Section (CCS) that has the responsibility to ensure relevant information is relayed to the controlling supervisor, scene supervisor, and surrounding District supervisors. The radio supervisor shall actively monitor all vehicle pursuits including AVL and radio traffic. The radio supervisor shall be the sergeant assigned to CCS or the chief dispatcher if a sergeant is unavailable.

Scene Supervisor - is the supervisor assigned to the sector where the pursuit ends. The scene supervisor is the incident commander of the scene until the controlling supervisor or a higher ranking supervisor arrives on scene. If a pursuit leaves the City of Cleveland the supervisor assigned to the last sector the pursuit was in remains the scene supervisor until the pursuit ends or reenters the City of Cleveland. If the pursuit ends outside the City of Cleveland the scene supervisor shall assist the local agency in any way requested.

Self-Dispatch - is a term used to describe the action of officers taking it upon themselves to respond to a scene or incident without being requested by CCS and not informing CCS of the response to assist. Self-dispatching does not allow CCS and/or supervisors to know the true number of units and/or officers on a scene or involved in an incident.

Vehicular Pursuit - occurs when there is an active attempt by an officer in an authorized emergency vehicle to apprehend a suspect who is attempting to elude the police.

Vehicular Pursuit Termination - occurs when the pursuing vehicle advises the Communications Control Section (CCS) they are discontinuing the pursuit or when ordered to do so by a supervisor; and does so by returning to normal vehicular operations, deactivating its emergency lights and sirens, and changes direction away from the offender's last known direction.

Violent Felony - is a known or suspected crime in which the force attempted or used against a person was deadly or likely to cause serious physical harm as defined by the Ohio Revised Code. The crimes include murder, manslaughter, aggravated robbery, rape, sexual battery, arson, kidnapping, aggravated burglary, felonious assault with a deadly weapon, and felonious assault resulting in serious physical harm. An officer having to move from the path of a fleeing vehicle or incidental contact between the fleeing vehicle and a police vehicle does not constitute a violent felony for purposes of this order. Given the totality of the circumstances, the controlling supervisor shall determine if the pursued vehicle committed a violent felony for purposes of this order.

PROCEDURES:

I. Officers may initiate a vehicle pursuit when **ALL** of the following criteria are met:

A. The suspect operating the vehicle refuses to stop at the officer's direction and flees apprehension for an actual or alleged:

1. **VIOLENT FELONY;** or

2. Operating a Vehicle Intoxicated (OVI)

B. **THE IMMEDIATE DANGER OF THE PURSUIT IS LESS THAN THE IMMEDIATE OR POTENTIAL DANGER TO THE PUBLIC IF THE SUSPECT REMAINS AT LARGE**; **and**

C. The officer is operating an authorized emergency vehicle.

II. The act of fleeing in and of itself is not sufficient cause to engage or continue to engage the fleeing vehicle in a pursuit.

III. When initiating and/or continuing a pursuit, officers shall take into consideration other factors such as weather, time of day, volume of vehicular and pedestrian traffic, road conditions, capability of the pursuit vehicle, population density, geographic location, officer familiarity with the area and proximity to certain areas (such as schools, parks, playgrounds, and venues associated with crowds) during those times when pedestrians are reasonably perceived to be active.

IV. *Any member knowing or suspecting that a pursuit is not in compliance with this order shall immediately notify the controlling supervisor.*

V. Pursuing Officers duties.

A. Officers initiating a pursuit shall immediately notify CCS that a pursuit is underway, provide the reason for the pursuit, direction of travel, description of the vehicle, license plate number, number of occupants and the speeds involved. (Acknowledgment from CCS of an officer's engagement in a pursuit does NOT constitute permission to continue pursuit. That permission shall come from *the controlling supervisor*.)

B. The first unit immediately behind the fleeing offender shall be referred to as the primary pursuit unit and the unit behind the primary pursuit unit shall be referred to as the secondary pursuit unit. When the Aviation Unit joins a pursuit they shall be the primary pursuit unit.

C. Pursuing officers shall immediately switch to the main communication channel of the district of occurrence if operating on another channel (i.e. Tactical, Traffic, Special Events).

D. Pursuing officers shall become the secondary unit if driving an unmarked unit or if the unit is not equipped with a light bar, when a marked unit with a light bar and siren is available as the primary pursuit unit.

E. Pursuing officers shall immediately terminate a pursuit if:

1. The level of danger to life outweighs the need for immediate apprehension. Examples include but are not limited to the pursued driver:

   a. Not attempting to slow for red lights or stop signs.

   b. Intentionally driving left of center and into oncoming traffic.

   c. Speeds far in excess of safe limits relative to road and traffic conditions.

   d. Blatant disregard for the safety of other vehicles or pedestrians.

2. **Ordered to do so by a supervisor**. Officers **shall not** follow a suspect vehicle after a pursuit has been terminated.

3. Contact with CCS or other units involved in the pursuit is lost.

4. There is sufficient identifying information and reasonable probability of arresting the fleeing suspect later.

5. The distance between the pursuing vehicle and the pursued vehicle is so great that apprehension is unlikely and continuing the pursuit creates an unreasonable risk to the public and officers.

F. When a pursuit is terminated by the pursuing officer's choice or an order from a supervisor, the officer shall, in this order:

1. Slow down to normal vehicle operation.

2. Turn off all emergency equipment (lights and sirens).

3. Confirm the pursuit is terminated by notifying CCS and the controlling supervisor.

4. Change direction away from the offender's last known direction.

G. Pursuing officers shall remain on the channel of the district the pursuit began in for the duration of the pursuit.

H. Notify CCS when a pursuit appears to be, or actually is leaving the City of Cleveland and ensure the controlling supervisor is aware.

I. Any unit that judges the pursuit has **concluded** or that an emergency response from additional units is no longer needed shall notify the controlling supervisor or the scene supervisor. The controlling supervisor or the scene supervisor shall then determine if additional units should continue to respond or disregard.

VI. Officers shall not:

A. Self-dispatch.

B. Engage in a pursuit in a police vehicle that contains witnesses, suspects, complainants, ride-alongs, or other non-police personnel.

C. Pass the primary pursuit unit if acting as a secondary pursuit unit, unless the tactical advantage has clearly moved to a secondary pursuit unit due to a lapse in pursuit by the primary pursuit unit. All pursuit units shall maintain an assured clear distance from each other and the pursued vehicle.

D. Attempt to employ any procedure that involves physical contact between the pursuing vehicle and the pursued vehicle unless approved by the controlling supervisor.

E. Continue the pursuit when operating a motorcycle or unmarked unit if a marked unit with a lightbar and siren is available to take over the pursuit.

F. Join a pursuit in an unmarked unit unless equipped with emergency red or blue lights and siren unless it is to save or preserve the lives of innocent persons.

G. Engage in a parallel pursuit without permission from the controlling supervisor. Following a pursuit on parallel streets is considered an active engagement in a pursuit and is prohibited for vehicles that are not the primary pursuit unit, the secondary pursuit unit, or additional units approved by the controlling supervisor.

VII. The Controlling Supervisor shall:

A. *Immediately inform CCS of their call sign, indicate they are the controlling supervisor, and that they are monitoring the pursuit.*

B. Not be directly involved in the pursuit. It is recommended that the controlling supervisor not operate a motor vehicle while managing a pursuit. If operating a motor vehicle, the controlling supervisor should park their vehicle in a safe location from which to manage the pursuit. If the controlling supervisor chooses not to pull over, they shall ensure that their attention is first to the task of driving and second to managing the pursuit.

C. Make a reasonable effort to have simultaneous access to the Automated Vehicle Locator (AVL) system, telephone or cell phone, and two radios with which to manage the pursuit.

D. Permit no more than two police vehicles to directly engage in a pursuit, except under unusual and well-articulated circumstances.

E. Remain in command regardless of the area the pursuit enters.

F. Place other available vehicular units in the pursuit perimeter when needed.

G. Request assistance from other supervisors when needed to help monitor and manage the pursuit.

H. Control the pursuit by:

1. Monitoring and directing units into or out of the pursuit or the pursuit perimeter.

2. Rotating units into and out of the pursuit or pursuit perimeter to conduct the pursuit in a manner as advantageous to the involved officers as possible. Rotation can occur, but is not limited to, the following reasons:

a. Replacing one officer units with two officer units.

b. When an officer with better driving ability or equipment is available.

c. A pursuing officer exhibits suspected diminished critical decision making skills as evidenced by the following non-inclusive:

1. Radio transmissions become less coherent from changes in voice pitch, volume, and/or tone.

2. Disregarding supervisor's orders.

3. Referencing the AVL system when available to determine the:

a. Number of police vehicles involved in the pursuit.

b. Presence of self-dispatched officers in the pursuit and the pursuit perimeter.

c. Speed, direction, and possible destination of the pursuit.

4. Assigning support and back-up units.

5. Approving or ordering alternative tactics.

6. Determining the need for any pursuit unit to engage in a parallel pursuit and grant permission to engage in such a strategy where the totality of circumstances warrants the use of such a strategy.

7. Coordinating with the Aviation Unit. When available, the Aviation Unit shall become the primary pursuit unit and shall assist the controlling supervisor in directing the secondary units as needed.

8. Terminating the pursuit in accordance with this directive.

I. Be accountable for continuing a pursuit if circumstances indicate that the pursuit should have been terminated as analyzed from the perspective of an objectively reasonable supervisor possessing the same information and faced with the same circumstances as the controlling supervisor. Objective reasonableness is not analyzed with hindsight, but will take into account, where appropriate, the fact that vehicle pursuits involve rapid decision-making in tense, uncertain, and rapidly evolving situations.

J. Remain in charge if the pursuit enters another jurisdiction, unless control is requested by the other agency.

K. Complete the Vehicle Pursuit Report (Attachment) for **every** pursuit initiated (including those that are terminated without arrest or accident), *faxing it to the Inspection Unit*, and forward it to the respective Deputy Chief in that chain of command. "Pursuit" shall be included in the title of related Record Management System (RMS) reports (e.g. GTMV/Pursuit/Recovery/Arrest). If a Cleveland police pursuit vehicle is involved in a crash, copies of the completed pursuit report shall be included in the investigative package. The controlling supervisor shall mark in the spaces indicated whether the involved officers complied with the applicable written directives of the Division of Police.

L. Notify the Accident Investigation Unit (AIU) via CCS to respond to accidents that result from a pursuit, whether or not a city vehicle is damaged. If AIU is unavailable, a basic patrol car of the district in which the accident occurred shall complete the reports. The controlling supervisor shall notify the Crime Scene and Record Unit via CCS to take photographs when AIU is unavailable.

M. Notify the PIT via CCS to respond to accidents that result from a pursuit if a fatal or hospital confining injury occurred whether or not a city vehicle is involved, or if directed by the Chief or Chief's designee. Ensure officers preserve the accident scene, collect evidence subject to loss, destruction, or alteration, and detain witnesses until identified or interviewed by PIT.

N. Use the replay feature of the AVL system to review the pursuit and complete an AVL playback request form for a copy of the pursuit.

O. Conduct an after pursuit debriefing and review with all the officers involved as soon as possible after the pursuit. Note on the Vehicle Pursuit Form the debriefing/review occurred and any corrective actions taken. The purpose of this review is to:

1. Reinforce positive actions taken by the officers during the pursuit.

2. Evaluate the involved officers' compliance with this order and any verbal counseling (described in GPO 1.1.11) to correct any violations discovered that do not rise to the level of the formal discipline process.

VIII. Scene Supervisors' Responsibilities

A. When a pursuit enters their sector, manage mobile units under their command to provide assistance within the pursuit perimeter by blocking major intersections or being in the area to assist with a foot pursuit, but not involved in the pursuit.

B. When the pursuit ends, take control of the scene until the controlling supervisor arrives on scene.

C. If unable to respond due to other immediate responsibilities, direct CCS to request another supervisor respond to the location of the pursuit's end.

IX. Other Supervisors' Responsibilities

A. Supervisors at the rank of captain or above shall not be the controlling supervisor, but shall monitor vehicle pursuits involving officers under their command. Any supervisor of a higher rank than the controlling supervisor may terminate a pursuit.

B. Sector supervisors and support unit supervisors shall provide support to the controlling supervisor by tactically placing police units within the pursuit perimeter when a pursuit enters their sector or the area their units are operating in. Sector supervisors and support unit supervisors shall notify the controlling supervisor of any support provided.

C. Sector supervisors receiving information from CCS of a pursuit in an adjoining district shall monitor that pursuit via that pursuing district's radio channel and by AVL, if available, in the event that the pursuit enters their sector. Adjoining district sector supervisors shall advise the controlling supervisor of any issues or factors in their district that would assist the controlling supervisor if the pursuit were to enter the adjoining district.

X. Communications Control Section Responsibilities.

A. CCS is an essential and integral part of monitoring and controlling a vehicle pursuit.

B. CCS dispatchers shall:

1. Immediately notify the CCS sworn supervisor or chief dispatcher

a. That a pursuit has been initiated in their district.

b. When it becomes evident, through radio traffic and/or AVL that

1. Officers are self-dispatching into the pursuit or pursuit perimeter.

2. Police vehicles in their district are paralleling a pursuit in another district.

c. When they become aware that radio traffic about a single pursuit is being broadcast on multiple radio channels.

2. Monitor the AVL system and provide relevant information to the controlling supervisor.

3. Determine the availability of the Aviation Unit. If the Aviation Unit is available, CCS shall immediately inform the Aviation Unit of the pursuit and who the controlling supervisor is.

4. While monitoring a pursuit in their district, convey pursuit information to other dispatchers assigned to the adjoining districts. The dispatchers of the adjoining districts shall notify their respective sector supervisors, giving appropriate details as needed, that a vehicular pursuit is occurring in a neighboring district.

5. Notify neighboring jurisdictions, when approved by the controlling supervisor, when a pursuit appears to be or is leaving the City of Cleveland and entering the neighboring jurisdiction.

C. CCS supervisors (sworn and civilian) shall:

1. Monitor the pursuit, provide assistance to the dispatcher(s) when needed, and ensure a controlling supervisor has control of the pursuit.

2. Ensure the controlling supervisor is notified of the following information as appropriate:

a. If there are any code one priorities occurring in the same or adjacent geographic areas.

b. The number and speed of police vehicles that appear to be involved in the pursuit as shown on the AVL and CAD screens.

c. Any signs of officers self-dispatching themselves into the pursuit or pursuit perimeter.

d. Emergency activity of any other public safety vehicles in the area, if known.

e. In the event that a pursuit is terminated, monitor the AVL to confirm that the involved vehicles have terminated and notify the controlling supervisor.

f. Any outside agencies involved in the pursuit, any unusual road hazards or closures in the area, any significant movements of police vehicles entering the area of pursuit, and any police vehicles not directly involved in the pursuit or other code one assignments that are traveling at an excessive emergency response speed.

D. In all instances, the controlling supervisor shall be the final authority and be solely responsible for the management of a vehicular pursuit regardless of what information may or may not be made available by CCS.

XI. Video recording of pursuits

A. Officers wearing a body worn video or audio recording device or operating a Division vehicle equipped with a video recording device (city owned or personal) that has participated in any aspect of a pursuit shall immediately advise the controlling supervisor of any captured recordings of the pursuit. This provision shall also apply to airborne units.

B. The controlling supervisor shall obtain a copy of any recordings of a pursuit. If a copy cannot immediately be obtained the controlling supervisor shall take custody of whatever storage medium (memory card/stick, CD, DVD, tape) was used by the recording device (including the recording device itself if necessary [cell phone, digital audio recorder] regardless if it is City or member's personal property) and retain it until such time that a copy can be made. When a copy has been created, the original storage medium may be returned to the recording device. The transferred data shall be recorded onto a portable digital storage medium (such as a DVD), given an RMS number

and entered into evidence according to established procedures. Member's personal property shall be returned back to the member as soon as reasonably possible once the recordings have been saved into evidence.

C. The existence of any video and/or audio recordings of the pursuit is considered evidence and shall be noted on the Vehicle Pursuit Report.

XII. Aviation Unit

A. The Aviation Unit shall become the primary pursuit unit as soon as it becomes engaged in the pursuit. All ground units shall cease further ground pursuit, return to normal (non-emergency) vehicle operation, and await further instructions from the controlling supervisor.

B. The Aviation Unit shall work closely with the controlling supervisor.

1. Determine if ground pursuit is still needed or ensuring that zone cars have terminated the ground pursuit.

2. Assist the controlling supervisor to coordinate movements of zone cars in the pursuit and pursuit perimeter.

3. Provide relevant information related to the pursuit such as vehicular or pedestrian traffic within the pursuit perimeter.

C. The Aviation Unit shall advise the controlling supervisor of the suspect's direction of travel and the location if the suspect stops the vehicle.

D. When approved by the controlling supervisor, the Aviation Unit shall guide the ground units toward the suspect's location.

E. Ground units shall be aware that when multiple suspects abandon a suspect vehicle, the Aviation Unit shall focus on the driver and relay information as appropriate. However, an armed vehicle occupant takes precedence over an unarmed occupant.

F. The Aviation Unit may continue to monitor a fleeing vehicle and broadcast updated information after the controlling supervisor has terminated the pursuit. Based on information provided by the Aviation Unit (including if the pursued vehicle has been parked or abandoned), the controlling supervisor may have officers respond to the location of the pursued vehicle.

G. The command and control of the Aviation Unit will remain within the Aviation Unit's Standard Operating Procedures.

XIII. Alternative Tactics

A. Roadblocks

1. Roadblocks shall be designed to allow the suspect vehicle to proceed slowly through the roadblock through an open route.

2. Roadblocks shall be used only with the authorization of the controlling supervisor.

3. Officers shall never use occupied or private vehicles as a barricade or roadblock.

B. Officer initiated intentional vehicle-to-vehicle contact shall be considered a use of force and follow the guidelines described in GPO 2.1.01 Use of Force.

XIV. Protocols Involving Outside Agencies

A. The controlling supervisor shall immediately notify CCS that a pursuit is about to enter another jurisdiction and whether assistance is needed.

B. When another agency has a pursuit entering Cleveland the sector supervisors shall monitor the pursuit via CCS and determine if Cleveland police vehicles shall be permitted to join the pursuit. This policy goes into effect whenever Cleveland police vehicles are involved in or assisting with another agencies pursuit inside Cleveland.

C. Cleveland Division of Police personnel may engage in pursuits initiated by outside agencies only to the extent that they meet the standards of engagement as articulated in this General Police Order.

D. Officers shall not join a pursuit initiated by another law enforcement agency unless requested to do so by the agency and approved by their unit supervisor or a sector supervisor.

E. CCS shall coordinate communications between the Division and outside agencies ensuring relevant information is exchanged. Relevant information shall include: reason for pursuit, location/direction of pursuit, vehicle/occupant description, and the deployment of tire deflation devices or other law enforcement actions or tactics. This shall be done regardless of which agency initiated the pursuit or is assisting.

F. The coordination of any resultant criminal investigation shall be the responsibility of the initiating agency. The handling of accidents will generally be the responsibility of the agency in whose jurisdiction the accident occurs.

G. Any involved agency may request a debriefing/review of another involved agency for the purposes of its own investigation or critique.

H. In the event that a pursuit initiated by an outside agency is lost or terminated and the vehicle/suspect is still at large and a Cleveland police officer reacquires the vehicle/suspect, the officer shall contact CCS to determine if the originating agency wants to reinitiate the pursuit. If not, then the Cleveland police shall not become involved in a pursuit, unless there are reasons, as listed in Section I of this General Police Order, to justify a fresh pursuit.

I. If an outside agency reinitiates the pursuit, that agency shall become the primary agency and the incident will be viewed as a new pursuit.

XV. Investigation and Administrative Review of Pursuits

A. *All pursuits require the completion of the Vehicle Pursuit Form and <u>all</u> forms shall be faxed to the Inspection Unit.*

B. Pursuits that do not result in property damage or injury require only the completion of the Vehicle Pursuit Form. This form shall be faxed to the Inspection Unit and forwarded to the respective Deputy Chief in that chain of command. Upon review by the Deputy Chief, the form shall be forwarded to the Inspection Unit.

C. All pursuits that result in accidents where property damage, injury, or death occurs shall be the subject of an investigation. The investigation shall be conducted by the superior officer of the controlling supervisor who monitored the pursuit. If that supervisor was also involved in the pursuit, it shall be investigated by the superior officer next in that chain of command.

1. *The investigating supervisor shall:*

   a. *Ensure that the investigation includes a review of the dispatch recordings, available AVL data, and audio or video recordings of the pursuit prior to finalizing and submitting any findings.*

   b. *Produce an investigative package that will include a Form-1 synopsis and evaluation of the event. The Form-1 shall address whether actions taken by Division members were appropriate and in compliance with Division rules and procedures. The package shall also include as applicable; the original Vehicle Pursuit Form, copies of RMS and/or AIU reports, officer injury reports, PIT investigations, and any audio or video recordings of the pursuit.*

   c. *Within seven days of the incident forward the package through the chain of command of the controlling supervisor.*

2. *Each supervisor in the chain of command shall, within seven days of receipt of the package, review and assess the actions taken by the members involved and determine if those actions were appropriate and in compliance with Division rules and procedures. Supervisors deviating from the seven day requirement shall submit a Form-1 explaining the reason for the delay and request an extension.*

3. *Each reviewing superior officer shall endorse the investigative package with their determination as to whether or not members followed Division directives.*

4. *Upon endorsement by the respective Deputy Chief the package shall be forwarded to the Inspection Unit for an administrative review.*

   a. *The Inspection Unit shall:*

      1. *Review the supervisor's investigative package.*

2. *Conduct any additional investigation that may be required.*

3. *Complete a report including a determination as to the members' adherence to Division directives.*

b. *The administrative review package shall be attached to the supervisor's investigative package and delivered to the Chief's Office. Upon review by the Chief's Office, the investigative packages shall be returned to the Inspection Unit for filing.*

D. *The PIT shall be called to any scene involving a fatality or hospital confining injury and shall have investigative authority over the pursuit related crash only, not the pursuit. Upon endorsement by the Deputy Chief of Homeland Special Operations the crash investigative package shall be forwarded to the Chief's Office. Upon review by the Chief's Office, the PIT investigative package shall be forwarded to the Inspection Unit for filing.*

XVI. Upon completion of the investigation and administrative review of a vehicular pursuit that results in a serious injury or death, officers involved in such a pursuit shall attend a block of instruction on the subject of vehicle pursuits. Attendance at this training shall also serve as an additional debriefing of events to give vehicle pursuit instructors additional background information on the subject matter.

XVII. CCS shall note in the "Chief's Items of Interest" all vehicle pursuits and provide detailed information about any related deaths, injuries or property damage.

CDW/jeh
Policy & Procedures Unit
Attachment

CLEVELAND DIVISION OF POLICE
VEHICLE PURSUIT REPORT

GPO 3.2.02 Attachment
Revised February 2014

Section I

Pursuit Initiated:

Date _____ Time _____ Location _____ CAD# _____ - _____

Primary Police Unit: ☐Marked Vehicle ☐Unmarked Vehicle

Car # _____ Radio Call #_____ Officer _____ _____
Last Name *Badge*

Bureau/Unit _____ Officer _____ _____
Last Name *Badge*

Secondary Police Unit: ☐Marked Vehicle ☐Unmarked Vehicle

Car # _____ Radio Call # _____ Officer _____ _____
Last Name *Badge*

Bureau/Unit _____ Officer _____ _____
Last Name *Badge*

Controlling Supervisor:

Car# _____ Bureau/Unit _____ Officer _____ _____
Last Name *Badge*

Aviation Unit Requested: ☐Yes ☐No Officer _____ _____

Reason Pursuit Initiated: (*Choose One)*
☐ Violent Felony ☐ OVI ☐ Other _____ ☐ Other Agency _____

Primary Weather Conditions: (*Choose One*) Temperature _____°
☐Clear ☐Cloudy ☐Rain ☐Sleet ☐Freezing Rain ☐Snow (Light) ☐Snow (Heavy) ☐Fog

Primary Road Conditions: (*Choose One*)
☐Dry ☐Wet ☐Standing Water ☐Snow ☐Ice ☐Off-Road ☐Salt

Primary Traffic Conditions: (*Choose One*)
☐Light ☐Moderate ☐Heavy ☐Rush Hour

Lighting Conditions: (*Choose One*)
☐Dusk ☐Night ☐Dawn ☐Daylight

Extent of Pursuit: (*Choose One*)
☐In District ☐Left District ☐Left Jurisdiction

Primary Area of Pursuit: (*Choose One*)
☐Residential ☐Business ☐Industrial ☐Interstate

Did Pursuit Enter?: ☐School Zone ☐Private Property ☐Park-Playground ☐ Construction Zone

Section II

Pursuit Concluded: Date _____ Time _____ Location _____

How Pursuit Ended: (*Choose One*)—*If Accident/Intervention complete Section III*

☐Suspect Stopped ☐Suspect Crash ☐Police Intervention ☐Police Vehicle Crash ☐Visual Contact Lost
☐Bail Out (Suspect Vehicle Stopped) ☐Bail Out (Suspect Vehicle in Motion) ☐ Other _____
☐Officer Termination ☐Supervisor Termination

Section III

Accident Information			**Injury Information** *(Check Each Category that Applies & Number of Occupants)*			
Police Vehicle	☐Yes	☐No	☐Fatality ____	☐Confinement _____	☐T&R_____	☐ None_____
Suspect Vehicle	☐Yes	☐No	☐Fatality ____	☐Confinement _____	☐T&R_____	☐ None_____
Other Vehicle	☐Yes	☐No	☐Fatality ____	☐Confinement _____	☐T&R_____	☐ None_____
Other Vehicle	☐Yes	☐No	☐Fatality ____	☐Confinement _____	☐T&R_____	☐ None_____

CAD Number #: _____

Section IV

Additional Information RMS Report Completed ☐Yes ☐No Number _____

PIT Requested	☐Yes	☐No	MVA Invest Package Required	☐Yes	☐No	☐ Arrest ORC 2921.331
AIU Requested	☐Yes	☐No	Employee Injury Invest Required	☐Yes	☐No	☐ UTT—MC 403.02B
SIU Requested	☐Yes	☐No	Photographs/Video	☐Yes	☐No	☐ Detective Unit Assigned

OFFICER'S Signature: _____ **Badge#** _____

SUPERVISORY REVIEW

ENDORSEMENTS/COMMENTS:

_____

_____

_____

_____

Debriefing/review occurred: ☐Yes ☐No (If "No" explain why and explain any corrective action taken above or on additional form(s))

Officers complied with the written directives of the Division: ☐Yes ☐No

Controlling Supervisor Signature/Badge_____ **Date**_____

_____

_____

_____

_____

Other Supervisor Signature/Badge _____ **Date**_____

_____

_____

_____

_____

Other Supervisor Signature/Badge _____ **Date**_____

_____

_____

_____

_____

Commander's Signature _____ **Date**_____

_____

_____

_____

_____

Deputy Chief's Signature _____ **Date**_____

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	3.2.03

SUBJECT:	
ROAD SPIKES	
ASSOCIATED MANUAL:	RELATED ORDERS: 3.2.02
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To state guidelines for the use of road spikes in pursuit interventions.

POLICY: The Cleveland Division of Police shall safely use road spikes whenever possible to end or slow a pursuit. Officers shall not operate road spikes without first completing training from the Police Academy. District Commanders shall be responsible for the issuance of Road spikes to units within their district.

DEFINITION: **Road spikes** are a rapidly deployable device. They consist of a roll of black connected pads that unroll to form, what appears to be, a small speed bump. The spikes are contained within the pads and are remotely deployed or retracted by the operator. When the spikes are retracted the speed bump may be safely crossed by traffic. Operators of the road spikes shall deploy the spikes just prior to the suspect vehicle crossing them. Operators shall retract them immediately afterward, allowing pursuing vehicles to continue without interruption.

PROCEDURES:

I. Use of road spikes: The sector supervisor controlling a pursuit shall make the decision to use road spikes. Due to the quickly escalating circumstances of a pursuit, and the benefit of quickly ending a pursuit, officers may use road spikes before a supervisor's approval if they can do so safely. When officers deploy road spikes before a supervisor's approval, the deploying officer shall immediately notify a supervisor of the deployment and location. The Aviation Unit shall assist in effective road spikes placement.

A. Road spikes operators must broadcast the exact location of deployed road spikes so pursuing units can slow down and allow the operators to retract the spikes after the suspect's vehicle has crossed them.

B. Road spikes may be used only on vehicles with four or more wheels and shall never be used on motorcycles.

II. Missing spikes: Officers shall immediately transport road spikes that have missing spikes to the district or unit. Officers that use road spikes shall conduct spike replacement on the road spike device. Extra spikes and related equipment are contained in the equipment pouch on the side of the road spikes carrying case.

III. Unintentional road spikes damage: If the road spikes cause unintentional damage to tires on a civilian vehicle, officers shall complete a Damage to Property Record Management System (RMS) report.

A. Officers shall provide the victim with the RMS report number and advise them to the Moral Claims Commission at City Hall for reimbursement. A sector supervisor shall assign a Special Response (SR) car to stay with the victim until the vehicle is operable or towed from the scene.

B. Emergency road service or towing shall not be a "police tow" function. If the victim desires assistance, officers shall notify CCS to arrange for private road service or towing. When the vehicle is towed from the scene and the victim does not go with the tow truck, the SR car officer shall transport the victim to the victim's original destination, if within the district boundaries. Officers shall transport the victim to district headquarters if their destination is outside the district boundaries.

C. If road spikes use causes damage to tires on any police vehicle, officers shall complete a Damage to City Property, RMS report for each vehicle damaged.

EFL/TAH/LM/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 4	3.2.04

SUBJECT:	
SILENT HOLDUP ALARMS	
ASSOCIATED MANUAL:	RELATED ORDERS:
COMMUNICATION CONTROL SECTION, DETECTIVE BUREAU, CRIME SCENE AND RECORD UNIT	3.2.09, 3.4.11
CHIEF OF POLICE:	
Edward F. Lohn, Chief	

PURPOSE: To establish guidelines for the investigation of silent holdup alarms at financial institutions.

POLICY: The Division of Police shall respond to and investigate silent holdup alarms at financial institutions. Police response to this type of an alarm is inherently dangerous therefore responding officers shall strive to maximize the safety of fellow officers as well and the public.

PROCEDURES:

I. Responsibilities of zone car personnel

A. When a silent holdup alarm assignment is received, responding police officers shall:

1. Assume the alarm is legitimate until **confirmed** otherwise.

2. Approach the location cautiously, each vehicle from a different direction when practical and watchful for a fleeing suspect, vehicle, or other suspicious activity.

a) Do not announce impending arrival by the use of emergency lights or sirens in the vicinity from which the alarm originates.

b) Upon arrival, broadcast your location and other pertinent information to assist backup officers to respond appropriately.

c) Do not cross in front of the building on foot or in a police vehicle.

d) Park police vehicles a reasonable distance from the scene, and use them for cover.

B. Alarms alleged as false: When the Communication Control Section (CCS) alleges that an alarm is false, the officers assigned to investigate the alarm shall:

1. Proceed as follows to enter the building cautiously and verify the alarm status.

a) A minimum of two uniformed police officers shall meet the designated institution or agency employee outside the building entrance.

b) The police officers and employee shall cautiously enter the building to verify the status of the alarm.

c) A minimum of two uniformed police officers shall maintain building surveillance while the alarm status is verified.

2. Officers shall immediately notify CCS of the alarm status.

C. Successful robbery/suspect fled scene

1. When an actual robbery has occurred and the suspect(s) have fled the scene, the officers assigned to investigate the alarm shall cautiously approach the building while the backup officers maintain surveillance.

2. The sector supervisor shall assign a minimum of two uniformed police officers to enter the building, deploy other personnel responding to the assignment, and notify CCS of the deployment.

3. Officers shall broadcast a description of the suspect(s) and other relevant information via CCS, protect the crime scene, and detain witnesses.

D. Robbery in progress

1. When an actual robbery is in progress, responding police officers **shall not** attempt to enter the building.

2. The sector supervisor shall position police personnel to cover the perimeter of the building and request the SWAT Unit.

3. After a briefing by the sector supervisor, a SWAT Unit supervisor shall assume command of the inner perimeter.

4. District personnel shall complete required reports except those that affect SWAT Unit personnel.

E. Alarm status unknown

1. Officers shall treat the alarm as a robbery in progress. Officers **shall not** attempt to enter the building.

2. Officers shall position themselves to cover building exits.

a) The sector supervisor shall determine if additional personnel are needed to secure the immediate area.

b) After being briefed, a SWAT Unit supervisor shall assume command and coordinate activities with the sector supervisor.

II. Responsibilities of district supervisory personnel

A. A platoon supervisor shall respond to and take command of the scene of a "robbery in progress" assignment when a potential or actual hostage situation exists.

B. Lieutenants and Sergeants in charge of a sector shall:

1. Immediately respond to silent bank holdup alarms received, direct the activities of subordinates at the scene and notify CCS of significant developments.

2. Determine if additional patrol personnel are needed and request the SWAT Unit and Crisis Negotiation Team.

3. Brief a SWAT Unit supervisor of the situation before relinquishing command of the inner perimeter.

4. Cause investigating and backup officers to report back on the air at the earliest opportunity.

C. The sector supervisor **may** release to the media, information that may enhance the chances of apprehension of a suspect and/or the recovery of evidence.

EFL/TAH/LM/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 1	3.2.05

SUBJECT:	
GENERAL LABOR STRIKE DISTURBANCE	
ASSOCIATED MANUAL: COMMUNICATION CONTROL SECTION	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To establish guidelines for officers who respond to general labor disputes and strikes.

POLICY: The Cleveland Division of Police shall enforce the laws that pertain to labor disputes or strikes. The Division shall ensure that enforcement action is impartial. Employees of the Division shall not involve themselves in any labor disputes or strikes outside the scope of their duties.

PROCEDURES:

I. A supervisor shall respond to the scene and shall:

A. Determine staffing needs and cause appropriate patrol personnel to respond.

B. Apprise the Communication Control Section (CCS) of the situation.

C. Advise the District Commander.

D. Determine the need for additional support units (i.e. Traffic Unit, SWAT, etc, refer to Mobilization Plan).

II. Security Guards at Labor Disputes/Strikes: Cleveland Codified Ordinance 670.20 prohibits an armed security guard to leave a business premise with a firearm during the course of a labor dispute or strike.

EFL/TAH/LM/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	June 10, 2011	1 of 4	3.2.06

SUBJECT:	
HANDLING THE MENTALLY ILL	
ASSOCIATED MANUAL:	RELATED ORDERS: 7.2.03
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are in italic

PURPOSE: To establish guidelines for the Cleveland Division of Police to handle persons who are, or may be suffering from mental illness.

POLICY: The Division shall cooperate with Mental Health Services Inc. to deal with persons in need of a psychiatric evaluation. Mental Health Services Inc. may assist to determine the appropriate facility to which a mentally ill person shall be conveyed and offer suggestions for intervention. Officers shall cooperate with mental health agencies and hospitals. If a hospital has a policy forbidding weapons on their premises, officers shall give patients to hospital security and complete paperwork regarding the patient outside the weapons-restricted area. *The Division shall adhere to the provisions of Ohio Revised Code (ORC) 5122.11 Judicial Hospitalization*.

PROCEDURES:

I. A psychiatric emergency exists when an officer learns of, or has custody of a person who is mentally ill and is likely to injure themselves or another. Under Sec. 5122.10 of the Ohio Revised Code, a police officer has authority to take such a person into custody involuntarily, and immediately transport the person to a hospital for psychiatric evaluation.

II. If *probable cause exists* that a person presents a risk of harm to themselves or others, officers shall stabilize any dangerous or potentially dangerous situation, *and take that person into custody* using handcuffs if necessary.

A. *Per ORC 5122.10, officers shall make "every reasonable and appropriate effort… to take persons into custody in the least conspicuous manner possible. (The officer) taking the respondent into custody pursuant to this section shall explain to the respondent: the name, professional designation, and agency affiliation of the person taking the respondent into custody; that the custody-taking is not a criminal arrest; and that the person is being taken for examination by mental health professionals at a specified mental health*

RESCINDED, EFF. 01/01/18
SEE NEW GPOS 5.11.01-5.11.03

facility identified by name."

B. If the person is suffering from serious physical injury or illness, including drug overdose, officers shall convey the person to the nearest hospital. The hospital is responsible to transport persons, not under arrest, after medical treatment.

III. Officers shall search conveyed persons before entering the mental health facility.

IV. Conveying officers shall complete a Police Referral for Psychiatric Evaluation form, explain the reason the person is in custody and the symptoms of mental illness. The statement must include one of the following categories:

A. The person represents a substantial risk of physical harm to self, evidenced by threats of, or attempts at, suicide or other serious self-inflicted bodily harm.

B. The person represents a risk of physical harm to others as shown by violent behavior, evidence of recent threats that place another in fear, or other evidence of danger.

C. The person represents a risk of physical impairment or injury to self and unable to provide physical needs for self.

V. After the person is admitted to the mental health facility, the conveying officers shall complete a Crisis Intervention report *and Crisis Intervention Team Statistic Sheet (attachment). The Crisis Intervention Team Statistic Sheet shall be forwarded to the Cleveland Police Academy*.

VI. Officers shall execute *Temporary Orders of Detention (Probate Warrant) as required by ORC 5122.11 Judicial Hospitalization. In this instance, the court has already adjudicated that probable cause exists and officers need not independently verify that the person named in the warrant is a threat to themselves or others*.

A. Officers shall search a person taken into custody and convey the person to the hospital named in the order for admission.

B. Officers shall sign the warrant and return it to the Officer-In-Charge.

RESCINDED, EFF. 01/01/18
SEE NEW GPO 5.11.01-5.11.03

VII. *Medical Certificate ("Pink Slip")*

A. *A Medical Certificate, also known as a "Pink Slip", is a document issued by a health authority declaring that a person is a threat to themselves or others.*

B. *There is no mandate that an officer seize a person based solely on the issuance of a Medical Certificate. Such a seizure requires sufficient probable cause. The Medical Certificate does not in and of itself provide probable cause. Sufficient probable cause shall be based on the contents of the Medical Certificate <u>and</u> the application of objective reasonableness by the officer. Officers shall rely on their own observation of the person's mental condition to justify seizing the person. Officers may contact Mental Health Services Inc. for further assistance in assessing if probable cause exists if the person refuses to cooperate.*

1. *If probable cause exists for a seizure as initiated by the issuance of a Medical Certificate, officers shall require that the original signed Medical Certificate be attached to any paperwork required by the accepting mental health care facility.*

2. *Officers shall take all the same precautions regarding searches and handcuffing as with any other such seizure.*

VIII. Conveying prisoners for psychiatric evaluation: A prisoner shall remain the responsibility of the Division after psychiatric treatment.

IX. Return of AWOLs (Absence without Leave) and those visiting from mental hospitals.

A. Officers shall contact the hospital by telephone (or C.C.S.) before returning the person, to confirm acceptance of the person. If the hospital will not accept the AWOL patient, officers shall determine if the person needs psychiatric evaluation. If so, officers shall contact Mental Health Services Inc. to arrange a psychiatric evaluation according to procedures.

B. If officers have an AWOL patient from a non-local hospital, officers shall contact Mental Health Services, Inc. to arrange for a psychiatric evaluation.

C. If a sponsor or family member, of a patient on a trial visit, requests return of the patient, officers shall contact the hospital from which the patient is

RESCINDED, EFF 01/01/18
SEE NEW GPOs 5.11.01-5.11.03

released to determine the proper action.

X. Voluntary admissions and advice to relatives

A. In non-emergency cases of suspected mental illness, officers shall advise the family or guardian to consult Mental Health Services Inc., a physician, general hospital, public mental health hospital, or seek assistance from Probate Court. Officers shall also provide the 24-hour hotline number for Mental Health Services Inc., (216) 623-6888.

B. In non-emergency cases of suspected mental illness with no relative or guardian available, officers shall encourage the person to contact Mental Health Services Inc. for available services, or shall offer to transport the person to a hospital for psychiatric evaluation.

XI. Request for assistance at mental health crisis shelters.

A. Officers shall respond to the shelter to stabilize the situation, calling Mental Health Services Inc. is not necessary. If officers need to consult with the Mental Health Services Inc., they shall consult with the team after they have stabilized the situation at the shelter.

B. Shelter staff will inform the officers of arrangements they have made. If they include transport to another facility, the officers shall make the transport.

RESCINDED, EFF. 01/01/18
SEE NEW GPOS 5.11.01-5.11.03

MM/LM/JCO/ajg
Policy & Procedures Unit
Attachment

CLEVELAND DIVISION OF POLICE
CRISIS INTERVENTION TEAM STATISTIC SHEET

Date_____ Nature of Call_____Location_____
Time Rec'd from CCS_____ Arrival time _____ Zone_____ CAD#_____
Call Source (check one): __ EMS __ Family __ Case Worker __ Z/C(on view) __ Other

SUBJECT
Last Name_____ First Name_____ MI___ Age____
Address_____ Sex_____ Height_____ Weight_____
Hair Color_____ Hair Type_____ Eye Color_____ Complexion_____
Facial Hair_____ DOB_____ SSN_____

EQUIPMENT/TECHNIQUE USED
____ Verbal de-escalation techniques ____ Handcuffs ____ OC Pepper Spray
____ Taser: ____ display/laser sight only ____ drive stun ___ fired
____ Other (baton, takedown, firearm, etc). _____

SUBJECT INJURIES
____ Prior to police arrival
____ During police involvement
____ None / Unknown

OFFICER INJURIES
____ Slight
____ Severe
____ None / Unknown

FINAL DISPOSITION(check all that apply)
____ Arrested ____ Pink Slipped to SVCH ____ Pink Slipped to Private Hospital ER
____ Voluntary to SVCH ____ Voluntary to Private Hospital ER
____ Referred to outpatient mental health treatment
____ Complaint unfounded requiring no police action
____ Subject stabilized
____ Other (RMS report number _____)
____ EMS handled
____ Use of Non-deadly Force report made

ADDITIONAL COMMENTS
____ Individual requires Mental Health Service Referral
Other:_____
_____

TRANSPORTING
____ Subject transported by CPD unit _____ to Dist/County Jail_____ Time_____
____ Subject transported by EMS to_____ Time _____
____ Subject transported by private ambulance/auto to _____

If transported by CPD, time spent by officers at SVCH _____ hours _____minutes

Overall experience with SVCH ____ Excellent ____ Good ____ Fair ____ Poor

CIT Officer / Badge # _____ Badge# _____

Forward to Police Academy via Divisional Mail

Revised June 2011

RESCINDED, EFF. 01/01/18
SEE NEW GPOs 5.11.01-5.11.03

CLEVELAND DIVISION OF POLICE
CRISIS INTERVENTION TEAM STATISTIC SHEET

Date_____ Nature of Call_____Location_____
Time Rec'd from CCS_____ Arrival time _____ Zone_____ CAD#_____
Call Source (check one): __ EMS __ Family __ Case Worker __ Z/C(on view) __ Other

SUBJECT
Last Name_____ First Name_____ MI___ Age____
Address_____ Sex_____ Height_____Weight_____
Hair Color_____ Hair Type_____ Eye Color_____ Complexion_____
Facial Hair_____ DOB_____ SSN_____

EQUIPMENT/TECHNIQUE USED
____ Verbal de-escalation techniques ____ Handcuffs ____ OC Pepper Spray
____ Taser: ____ display/laser sight only ____ drive stun ____ fired
____ Other (baton, takedown, firearm, etc). _____

SUBJECT INJURIES
____ Prior to police arrival
____ During police involvement
____ None / Unknown

OFFICER INJURIES
____ Slight
____ Severe
____ None / Unknown

FINAL DISPOSITION(check all that apply)
____ Arrested ____ Pink Slipped to SVCH ____ Pink Slipped to Private Hospital ER
____ Voluntary to SVCH ____ Voluntary to Private Hospital ER
____ Referred to outpatient mental health treatment
____ Complaint unfounded requiring no police action
____ Subject stabilized
____ Other (RMS report number _____)
____ EMS handled
____ Use of Non-deadly Force report made

ADDITIONAL COMMENTS
____ Individual requires Mental Health Service Referral
Other:_____
_____

TRANSPORTING
____ Subject transported by CPD unit _____ to Dist/County Jail_____ Time_____
____ Subject transported by EMS to_____ Time _____
____ Subject transported by private ambulance/auto to _____

If transported by CPD, time spent by officers at SVCH _____ hours _____minutes

Overall experience with SVCH ____ Excellent ____ Good ____ Fair ____ Poor

CIT Officer / Badge # _____ Badge# _____

Forward to Police Academy via Divisional Mail

Revised June 2011

RESCINDED, EFF. 02/09/18
SEE NEW GPOs 5.11.01-5.11.03

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	July 5, 2013	1 of 4	3.2.07

SUBJECT:	
EMERGENCY RESPONSE DRIVING	
ASSOCIATED MANUAL:	RELATED ORDERS: 3.2.02, 9.1.09
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are in italics

PURPOSE: To state guidelines for the Cleveland Division of Police emergency response driving.

POLICY: No assignment shall be of such importance, and no task shall be expedited with such emphasis, that the principles of safety become secondary. All personnel operating Division vehicles shall exercise due regard for the safety of all persons.

PROCEDURES:

I. General Provisions:

A. When engaging in emergency driving, officers shall not unnecessarily endanger the public, their fellow officers, or themselves. This policy shall not be construed to mean delaying response to emergency calls. If officers become involved in preventable accidents, they may not arrive at the assignment. Officers can never assume that the public will yield the right-of-way simply because lights and sirens are used.

B. Guidelines for Emergency Driving: Officers shall not engage in emergency driving in any vehicle containing witnesses, suspects, complainants or other non-police personnel, unless necessary for the protection of the non-police personnel (e.g., sudden illness).

C. When determining whether to engage in emergency driving, an officer shall consider the following:

1. Nature of the Emergency: Consideration of factors such as an ongoing threat to the victim's safety, a suspect on scene, the severity of the crime, and the distance to the scene if responding as a back-up unit. The first car on the scene shall determine, as soon as possible, the

severity of the emergency and shall broadcast *such information including whether to call-off any other units that may be responding or to call for additional units as needed*. First responding officers shall not wait *for a supervisor to make the determination to call off responding units that have not arrived yet*. *A supervisor may always request additional assistance as needed*.

2. Road Conditions: Road conditions including configuration and defects will govern driving actions.

3. Vehicle type/Condition: The type of vehicle being operated as well as the vehicle's condition must be considered.

4. Traffic: The traffic volume will often dictate *how to proceed with emergency driving*.

5. Weather Conditions: Because adverse weather conditions may raise the risk factor to unacceptable levels, officers shall carefully evaluate any hazard before engaging in emergency driving.

6. Area: The officer shall consider the nature of the surrounding area (e.g., is it residential, business or a school zone).

7. Familiarity with Area: On a known roadway, the officer could engage in emergency driving with more confidence than on unfamiliar roadways.

8. Time: The time of day is of great importance. The limited visibility of dusk, dark or dawn will affect the officer's decision concerning emergency driving.

D. Escorts of civilian vehicles for emergencies shall not occur unless authorized by a supervisor.

II. Officers responsibilities:

A. Officers shall activate emergency red and blue lights (*must be visible from the front and back of the police vehicle*) and siren.

B. Officers shall keep control of the police vehicle at all times.

C. Officers shall comply with the following sections of the Ohio Revised Code:

1. 4511.03 - Emergency vehicles at red signal or stop sign

2. 4511.041- Exceptions to traffic rules for emergency or public safety vehicle responding to emergency call

3. 4511.24 - Speed limits not applicable to emergency or public safety vehicles

4. 4511.45 - Right-of-way of public safety or coroner's vehicle

5. 4513.21 - Horns, sirens, and warning devices

D. Officers shall be aware that while ORC 4511.03 allows them to proceed **cautiously** past a red light or stop sign, there are times when traffic conditions (e.g., rush hour, congested intersection) make a **full stop** necessary.

E. *Officers shall immediately advise the Communications Control Section (CCS) if responding as a backup unit. Responding units must receive an acknowledgement from CCS to continue an emergency response. Supervisors of the responding units shall monitor, manage, and control their responding units to ensure an appropriate response; and call off or call for more units as needed*.

III. Supervisors responsibilities:

A. *Supervisors shall closely monitor the response of their assigned officers due to driver's tendencies to operate at higher speeds and with less regard for caution when responding from distant locations*.

B. Supervisors shall monitor radio communications *and the Automatic Vehicle Locator (AVL) system to track the response of officers assigned under their command*. Supervisors shall disregard back-up cars that are responding to an emergency assignment when it has been determined that the situation is under control and the back-up cars are no longer needed.

C. When there is a *motor vehicle* accident arising from emergency driving, supervisors shall have the CCS notify the Accident Investigation Unit (AIU).

If AIU is unavailable, the sector supervisor will assign a zone car to complete the reports.

D. If AIU is unavailable, the Crime Scene & Record Unit will be notified to respond to the scene for photos.

E. The Pursuit Investigation Team (PIT) shall be notified to respond when serious injury or death results from emergency response driving.

MM/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
OCTOBER 16, 2006	OCTOBER 17, 2007	1 of 2	3.2.08

SUBJECT:	
CHRONIC ALARM ABUSE PROGRAM (CAAP)	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Revisions are in Italic

PURPOSE: To reduce patrol time spent responding to unnecessary alarms.

POLICY: The Cleveland Division of Police shall respond to burglar and intrusion alarms by request or assignment. Two unnecessary responses to an alarm at the same location within a calendar year classify that location as a "Chronic Alarm" location. The Division shall still respond to citizen complaints or calls for service at chronic alarm locations.

Codified Ordinance 670A, Section 670A.02, requires the Division to bill chronic alarm locations $130 to reimburse part of the response cost for a third and or any subsequent unnecessary alarms.

DEFINITION: "Unnecessary alarm" means the activation of an alarm system whereby the Division of Police is summoned to a location when there is no incident occurring nor is there any evidence of any incident having occurred or having been attempted, as reported by the alarm.

"Unnecessary alarm" shall also mean any violation of Section 670A.04—All bells, sirens, or other noise sources that sound in the event of an alarm are, if located in residential areas, to cut off automatically within fifteen (15) minutes after the alarm has been activated or, if located in commercial areas, to cut off automatically within thirty (30) minutes after the alarm has been activated.

Audible alarms shall not resemble the sound of any emergency signal or civil defense alarm or siren. "Unnecessary alarm" shall not include alarms obviously attributable to extreme weather conditions, or power outages. The burden of proof of such exceptions to this section is on the alarm system user.

Bank, vehicle, residential, panic and hold-up alarms are exempt from this order.

PROCEDURES:

I. Patrol Section procedures

A. If an officer investigating an alarm determines that the alarm was activated by something other than a criminal act or that MC 607A.04 has been violated, the officer shall report final disposition to Communications Control Section (CCS) personnel as *"**NO CAUSE**."*

B. Sector supervisors are responsible for ensuring that *officers provide proper final* dispositions to CCS.

II. CCS shall e*nsure that the proper disposition is entered into CAD/RMS system*

III. Reviews, Hearings and Appeals

Any person/entity who has been invoiced pursuant to Section 670A.02 may request, in writing, within thirty (30) days of the date of invoice, a hearing by the Chief of Police or designee for the purpose of presenting evidence that an unnecessary alarm did not occur, or that the person/entity invoiced is not the alarm system user.

A. Upon the establishment by the Division of Police of a *prima facie* case supporting the invoice, the burden of proof shall shift to the person/entity who requested the hearing. The rules of evidence applicable to courts of law shall not be strictly applied.

B. If the Chief of Police or designee determines, by a preponderance of the evidence, that an unnecessary alarm did not occur, or that the person/entity invoiced pursuant to Section 670A.02 is not the alarm system user, then the charges shall be voided, otherwise the charges shall be due and payable.

C. Any person/entity subject to an adverse finding by the Chief of Police or designee pursuant to Section 670A.05 may appeal the finding to the Board of Building Standards and Building Appeals. The notice of appeal shall be in writing and shall be filed with the Board of Building Standards and Building Appeals within ten (10) days of the finding of the Chief of Police or designee.

MM/TAH/JCO/ajg

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 01, 2002	JUNE 23, 2008	1 of 3	3.2.09

SUBJECT:	
USE OF SPECIAL WEAPONS AND TACTICS UNIT (SWAT)	
ASSOCIATED MANUAL: EMERGENCY OPERATIONS	RELATED ORDERS: 3.2.04
CHIEF OF POLICE: *Michael McGrath*	

Substantive changes are initials

PURPOSE: To set guidelines for use of the Special Weapons and Tactics Unit (SWAT).

POLICY: *The Cleveland Division of Police shall use the Incident Command System (ICS) to manage SWAT incidents*. The SWAT Unit shall be used in the following situations:

- Barricaded suspects armed or suspected to be armed with weapons
- Suicidal persons armed or suspected to be armed with weapons
- Hostage incidents
- Sniper attacks
- Incidents involving gang violence if gang members are *suspected of being* armed
- High risk felony warrant service if there is a strong indication of armed resistance
- Crowd control where there is the potential of a riot *or other civil disturbance*
- A command or superior officer believes that SWAT has an advantage in resolving an incident due to their special training or equipment, i.e., less-lethal and chemical munitions
- As stated in General Police Orders and the Emergency Operations Plan

DEFINITION: The *incident commander* is *any officer* in charge on the scene of a riot, catastrophe, disaster, serious police incident, large scale event or other multiple unit operation. *The initial incident commander may be any officer from the district of occurrence. Dependent upon the scale and seriousness of the incident, the role of the incident commander may transfer to other officers within the chain of command. In circumstances that require the activation of an ICS response, the role of the incident commander may be transferred to either of the following as operational necessity requires: Deputy Chief of Special Operations, Deputy Chief of Homeland Security, or Commander of the Bureau of Special Services.*

PROCEDURES:

I. *Requesting the SWAT Unit when appropriate.*

A. *Incident Commanders* shall notify the Communications Control Section (CCS) for **emergency** SWAT Unit response.

B. ***Non-emergency*** *requests for SWAT Unit assistance may be made only by superior officers.* ***Non-emergency*** *requests for SWAT Unit can be made by contacting the Officer-in-Charge (OIC) of the SWAT Unit by telephone or via CCS.*

II. Prior to the arrival of SWAT, the *incident* commander shall:

A. Establish perimeter control to restrict the movement of criminal suspects and ensure the safety of persons.

1. *Use the ICS to maintain the appropriate span of control*.

2. *Use the ICS to establish branches, divisions, groups, strike teams, task forces and single resources as needed*.

B. Ensure that personnel have adequate cover and concealment.

C. Relay observations to the CCS radio dispatcher.

D. Advise those who respond of safe and unsafe approach routes.

E. Establish access and egress routes from the scene.

F. Designate a staging area outside of the inner perimeter.

III. Upon arrival of the SWAT Unit OIC, the *incident* commander shall:

A. Brief the SWAT OIC on all available information.

B. *Assign supervision (but retain command)* of the inner perimeter to the SWAT OIC.

C. Command the outer *<u>and</u> inner perimeter*.

D. Provide support requested by the OIC of SWAT.

IV. The preceding Section III does **not** apply in situations that require the Chief to designate an *incident* commander as part of an Emergency Operations Plan.

V. The *incident* commander shall establish a command post and staging area for prolonged operations. The *incident* commander shall provide for parking and security for Police, Fire and Emergency Medical Service (EMS) vehicles, and equipment.

VI. The originally assigned unit shall make arrests and seize evidence. They shall also conduct evidentiary searches, book and transport prisoners, and complete RMS reports. Field commanders may delegate these tasks.

VII. The *incident* commander shall direct the completion of reports.

VIII. SWAT shall cooperate with investigative personnel and provide statements, reports, and testimony.

MM/TAH/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	3.2.10

SUBJECT:	
USE OF CANINE UNIT (K-9)	
ASSOCIATED MANUAL: CANINE UNIT	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

RESCINDED EFF. 02.09.18
SEE NEW GPO 4.02.02

PURPOSE: To establish guidelines for use of the Canine Unit (K-9) in the Cleveland Division of Police.

POLICY: The Canine Unit shall assist in narcotic, bomb, missing person searches, to track individuals, and other required incidents. The Canine Unit shall not be used for crowd control, domestic violence, transporting prisoners, motor vehicle accidents, labor disputes or assignments that involve known mentally ill or intoxicated persons, unless a serious crime is involved or there is a threat of physical harm to person(s).

PROCEDURES:

I. When appropriate, supervisors shall request the Canine Unit.

A. Supervisors shall request K-9 assistance via the Communication Control Section (CCS). The requesting supervisor shall be on scene when the Canine team arrives to brief the handler.

B. Supervisors shall request K-9 assistance for planned activities from the Officer-in-Charge (OIC) of the Canine Unit.

C. The Chief of Police or the Chief's designee must approve requests for K-9 assistance by outside agencies.

II. The K-9 handler is the ultimate authority of the K-9 dog.

A. The K-9 handler decides how to use the K-9 based on operational guidelines, the K-9's capabilities, and physical surroundings.

B. The handler is subordinate to a superior officer in non-K-9 functions.

III. If a K-9 handler is injured, members shall:

A. Secure the K-9.

B. **If the K-9 is aggressive and cannot be secured,** notify another K-9 handler, Canine Unit OIC, *Cleveland Animal Control* (Kennel), or the Animal Protective League (APL) for assistance.

C. As a **last resort,** the K-9 may be destroyed to administer **life saving** medical treatment.

IV. The unit originally assigned shall transport and book prisoners, search for, and process evidence, and complete reports.

V. If a suspect or prisoner is injured by the K-9, the officer originally assigned shall note the injuries and medical treatment in the Record Management System (RMS) report.

VI. The handler shall complete an RMS report if a citizen is injured by a K-9.

VII. The superior officer shall investigate according to General Police Order (GPO): Duty Related Injuries if an officer is injured by the K-9.

VIII. In injuries that result from a K-9, the handler shall make a Form-1 and the OIC of the Canine Unit shall investigate the injury, complete a Form-1 and forward the reports as a package through the chain of command.

RESCINDED EFF. 02.09.18
SEE NEW GPO 4.02.02

EFL/TAH/LM/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
	JUNE 24, 2005	1 of 6	3.2.11

SUBJECT:	
CONTACTING BLOOD & BODY FLUID	
ASSOCIATED MANUAL: SECTION/UNIT/DISTRICT MANUAL	RELATED ORDERS: 2.3.08, 2.3.09, 2.3.10
CHIEF OF POLICE: *Michael McGrath*	

Revisions are printed in italics

PURPOSE: To establish health and safety procedures, preventative measures and decontamination procedures for members of the Cleveland Division of Police who come in contact with blood and/or body fluids and to set guidelines for use of the Emergency Equipment Kit.

POLICY: The Division shall endeavor to provide the safest possible work environment.

PROCEDURES:

Because it is difficult to determine infection with Human Immunodeficiency Virus (HIV) or Hepatitis B or C, hazards exist for personnel who handle persons or come in contact with blood and/or body fluids.

Sexual contact, blood transfusions, skin punctures, splashes to open skin or mucous membranes (e.g. nasal passages, mouth, eyelids) and childbirth are the most common transmission methods. No evidence indicates that casual or close contact with the AIDS virus poses a risk.

I. Guidelines to prevent blood/body fluid exposure:

A. Assume **all** victims, suspects and individuals have an infectious disease.

B. Members should cover wounds, cuts, and hangnails on exposed body surfaces with waterproof dressings before reporting to work and keep the dressing dry.

C. Conditions such as severe acne, eczema, exudative lesions or weeping dermatitis should receive medical treatment before going on duty.

D. Avoid touching your mouth and eyes.

E. At a crime or accident scene, do not put objects (pens etc.), fingers in your mouth and do not eat, drink or apply cosmetics or lip balm. Do not use lotion that contains petroleum on hands during work.

F. Wear disposable latex gloves if contact with body fluids or blood is possible and be careful that personal rings do not tear the gloves.

G. When gloves are worn, avoid handling personal items (radios, papers etc.), which may spread contamination. Remove and dispose of contaminated gloves as soon as possible by placing them in a red, marked, biohazard bag.

H. Wash hands immediately after removing the gloves. Use soap and water or a waterless hand cleaner.

I. Protective eyewear and gowns/aprons shall be used if a splash or spray of body fluids is likely.

J. To resuscitate, use **disposable** bag masks, mouthpieces or ventilation devices.

K. Use emergency equipment kits and properly dispose of waste.

L. Decontaminate equipment before reuse (cars, personal gear, etc.).

M. The Emergency Medical Service (EMS) shall be called to transport persons only if they are experiencing a medical emergency.

II. Soiled Uniforms/Clothing.

A. Assume that all blood/body fluid is infectious. As soon as possible following contact, members shall:

1. Change into a clean Class B uniform (General Police Order 1.1.12).

2. Carefully place *one uniform only* in a biohazard bag available from the member's officer in charge. One biohazard bag for each complete soiled uniform.

3. Officers shall attach a Form-1 with their name, badge number, unit, and district/unit telephone number, *assignment and description of contamination.*

4. Note on the Form-1 if other toxic material is present on the uniforms (i.e. battery acid).

B. Administrative supervisors shall ensure supplies of biohazard bags are available for all shifts.

C. Supervisor shall:

1. *Arrange, when operational needs permit, for drop off of biohazard bags, calling 623-5889 to insure that the EMS on duty shift captain is in to receive the laundry.*

2. Ensure drop off of biohazard bags with contaminated uniforms to the EMS, Medic Four base, at Metro Hospital's main parking garage, across from the emergency room on South Pointe Drive.

3. Arrange for the pick up of clean uniforms from the same location when EMS notifies the district/unit the uniforms are available for pick up.

III. Guidelines for handling hypodermic needles

A. Hypodermic needles and syringes **shall not** be recapped, purposely bent or broken, removed from disposable syringes or otherwise manipulated by hand.

B. Evidence needles recovered in the field shall be placed in a rigid plastic container provided in the Emergency Equipment Kits. The rigid containers may be marked on or masking tape may be used and then inserted into an evidence envelope. Dispose of needles in the kit's "Sharps" container.

IV. Preventing Blood/Body Fluid Exposure When Searching.

A. Accidental needle-sticks are the most common, potentially infectious exposure in law enforcement.

B. **Use gloves** to search, assuming that persons have hypodermic needles, razor blades, files or sharp objects that may have blood or body fluids on them.

1. Officers shall specifically ask about needles and sharp objects. If the individual admits possession, the officer shall direct the individual to specify the location so it may be safely removed.

2. If the individual denies possession, restrain them before the search.

3. Officers shall conduct a light pat-type search of areas that needles or sharp items may be located before doing a complete search.

4. Prior to the search, have the individual remove bulky external clothing.

5. If the pat down reveals a suspicious object, that does not seem to be a weapon, officers shall have the individual carefully remove the item(s). If it is in a pocket, have them turn the pocket inside out.

6. Shake the individual's shoes and then visually inspect the shoes. Finally, poke inside to feel for syringes or packets with a pencil or similar object before putting hands inside.

7. Wear gloves to touch genital areas, the mouth, or open skin areas.

8. If a detained individual is bleeding**,** officers shall cover the wound with a bandage, dressing, paper towel, plastic bag or other clean material to minimize an officer's exposure until medical care may be obtained.

C. Searching property:

1. Visually inspect property carefully. Purses, bags, eyeglass cases, containers and drawers should be emptied out and their contents visually examined before property or contents are handled.

2. If blood or body fluids are present, wear gloves. If a scene is contaminated to the degree that the emergency kit is insufficient, notify Crime Scene or Homicide Unit personnel who have additional protective gear.

3. Use a pencil or similar probe in drawers or like containers. Use flashlights to inspect rafters or ledges. Do not run hands over the top of window ledges or blindly probe. Use a flashlight even during the day. Look into hidden spaces with a long handled mirror.

4. Use a partner's assistance when confronted with tight fitting spaces or to see into exposed areas such as sofas or car seats. (One officer can hold cushions apart; the other uses a flashlight to illuminate the area).

5. Use gloves, tweezers, foil or waxed paper to handle contaminated evidence. The preferred method is gloves.

6. Wash hands thoroughly after a search.

V. Transporting contaminated property/evidence:

A. Transporting contaminated property/evidence that is wet and/or seeping is a hazard. Properly bag and use non-porous surfaces or additional containers to maintain safety and protect the integrity of the evidence.

1. Air-dry the evidence before transporting.

2. If it is not possible to air-dry the evidence before transport, the laboratory shall air-dry it as soon as possible.

B. Use sharps containers to dispose of sharps and rigid plastic containers for evidentiary purposes.

VI. To report suspected or actual exposure to infectious disease:

A. Immediately after accidental contact with blood and/or body fluids:

1. If stuck with a used hypodermic needle, wash the affected area a minimum of ten to fifteen seconds with soap and water, a waterless or antiseptic solution such as alcohol or BZK towelettes. Immediately seek medical attention at St. Vincent Charity Hospital's emergency room. Within two hours, prophylactic medication is recommended.

2. Wash skin surfaces that have contact with blood and/or body fluids with soap and water, a waterless solution or an antiseptic solution for at least 30 seconds.

a) If mucous membranes are exposed (eyes or mouth):

(1) Flush eyes in plain water for at least ten minutes.

(2) Rinse mouth with water and/or mouthwash for a minimum of five minutes.

b) Immediately seek attention at the nearest medical facility if there is contact with a mucous membrane.

B. Personnel who suspect exposure to blood and/or body fluids shall:

1. Immediately report the suspected exposure to their supervisor.

2. Complete "Form A", Evaluation of Incident for Blood and Body Fluid Exposure, available at the Medical Unit.

3. Report to the Medical Unit the next regular business day for evaluation.

C. Supervisors shall:

1. Assist personnel in completing "Form A", Evaluation of Incident for Blood/Body Fluid Exposure.

2. Complete a report package per General Police Order 1.1.13, "Duty Related Injuries".

CITY OF CLEVELAND

Form A — Part One

BLOOD AND BODY FLUIDS INCIDENT EVALUATION FORM

Employee Information (Completed by Employee)

Note: This form is part of your CONFIDENTIAL Medical Record.

PLEASE PRINT OR TYPE

Name: _____ Home Address: _____

[ ] Police [ ] Fire [ ] EMS [ ] Health [ ] Airport Safety

[ ] Other: _____

Rank: _____ badge # and/or Payroll # _____

Job Title: _____

Supervisor's Name: _____

Assignment / Work Location: _____

Phone: Work: _____ Home: _____

DESCRIPTION OF INCIDENT

Date of Incident: _____/ _____/ _____ Time: ____ : ____ am [ ] pm [ ] Incident Number: _____

A. Briefly describe what happened.

_____

_____

_____

_____

_____

B. Complete the appropriate sections

1. WOUNDS

A. Did the incident result in a wound to you . . . . . [ ] No (go to Section B2)
[ ] Yes (answer questions immediately below)

b. Did the wound result in visible bleeding . . . . . [ ] No (go to Section B2)
[ ] yes (continue below)

c. Was the wound caused by: (Check all that apply)
[ ] Needle
[ ] Human Bite

1. Did the bite cause you to bleed? . . . . . No [ ] Yes [ ]
2. Was the person who bit you bleeding? . . . . . No [ ] Yes [ ]

If yes, where from? _____

[ ] Other sharp instrument (specify) _____

[ ] Other (specify) _____

d. Was the object causing the wound obviously covered with blood or body fluids? [ ] No (go to Section B2)
[ ] Yes (continue below)
[ ] Unknown (continue below)

e. Had the object been exposed to the air for an hour or more before the wound was inflicted? . . . . . [ ] No
[ ] Yes
[ ] Unknown

2. BLOOD/BODY FLUID EXPOSURE TO YOUR MUCOUS MEMBRANES — THAT IS, YOUR EYES, EARS, OPEN MOUTH, NOSTRILS

a. Did the individuals blood or body fluids come in contact with your body? [ ] No (go to section C)
[ ] Yes (continue below)

b. What was the substance to which you were exposed? . . . . . [ ] Blood [ ] Stool [ ] Emesis (vomit)
[ ] Urine [ ] Sputum [ ] Sexual Fluids

c. If the substance was blood, was the blood (Check all that apply): . . . . . [ ] Fresh Blood [ ] Dried Blood
[ ] Actively Flowing [ ] Pooled

d. If the substance was anything other than blood,
was there any blood visible in the fluid? . . . . . [ ] No
[ ] Yes
[ ] Unknown

e. What part of your body was exposed to the substance?
(Check all that apply)

[ ] Mouth [ ] Nose [ ] Skin — describe size of area affected: _____
[ ] Eyes [ ] Ears

[ ] Other: _____

f. If the exposure was to the skin, was the skin abraded in any way? . . . . . [ ] No (go to section C)
[ ] Yes (continue)
[ ] Unknown

g. What was the nature of the skin abrasion? . . . . . [ ] Acne [ ] Cracks due to dry skin

h. How long was your body part in contact with the substance
before you took appropriate measures to decontaminate? _____

C. Which of the following procedures did you perform at the time of the incident? (Check all that apply)

[ ] Cuts/Open wounds covered with bandages
[ ] Wearing rubber gloves
[ ] Wearing mask
[ ] Wearing vinyl/Latex gloves
[ ] Sharps container in use at scene
[ ] Pocket ventilator/ambu bag in use
[ ] Wearing goggles/glasses/face shield
[ ] Suspect asked to empty pockets
[ ] Used assistive devices to search hidden areas

[ ] Other (Specify): _____

D. First Line intervention

How soon after the exposure did you:
(check all that apply and enter the amount of time in the space provided)

[ ] Shower . . . . . _____
[ ] Washed hands/exposed skin . . . . . _____
[ ] Changed clothes . . . . . _____
[ ] Flushed eyes/rinsed out mouth . . . . . _____
[ ] Other (Specify) _____

Signature_____ Date: _____/ _____/ _____ Time: ____ : ____
(Employee completing report)

Signature_____ Date: _____/ _____/ _____ Time: ____ : ____
(Shift Supervisor/OIC)

Original to MEDICAL UNIT;
One copy for employee

Supervisor MUST forward original to Medical Unit.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 1	3.2.12

SUBJECT:	
NEIGHBORHOOD MEETINGS	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward Lohn, Chief*	

PURPOSE: To ensure that Neighborhood Police District Commanders send officers to community meetings in their areas of patrol.

POLICY: The Cleveland Division of Police is committed to preventing crime by working in partnership with the city's residents, merchants, clergy, and government agencies. Division presence at community meetings promotes cooperation and trust and may significantly deter criminal activity.

PROCEDURES:

I. When a member of a Bureau, District, Section or Unit receives a request for a representative from the Division to attend a community meeting, the member who receives the request shall complete a "Notice of Meeting Planned" form. (Appendix).

II. The completed form shall immediately be faxed or forwarded to the District Commander responsible for the area.

III. The District Commander who receives the notice shall direct the Patrol Captain to assign the uniformed officers who patrol that area to attend the meeting. If this is not possible other district personnel may be assigned.

IV. Officers assigned to community meetings shall participate in the discussion and problem solving of neighborhood issues.

V. The "Daily Duty Report" and/or "Supervisor Daily Report" shall note attendance and related information about the event.

EFL/TAH/LM/pmz
Policy & Procedures Unit
Appendix

CLEVELAND DIVISION OF POLICE
NOTICE OF MEETING PLANNED

The following information is being forwarded relative to a community meeting or event scheduled within the area of your command. Request that specific district personnel be assigned to attend as per General Police Order.

MEETING DATE:	**MEETING DAY:**
MEETING TIME:	**DISTRICT:**
MEETING ADDRESS:	
ORGANIZATION:	
CONTACT PERSON:	
PHONE NUMBER:	
EXPECTED ATTENDANCE:	
ANTICIPATED TOPIC OF DISCUSSION:	
CAPTAIN NOTIFIED:	
OFFICERS ASSIGNED TO ATTEND:	
INFORMATION RECEIVED FROM: (BUREAU/DISTRICT/SECTION/UNIT)	
THIS FORM COMPLETED BY:	
TODAY'S DATE:	

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	3.2.13

SUBJECT:	
NON-TRAFFIC ACCIDENTS ON CITY PROPERTY	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To provide guidelines to complete reports regarding non-traffic accidents on city property.

POLICY: The Cleveland Division of Police shall investigate and document all non-traffic accidents on city property that result in personal injury and/or damage to city property.

PROCEDURES:

Non-traffic, personal injury sustained on city property shall be reported on a Record Management System (RMS) Report and on Form C of C 71-1077.

I. General Provisions

A. Non-traffic, personal injury, and/or damage involving city property shall be reported on an RMS Report **and** on Form C of C 71-1077. The narrative section of the RMS Report shall include a notation that Form C of C 71-1077, has been completed by the investigating officers.

B. Officers shall not offer an opinion regarding the legal or moral responsibility of the City of Cleveland or an opinion regarding whether or not a claim will be paid.

C. In hospital confinement cases, investigating officers shall place the individual's name on the hospital list.

II. Completion of Form C Of C 71-1077

A. The Form C of C 71-1077, shall be used to report all non-traffic accidents and/or damage to property occurring on city property or in which the city is involved; falling on city sidewalks, injuries sustained on city property, etc.

B. The form shall be typed or printed in ink.

C. A concise description of the incident shall be entered in the space provided on the lower front of the form. The reverse side provides space for statements from the complainant and one witness. More witnesses will require additional forms.

D. The OIC, or officers handling the assignment, shall request the Accident Investigation Unit to take photographs. The officer shall provide the following information at the time of the request:

1. Date of the call.

2. Badge number of requesting officer.

3. Name and address of victim.

4. Location.

5. Date and time of the incident.

6. Type of photographs to be taken (Injury by Fall, Damage to City Property).

E. The front of the form provides space for information regarding photographs. The report shall be held at the district or unit until this information is obtained. The reporting officer shall enter the RMS number on the front of the form in the upper right corner. The superior officer shall then verify the report by signing it.

F. A supervisor shall review the report. If the report is complete, the supervisor shall sign the report.

G. The reporting officer shall forward the completed C of C 71-1077 to the Report Center.

EFL/TAH/LM/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND POLICE DEPARTMENT

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 01, 2002	DECEMBER 31, 2007	1 of 1	3.2.14

SUBJECT:	
WARRANT CHECK REQUIREMENTS	
ASSOCIATED MANUAL:	RELATED ORDERS: 2.2.02, 2.2.03, 3.4.06
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To establish requirements to conduct warrant checks within the Cleveland Division of Police.

POLICY: The Division shall conduct a warrant check on individuals cited by its members.

PROCEDURES:

Members shall conduct a warrant check on individuals **cited for traffic or minor misdemeanor violations**. Officers shall arrest, or if applicable, issue a warrant summons to individuals with warrants.

MM/TAH/JCO/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
June 12, 2006	June 9, 2006	1 of 2	3.2.15

SUBJECT:	
REPORTING QUALITY OF LIFE MATTERS AND HAZARDS	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Timothy Hennesy, Acting Chief*	

PURPOSE: To facilitate addressing matters affecting quality of life that are not an immediate threat to people or property and hazards which need repairs.

POLICY: Cleveland Division of Police personnel shall report observed or suspected quality of life matters and observed or suspected hazards that may pose a danger to the public which exist within the City of Cleveland.

PROCEDURES:

I. QUALITY OF LIFE MATTERS. Members becoming aware of matters that negatively impact the quality of life of City of Cleveland residents, but do not require immediate attention, shall report the matter to the dispatcher of the Communication Control Section (CCS). The dispatcher shall note the nature and location of the service required on the Pro-Active Inspections/Referrals Form (Addendum). CCS shall fax the form to Public Service (664-2198) within 24 hours of receiving the information. Quality of life matters include, but are not limited to:

A. Street lamp outages.
B. Dumping/accumulated litter/garbage on public or private property.
C. Damaged/missing city property (guardrails, hydrants, utility poles) that is non-hazardous.
D. Faded street surface marking (crosswalks, lane lines) that are non-hazardous.
E. Nuisance matters (graffiti).
F. Non-hazardous street/sidewalk conditions.
G. Vandalized vacant structures.

II. HAZARDS.

A. Members becoming aware of immediate hazards shall:

1. Report the hazard to the dispatcher of the Communications Control Section (CCS) who shall contact the appropriate department/agency. Specify if barricades or lanterns are required.

2. Remain at the scene until service division personnel arrive.

3. Assist the responsible agency until police assistance is no longer required.

B. Examples of hazardous conditions that may pose an immediate threat to persons or property include malfunctioning or missing traffic devices, potholes, icy/blocked roadways, street/building collapse, water main breaks, downed wires/trees and displaced/missing street plates and manhole covers.

Appendix 3.2.15

CLEVELAND DIVISION OF POLICE

CLEVELAND, OHIO

DIVISIONAL INFORMATION

DIST./BUR. ZONE/UNIT _____ 20 _____

EXAMINED BY _____ RANK _____ _____ 20 _____

FROM TO

SUBJECT **Request for follow up on non-immediate road hazards.**

COPIES TO Chief's Office, Deputy Chief, Bureau of Traffic, Unit Files

---

Sir/Ma'am:

Respectfully request the Bureau of Traffic follow up the below listed non-immediate road hazard:

DISTRICT:	**CAR NUMBER:**
REPORTED TIME:	
LOCATION:	
MAINTENANCE REQUIRED:	
IF POTHOLE, TYPE OF PAVEMENT AND SIZE:	
STREET LIGHT: MUNI/CEI?	
POLE NUMBER:	
BARRICADES OR LANTERNS PLACED AT HAZARD?	
NAME OF PERSON NOTIFIED:	
NOTIFIED BY?	
DATE AND TIME NOTIFIED:	

Respectfully,

_____

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
OCTOBER 06, 2003	MARCH 04, 2008	1 of 1	3.2.16

SUBJECT:	
BAIT VEHICLE PROGRAM	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

This General Police Order is rescinded.

(This page left blank intentionally)

MM/TAH/JCO/pmz
Policy and Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
OCTOBER 27, 2004		1 of 2	3.2.17

SUBJECT:	
CRISIS INTERVENTION OFFICERS	
ASSOCIATED MANUAL:	RELATED ORDERS:: 3.2.06, 6.1.01, 9.1.02
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

RESCINDED EFF. 01/01/18;
SEE NEW GPOS 5.11.01-5.11.03

PURPOSE: To institute Crisis Intervention officers within the Cleveland Division of Police and to develop guidelines for utilizing these officers.

POLICY: The Division shall provide Crisis Intervention Training (CIT), for officers, to respond to radio calls and on view incidents that involve mental health issues. Calls shall not be held for CIT officers when engaged in priority assignments. CIT officers do not negate procedures for SWAT, hostage negotiations, or Bomb Squad call-ups. An incident may require police action although there is no violation of the law and the Cleveland Division of Police shall document such action in a Crisis Intervention Report. A Crisis Intervention Team Statistic Sheet (see Appendix) shall be completed and copies forwarded as set forth in this order.

PROCEDURES:

I. Supervisor shall indicate on the daily car roster which cars have CIT officers when faxing their log to the Communication Control Section following roll call.

II. CIT Officer Responsibilities.

A. CIT officers may be utilized in their district of assignment, when on duty if a mental health issue is involved in a call for service or on view incident.

B. Mental health calls are a two-person assignment, however, one CIT officer and any other basic patrol officer may be assigned or respond.

C. CIT officers shall forward the white and canary yellow copies of the Crisis Intervention Statistic Sheet to the Police Academy via division mail.

III. CCS dispatchers shall attempt to dispatch a CIT officer to mental health disturbance calls if open, however, these two person assignments permit assigning to or assisting by any other officer when a CIT officer is already on an assignment.

IV. The Training Section Supervisor Responsibilities

A. Shall provide CCS with a list of current CIT personnel biannually.

B. Shall retain the white copy of the Crisis Intervention Statistic Sheet in accordance with standard record retention policies and procedures.

C. Shall forward the canary yellow copy of the Crisis Intervention Statistic Sheet to the Cuyahoga County Community Mental Health Board.

RESCINDED EFF. 01/01/18.
SEE NEW GPOs 5.11.01-5.11.03

EFL/TAH/MB/lds
Policy & Procedures Unit
Appendix

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER
NOVEMBER 30, 2005		1 of 2	3.2.18

SUBJECT:	
THE LOJACK SYSTEM	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael Mc Grath, Chief*	

PURPOSE: To establish procedures for using the LoJack system to recover vehicles while minimizing the risk to the public, maximizing officer safety, reducing property damage and coordinating the police response. LoJack enables police officers to know that a stolen vehicle is in the immediate vicinity before actually encountering the vehicle.

POLICY: Members of the Division of Police shall utilize the LoJack system whenever possible in the recovery/tracking of stolen vehicles.
Any Code 1 or Code 2 assignment takes priority over the tracking of a stolen vehicle.

I. DESCRIPTION

A. The LoJack system consists of a hidden transmitter installed on motor vehicles, a police tracking computer installed in selected zone cars and a LoJack computer system linked to the LEADS System.

B. The computer recognizes vehicles equipped with LoJack transmitters reported stolen and activates the LoJack unit by a radio signal.

C. Once the LoJack is activated, the signal identifies the vehicle by a five digit alphanumeric code and allows officers to track the stolen vehicle using the LoJack units that have been installed in those particular zone cars.

D. LoJack will continue to send out the signal so the vehicle can be tracked after priority assignments are cleared.

II. ACTIVATION PROCEDURES:

A. Officers who receive a signal on their LoJack mounted display unit shall immediately inform CCS and provide them with the five digit alphanumeric code.

B. CCS shall verify the information given to them and broadcast a full description of the vehicle. CCS will also advise the officers that the stolen vehicle is LoJack equipped. **Keep in mind the operator of the stolen vehicle does not necessarily know that the vehicle has an electronic tracking device installed.**

C. A supervisor shall respond on the air and acknowledge that he/she is monitoring the tracking of the vehicle. **Supervisors will be guided by the details of the incident, officer safety, available manpower, and assignments pending when deciding what police resources will respond to activation. The supervisor shall ensure that the provisions of General Police Order 3.2.02, Vehicle Pursuits, are strictly observed. Supervisors must monitor all tracking incidents within their area of assignment and must terminate pursuits/tracking whenever appropriate.**

D. Zone car personnel must receive approval from a supervisor prior to assisting in tracking a stolen vehicle.

E. When tracking, officers shall keep police vehicle speed below thirty (30) miles per-hour to allow the system to interpret the signal received. Officers should consider the tracking device activation signal as an extension of their own line-of sight observations. The same tactical considerations used with any stolen vehicle should be used during the activation.

F. If the signal is coming from within a building or an enclosed area, the area shall be contained and a supervisor called to the scene to make a determination as to the next course of investigative action.

G. When the tracking of a vehicle appears to be coming from outside of the City of Cleveland or appears to have left the City, the officers shall notify CCS to contact that city and provide as much information about the vehicle as possible. **Members of the Division of Police shall NOT track vehicles outside of the city.**

H. The zone car that is the closest to the vehicle as determined by the strength of the signal from the LoJack will co-ordinate other zone cars with or without LoJack. The Sector Supervisor shall monitor all tracking incidents.

KAK/ET/eab
Special Operations

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
JANUARY 24, 2007	September 27, 2011	1 of 4	3.2.19

SUBJECT:	
BOMB SQUAD AND IMPROVISED EXPLOSIVE DEVICE (IED) PROTOCOLS	
ASSOCIATED MANUAL:	RELATED ORDERS: 3.4.18
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are in italics

PURPOSE: To establish guidelines for utilizing the Bomb Squad *and protocols related to Improvised Explosive Devices (IED).*

POLICY: The Cleveland Division of Police shall use the Incident Command System (ICS) to manage and document bomb squad incidents *and incidents involving IEDs.* The Cleveland Division of Police shall maintain and utilize the Bomb Squad for the circumstances described below.

The incident commander is any officer in charge on the scene of a riot, catastrophe, disaster, serious police incident, large scale event or other multiple unit operation. The initial incident commander may be any officer from the district of occurrence. Dependent upon the scale and seriousness of the incident, the role of the incident commander may transfer to other officers within the chain of command. In circumstances that require the activation of an ICS response, the role of the incident commander may be transferred to either of the following as operational necessity requires: Deputy Chief of *Homeland Special Operations*, or Commander of the Bureau of *Homeland Services*. *The Unified Command Post called for in an ICS shall be comprised of no less than one superior officer from each of the Divisions of Police, Fire, and Emergency Medical Services (EMS). The Cleveland Division of Police shall be the lead agency for bomb threats and unexploded devices. The Cleveland Division of Fire shall be the lead agency for post detonation incidents*.

DEFINITIONS:

Improvised Explosive Device (IED) *is a homemade bomb constructed and deployed in ways other than in conventional military action. IEDs are fabricated in an improvised manner incorporating destructive, lethal, noxious, pyrotechnic, or incendiary chemicals*

and are designed to destroy or incapacitate personnel or vehicles. IEDs are also used to distract, disrupt, or delay an opposing force, facilitating another type of attack. IEDs may incorporate military or commercially-sourced explosives, and often combine both types, or they may otherwise be made with homemade explosives.

PROCEDURES:

I. Bomb Squad Call Up Situations

A. Known or suspected improvised explosive devices, incendiary devices, explosive chemicals, military ordnance, bulk amounts of pyrotechnics, and ammunition.

B. To transport, dispose of, or store explosives/explosive material.

C. In the event of known or suspected clandestine drug labs.

D. When the command or superior officer believes the Bomb Squad has an advantage in resolving an incident because of their special training/equipment.

E. As stated in the Emergency Operation Plan and the standard operating manual of the Bomb Squad.

II. Requesting the Bomb Squad

A. Superior officers may request the Bomb Squad to respond to an emergency by notifying the Communication Control Section (CCS).

B. Superior officers may request the Bomb Squad to respond to a non-emergency by contacting the Officer in Charge (OIC) of the Bomb Squad by telephone or by contacting CCS.

III. Incident Commander Responsibilities

A. Before the arrival of the Bomb Squad, the incident commander shall:

1. Establish perimeter control to restrict the movement of criminal suspects and ensure the safety of persons in the immediate area. *In the*

instance of an IED or other explosive device, ensure evacuation of 300 feet (the length of a football field) from the device. The evacuation area may be expanded or contracted based on the suspected explosive strength of the device. See attached bomb threat chart.

a) *In prolonged situations, establish a Command Post uphill and upwind of the incident as possible to prevent chemical/biological/radiological/nuclear exposure.*

b) Use the ICS to maintain the appropriate span of control

c) Use the ICS to establish branches, divisions, groups, strike teams, task forces, and single resources as needed.

2. Ensure personnel maintain adequate distance and cover *behind a solid structure* from the device *and do not remain within line-of-site of the device. Only those personnel tasked with monitoring the situation may be within line-of-site of the device after adequate distance is placed between the device and the observer.*

3. *Ensure that no untrained person moves, touches, or covers the device.*

4. Ensure that no electronic devices (e.g. handheld two-way radios, cell phones) are used by personnel within a 300 foot radius.

5. Relay the *location of the Command Post and other vital information* to the *Communications Control Section (CCS)* dispatcher.

6. Advise responding units of the safest approach routes.

7. Establish access and egress routes from the scene.

8. Designate a staging area outside of the inner perimeter.

B. Upon arrival of the Bomb Squad the incident commander shall:

1. Brief the Bomb Squad on all the known information.

2. Assign supervision (but retain command) of the inner perimeter to the Bomb Squad.

3. Command the inner and outer perimeter. *The span of operational control may be dependent on the circumstances of the incident and as called for in the ICS*.

4. Provide support as requested by the Bomb Squad OIC.

C. In prolonged operations, the incident commander shall provide for parking and security of emergency vehicles and equipment.

IV. When the Scene is Safe

A. The Bomb Squad shall:

1. Release the scene when it deems that the scene is safe.

2. Assist investigative personnel in the recovery of evidence and provide technical assistance.

3. Provide statements, reports and testimony.

B. The incident commander shall direct the completion of reports (Division and ICS).

C. The originally assigned unit shall:

1. Arrest, book and transport prisoners.

2. Complete Record Management System reports.

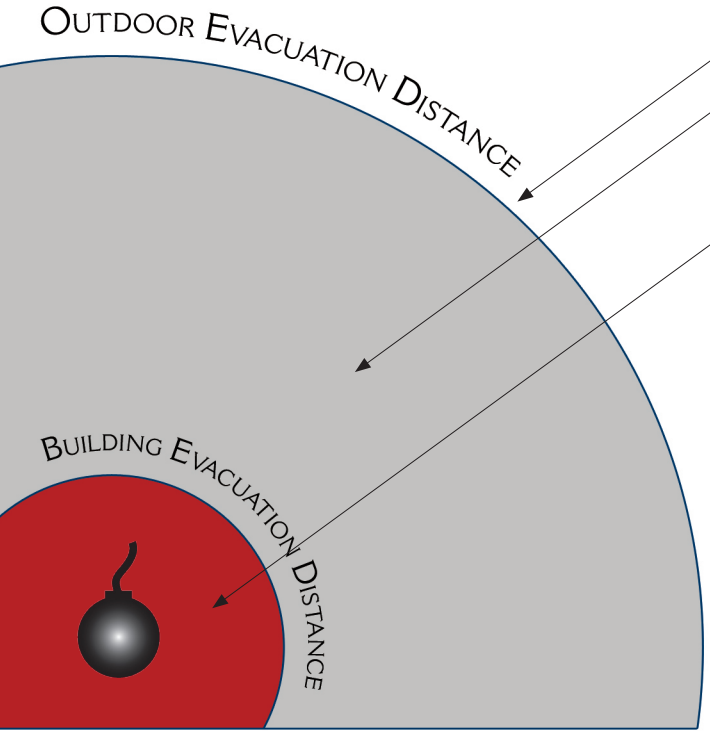
MM/LM/JCO/ajg
Policy & Procedures Unit
Appendix (Bomb Threat Chart)

BOMB THREAT STAND-OFF CHART

Threat Description Improvised Explosive Device (IED)		Explosives Capacity[1] (TNT Equivalent)	Building Evacuation Distance[2]	Outdoor Evacuation Distance[3]
	Pipe Bomb	5 LBS	70 FT	1200 FT
	Suicide Bomber	20 LBS	110 FT	1700 FT
	Briefcase/Suitcase	50 LBS	150 FT	1850 FT
	Car	500 LBS	320 FT	1500 FT
	SUV/Van	1,000 LBS	400 FT	2400 FT
	Small Moving Van/ Delivery Truck	4,000 LBS	640 FT	3800 FT
	Moving Van/ Water Truck	10,000 LBS	860 FT	5100 FT
	Semi-Trailer	60,000 LBS	1570 FT	9300 FT

1. These capacities are based on the maximum weight of explosive material that could reasonably fit in a container of similar size.
2. Personnel in buildings are provided a high degree of protection from death or serious injury; however, glass breakage and building debris may still cause some injuries. Unstrengthened buildings can be expected to sustain damage that approximates five percent of their replacement cost.
3. If personnel cannot enter a building to seek shelter they must evacuate to the minimum distance recommended by Outdoor Evacuation Distance. These distance is governed by the greater hazard of fragmentation distance, glass breakage or threshold for ear drum rupture.

It is important to note that the given distances do not guarantee safety, they are estimates based on test data and the area near and around the evacuation distances are still potentially dangerous. Minimum evacuation distance is the range at which a life-threatening injury from blast or fragmentation hazards is unlikely. However, non-life-threatening injury or temporary hearing loss may occur.



Preferred area (beyond this line) for evacuation of people in buildings and mandatory for people outdoors.

All personnel in this area should seek shelter immediately inside a building away from windows and exterior walls. Avoid having anyone outside - including those evacuating - in this area.

All personnel must evacuate (both inside of buildings and out).

1. Based on maximum volume or weight of explosive (TNT equivalent) that could reasonably fit in a suitcase or vehicle.

2. Governed by the ability of typical US commercial construction to resist severe damage or collapse following a blast. Performance can vary significantly, however, and buildings should be analyzed by qualified parties when possible.

3. Governed by the greater of fragment throw distance or glass breakage/falling glass hazard distance. Note that pipe and briefcase bombs assume cased charges that throw fragments farther than vehicle bombs.

4. A known terrorist tactic is to attract bystanders to windows, doorways, and the outside with gunfire, small bombs, or other methods and then detonate a larger, more destructive device, significantly increasing human casualties.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE :	REVISED DATE:	NO. PAGES:	NUMBER:
FEBRUARY 02, 2015	AUGUST 02, 2017	1 OF 12	3.2.20

SUBJECT:	
WEARABLE CAMERA SYSTEM	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.1.23, 1.3.01, 1.3.02, 1.3.27, 1.3.39, 3.4.03
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

This General Police Order has been revised in its entirety

PURPOSE: To establish guidelines for the use, management, storage, retrieval, and supervision regarding the Wearable Camera System (WCS). To provide officers with clear guidance on the use of the WCS and preservation of recordings to foster transparency, increase accountability, build trust, and protect the privacy rights of individuals.

POLICY: The WCS shall be deployed to ensure transparency and foster trust in our community. It shall be the responsibility of each officer to deploy their WCS in accordance with this order.

DEFINITIONS:

Wearable Camera System: A body worn digital recording device with secured internal memory for storage of recorded video and audio. This camera system operates in two modes (Buffering and Event). Cleveland Division of Police currently uses Taser Axon Wearable Cameras.

Buffering Mode: After the WCS is powered on, it continuously loops 30 seconds of VIDEO ONLY.

Event Mode: Activated when the WCS is in buffering mode and the event button is pressed two times within one second. The indicator light will begin blinking red giving users a visible indicator that the WCS is now actively recording video and audio. 30 seconds of pre-event video (no audio) recording will be captured from buffering mode. An audible tone will also alert officers that the WCS is activated.

Evidence.com: The online web-based digital storage medium facility. This virtual warehouse stores the digitally encrypted data in a highly secure environment accessible to personnel based on their security clearance.

Evidence Sync: Desktop or Mobile Data Computer (MDC) application that allows WCS users to view captured media from their WCS via a standard USB cable. Officers may

RESCINDED EFF. 01/01/18
SEE NEW GPO 4.06.04

also tag, categorize, add notes, and/or incident report numbers to captured media and will allow for upload to their Evidence.Com account.

Evidence Transfer Manager (ETM): The docking unit used to recharge the WCS and upload the encrypted captured media (video and audio). The ETM then transfers the encrypted data digitally to Evidence.com.

PROCEDURES:

I. General Guidelines

A. All officers assigned a WCS, while in the field, shall activate their camera prior to responding to all calls for service, during all investigative or enforcement contacts with the public, or other contact with the public that may or does become adversarial after the initial contact. Officers shall understand there are exceptions and prohibited times to record set forth in Sections IV and V.

B. If an on duty or off duty member is the subject of an incident, the responding officer's WCS shall not be returned to buffering mode until the incident has been fully investigated by a superior officer on-scene or if permission is granted a Commander or the Force Investigation Team OIC.

C. If placing the WCS in event mode is not feasible due to an immediate risk to the safety of the officer or others, the officer shall place the WCS in event mode as soon as the immediate threat has been addressed.

D. Officers shall <u>not</u> edit, delete, or alter captured media. The security features of Evidence.com ensure compliance and track all access to captured media.

E. The existence of captured media shall <u>not</u> replace a thorough, accurate, and complete incident report or Form-1.

F. Officers shall be responsible for all WCS equipment assigned to them. An officer whose issued WCS is damaged, lost, stolen, or malfunctioning shall immediately notify a supervisor and ***as necessary*** complete a Form-1 and/or an incident report, and contact the Mobile Support Unit to receive a replacement camera.

G. Officers shall surrender their WCS to the officer-in-charge (or designee) of the Force Investigation Team (FIT), Accident Investigation Unit (AIU), Internal Affairs Unit, or any supervisor upon request.

RESCINDED EFF. 01/01/18
SEE NEW GPO 4.06.04

H. The Division reserves the right to limit or restrict an officer's ability to view captured media based on the circumstances surrounding the incident.

1. Officers are authorized to access their own WCS recording for a legitimate law enforcement purpose, including but not limited to completion of reports.

   a. Officers shall view their WCS recording only after a use of force that requires a FIT response when authorized by the FIT OIC.

   b. Officers may view their own or another officer's WCS recording, if a FIT response is not required, as necessary to complete required reports or complete a supervisory investigative/administrative function.

I. Officers shall detail in a Form-1 successful court challenges to the use or appropriateness of captured media and shall forward it to the Chief's Office and the Mobile Support Unit. The Form-1 shall include a summary of the ruling as well as a description of any restriction or sanction resulting from the ruling.

J. Officers shall be subject to the disciplinary process for intentional, repeated or otherwise unjustified failure to activate their WCS in violation of the Division policy.

K. Officers shall use only Division issued recording devices (WCS, video/audio recorders) while on duty. The use of personal recording devices (video and/or audio) while on duty is prohibited.

II. Camera Deployment

A. Beginning of Tour of Duty Officers shall**:**

1. Inspect the WCS and related equipment to ensure there are no visible or obvious signs of damage.
2. Place the WCS, with the camera in the upright position, in a location that will most closely capture the officer's field of view.
3. Turn on the WCS, press the activation button twice, and listen for the audible signal to verify the unit is receiving power and functioning properly. (Refer to Section I.D. above)

RESCINDED EFF. 01/01/18
SEE NEW GPO 4.06.04

4. Activate and leave the camera in buffering mode, for the duration of their tour of duty, so the WCS can be easily placed into event mode when required.
5. Log the WCS unit serial number on their Daily Duty Report.
6. Conduct a 360 degree walk around inspection of their assigned police vehicle, in appropriate lighting conditions, recording and verbally noting any fresh damage discovered and report same to their immediate supervisor as per General Police Order (GPO) 8.1.01, Section V.I.2. The 360 degree walk around inspection shall include an inspection of the interior, back seat, and trunk.

B. During Tour of Duty Requirements for Recording

1. Officers shall:

a. Prior to responding to all calls for service and during all investigative or enforcement contacts with the public, place their WCS into event mode, including but not limited to:
- Calls for service
- Traffic stops
- Arrests
- Searches
- Interviews
- Pursuits
- Prisoner/Citizen transports
- Any situation an officer believes captured media may be of use.

b. Place their WCS into event mode during other contacts with the public that may or does become adversarial.

c. Record events in accordance with this GPO.

d. Unless impracticable due to officer safety issues, advise citizens that a camera is on and recording audio and video.

e. Keep the WCS in event mode until the contact has concluded or when ordered by a Cleveland Division of Police supervisor.

f. Document the existence of captured WCS media when completing incident reports and on any documents (MM, UTT, PIN) and include the incident number on any citation.

g. Record an inspection of the backseat of a zone car after any incident when a person is detained or transported.

h. Document the reason that a WCS unit has been returned to buffering mode. Documentation shall take the form of making a recorded announcement on the WCS. Examples include:

RESCINDED EFF. 01/01/18
SEE NEW GPO 4.06.04

- Contact complete
- Incident complete
- Ordered by supervisor (name) to end recording
    1) Exceptions to recording (*II. C. 1. a-i*)
    2) Prohibited recording (*II. D. 1. a-d*)

2. Notify a supervisor when a WCS was not placed into event mode in compliance with this order as soon as practical.

C. Event Mode: Exceptions to Recording

1. The WCS may be returned to buffering mode for the following circumstances after obtaining approval from their immediate supervisor or the sector/unit supervisor:
    a. Entering a private home or building where consent of the owner or person with authority to consent to the entrance is required and that person expressly declines to permit video and/or audio recording inside the home or building. This will not apply to an entrance where consent is not required or no longer required once inside the home/building, including entrances related to a search warrant, arrest warrant, domestic violence calls, and emergency or exigent circumstances. If possible, officers shall request that the citizen step outside or, depending on the circumstances and with supervisory approval, return the WCS to buffering mode.
    b. When interacting with a victim or witness who refuses to cooperate if the WCS is in event mode. If practicable and reasonable, record the victim or witness requesting the WCS be turned off.
    c. When interacting with a juvenile victim or witness, a parent or legal guardian may refuse to allow the juvenile to cooperate while the WCS is in event mode. If practical and reasonable, record the parent or guardian requesting the WCS be turned off.
    d. When requested by a victim of domestic violence or sexual assault, if practicable and reasonable, record the victim's request that the WCS be turned off.
    e. The incident or event is of such duration that deactivating the WCS is necessary to conserve available recording time and there would be no loss of critical documentary information.
    f. Investigative personnel arrive on scene and begin the formal investigative process.
    g. When officers are involved in a traumatic incident and need some personal space or one-on-one contact with family members, friends, and/or co-workers to decompress and manage any emotional stress created by the incident.

RESCINDED EFF. 01/01/18
SEE NEW GPO 4.06.04

i. Protected health information and treatment when requested by the patient, medical facility staff, Emergency Medical Service personnel, or Division of Fire personnel.

j. Images of confidential informants or undercover officers, unless requested by the undercover officer, their supervisor, or commanding officer.

2. Officers shall record, while the WCS is in event mode, the reason the WCS is being returned to buffering mode. *(Refer to II. B. 1. h)*

D. Event Mode: Prohibited Recording

Officers shall not record in event mode in the following circumstances/situations:

a. Internal non-investigative staff meetings, hearings, and non-enforcement related encounters with other officers, supervisors, command staff, or City-employed civilians assisting the Division.

b. Conversations of fellow officers or civilian employees without their knowledge during routine, non-enforcement related activities.

c. Any place where there is a reasonable expectation of personal privacy (e.g., dressing rooms, restrooms) unless necessary to fulfill a law enforcement objective.

d. Conversations of/with citizens and/or officers unrelated to investigative or enforcement contacts (e.g., administrative duties, court, community meetings).

E. End of Tour of Duty Officers shall**:**

1. Conduct a 360 degree walk around inspection of their assigned police vehicle <u>recording</u> and <u>verbally noting</u> any fresh damage, not discovered during the tour and report same to their immediate supervisor as per the General Police Order (GPO) 8.1.01, Section V.I.2. The 360 degree walk around inspection shall include an inspection of the interior, back seat, and trunk.
2. Inspect the WCS and related equipment to ensure there are no visible or obvious signs of damage. If signs of damage are discovered, report the damage to the officer's immediate supervisor.
3. Categorize captured video by using a MDT or City-owned computer, using the Evidence Sync/Axon View application. Officers may use a cellular device to categorize captured media.
   a. If using Axon View on a cellular device officers **shall not**:
      - Use the video for anything other than official use.

RESCINDED EFF. 01/01/18
SEE NEW GPO 4.06.04

- Transfer the video anywhere other than Evidence.com.

4. Prior to uploading, categorize, enter an ID (incident report number), and title captured media.
   a. Log into their Evidence.com account or Evidence Sync account and place all captured media into the appropriate category.
   b. If multiple categories apply, place the captured media into the category with the longest retention period.
   c. Add incident report numbers to corresponding captured media as four digit year, dash, and six digit incident number (XXXX-XXXXXX).
   d. Title the captured media similar to a Daily Duty Report, including the address, nature, and disposition.
   e. Add notes or mark captured media as needed to assist investigative units with use of the captured media.
5. Place the WCS into the ETM slot for uploading of captured media and charging of the unit.
6. Notify their immediate supervisor if they are unable to upload or if the uploading, categorizing, or tagging procedure will cause them to accrue overtime.
7. Officers shall not, while on duty, wait for a WCS to upload in order to use the WCS at secondary employment.

III. Supervisor Responsibilities

A. Supervisors shall:

1. Ensure officers assigned a WCS are using the device in compliance with this order and complete an investigation for violations of this order, as appropriate.
2. Document in their Daily Duty Report any incident in which an officer notifies them about an incident in which the WCS should have been activated but was not.
3. Instruct officers to return their WCS to buffering mode only when the Exceptions to Recording (Section II C.) or Prohibited Recording (Section II.D.) apply.
4. Record on their WCS which Exception to Recording or Prohibited Recording they used to instruct the member to return their WCS to buffering mode or off.
5. Review all captured media recordings related to a complaint, any incident involving a Level 2 use of force, injuries to officers, and incidents resulting in a supervisory investigation.
6. Reference the existence of captured media in a distinct and separate heading in a supervisory investigation, including:

RESCINDED EFF. 01/01/18
SEE NEW GPO 4.06.04

a. All captured media reviewed.
b. Any discrepancies between the captured media and reports.

7. View captured media using Evidence.com.
8. Complete a supervisory investigation (including involved officers' Form-1s and incident reports) into the damaged, lost, or stolen WCS and forward it through the chain of command via Blue Team.
9. When notified that an officer is unable to complete the categorizing or tagging of captured media, determine if immediate attention is required or if the task can be completed at the start of the officer's next tour of duty. Supervisors shall note on their Daily Duty Report any permission and justification for overtime or delay in tagging or categorizing recorded events.
10. Contact the Mobile Support Unit OIC to arrange for the pick-up or drop-off of a WCS.
11. During random review, move captured media into correct categories if needed, adding notes indicating the reason for moving the captured media.

IV. Supervisor Random Reviews of Captured Media (according to the below schedule)

A. Supervisors shall conduct adequate, random and direct audits of WCS recordings created by officers under their command to confirm compliance with Cleveland Division of Police policy and to identify areas where additional training or guidance is needed.

1. Sergeants shall:
   a. Audit 25% of officers assigned to them per month, by pulling (2) two Daily Duty Reports for each officer and comparing them to the Evidence.com summary screen for the audited dates, ensuring notations are consistent.
   b. Complete the Wearable Camera System Cycle Review form (Attachment A) for each officer reviewed.

2. Lieutenants shall:
   a. Audit each officer (sergeants and patrol officers) under their command once per year. 25% of reviews shall be completed per quarter.
   b. Review two videos per officer per category 4, 5, and 6 as described in Section XII.B, of this order.
   c. Complete the Wearable Camera System Cycle Review form (Attachment B) for each officer reviewed.
   d. For the sergeant audit, ensure officers are equally distributed among the sergeants under their command.

RESCINDED EFF. 01/01/18
SEE NEW GPO 4.06.04

e. Review the documentation associated with the sergeant level of review for the sergeants under their command.

3. Captains shall:
   a. Audit each officer (lieutenants, sergeants, and patrol officers) under their command once per year. 25% of reviews shall be completed per quarter.
   b. Review two videos per member per category 1, 2, and 3 as described in Section XII.B, of this order.
   c. Complete the Wearable Camera System Cycle Review form (Attachment C) for each officer reviewed.
   d. Review the documentation associated with the lieutenant level of review for the lieutenants under their command.

B. Completed Wearable Camera System Cycle Review shall be submitted through the chain of command, to the commander, monthly for review and forwarded to the Inspection Unit for archiving.

C. Reviews that discover irregularities may not necessarily result in discipline, but may be used as a training opportunity. Misconduct and/or repeated violations or irregularities, which have been previously addressed, shall be forwarded through the chain of command to the respective Deputy Chief with conclusions and recommendations.

V. Secondary Employment

A. Use of the WCS while working authorized secondary employment is recommended but not required.

B. Officers choosing to wear their WCS at secondary employment shall:
   1. Ensure the WCS is charged and ready for use during their next tour of duty.
   2. "Tag" captured media using "Secondary Employment" when uploading.
   3. Place the WCS into the ETM slot for uploading of captured media and charging of the unit at the end of their next scheduled Division tour of duty
   4. Adhere to all WCS requirements while working secondary employment.

VI. Media Storage and Access

A. All captured media shall be uploaded from the ETM and stored at Evidence.com according to the City of Cleveland records retention policy.

RESCINDED EFF. 01/01/18
SEE NEW GPO 4.06.04

B. Officers shall not use any recording device to record captured media (still pictures, audio, and/or video) from Evidence.com or Evidence Sync.

C. Officers shall add notes to captured media stating the reason for each view of captured media (e.g., completing report, court prep, random review, use of force)

D. Officers are encouraged to note video that they feel may have training value. A Form-1 shall be completed stating the reason, and emailed to the OIC of the Training Section for supervisory review and assessment of training value.

VII. Access and Public Records Request

A. All captured media is an official record of the Cleveland Division of Police. Officers accessing, copying, or releasing any captured media for any purpose other than law enforcement related is strictly prohibited and shall subject the officer to discipline. All requests to exhibit, display, or demonstrate the WCS to outside parties shall be directed to the Chief's Office.

B. Captured media obtained in Cleveland Hopkins International Airport shall not be released until reviewed and approved by the Transportation Security Administration and the United States Department of Homeland Security.

C. The Mobile Support Unit is responsible for reviewing and redacting recordings in coordination with the Law Department and pursuant to state public records laws. The Mobile Support Unit shall also screen and forward requests for any law enforcement purpose (e.g., court, case files, and supervisory investigations).

D. Unusual or exceptional incidents related to law enforcement activities are often the subject of heightened public curiosity and interest. However, officers are strictly prohibited from allowing persons outside of law enforcement to view or listen to any media captured by the WCS or any other Divisional evidence capture system without prior authorization from the Chief.

E. Unless otherwise directed by the Chief, all video and/or audio recordings recorded on duty shall not be disseminated outside of law enforcement. Officers shall refer all non-Divisional requests for captured media to file a public records request.

RESCINDED EFF. 01/01/18
SEE NEW GPO 4.06.04

F. The Office of Professional Standards (OPS) shall be provided access to requested video without having to file a public record request. Requests from OPS shall be forwarded to the Mobile Support Unit.

G. The public may request captured media through a public records request. Release of any captured media will be in accordance with the Ohio Public Records Law.

VIII. Categorizing and Retention of WCS Captured Media

A. Captured media that officers suspect needs to be retained longer than the retention period shall be documented in a Form-1 describing the reason and forwarded through the chain of command to the Mobile Support Unit.

B. Officers shall use the following categories to assist in maintaining and filing captured WCS media:

1. Homicide/Sex crimes (permanent retention)
   a. Dead Body Investigations & Crime Scene Video.
   b. Sexual Assault Investigations & Crime Scene Video.
   c. Canine contacts.
   d. Motor Vehicle Crashes with fatalities.

2. Critical Incidents (retention of 5 years).
   a. All Motor Vehicle Crashes.
   b. Any Use of Force incident.
   c. All arrests.
   d. Complaints.
   e. Search warrant video.
   f. Felony crime scene video.
   g. Investigative detentions.
   h. Accidents involving city property (Injury to person/City Property).
   i. Pursuits (vehicle & foot).

3. Misdemeanors, Traffic Stops, Citations, and Citizen Encounters (retention of 2 years).
   a. Misdemeanors with identified suspects.
   b. Citations issued without an arrest (UTT & MMC).
   c. Citizen encounters where none of the other category criteria apply.
   d. Traffic stops where no citation is issued.
   e. Captured media that does not fall into any of the above categories.
   f. Alarms with citizen contact.

RESCINDED EFF. 01/01/18
SEE NEW GPO 4.06.04

4. Administrative and Alarms (retention of 90 days).
   a. Start of tour vehicle inspection recordings.
   b. End of tour vehicle inspection recordings.
   c. Alarms without citizen contact.

IX. Training

A. Officers assigned a WCS shall successfully complete training on all WCS directives and instructions (e.g. inspection, start up, use, shutdown, tagging, and upload), before being equipped with a WCS.

B. All WCS training shall be conducted by the Mobile Support Unit.

C. The Mobile Support Unit is responsible for identifying areas related to the WCS where additional training, guidance or potential changes are needed to this order.

D. Additional and continuous in-service training will be provided to address changes in technology, legal standards, and policies or procedures.

RESCINDED EFF. 01/01/18
SEE NEW GPO 4.06.04

CDW/rcs
Compliance Policy Team
Attachments

Wearable Camera System (WCS) Cycle Review – Sergeant Level

Refer to GPO 3.2.20 Wearable Camera System Section IV. A. 1.

Reviewed Officer: _____ **Badge:** _____

Dates Reviewed: _____ **&** _____

Reviews:	**Compliant**	**Non-Compliant**
Operation (length of the captured media appears reasonable)	☐	☐
Use (number of captured media matches the number of incidents on the Daily Duty Report)	☐	☐
Use (member completes the 2 required vehicle checks)	☐	☐
Documentation (WCS listed on DDR)	☐	☐
ID (appears correct on DDR and in Evidence.com)	☐	☐
Category (appears correct on DDR and in Evidence.com)	☐	☐
Title (appears correct on DDR and in Evidence.com)	☐	☐

Action(s) Taken (Explain in detail):

_____

_____

_____

_____

_____

Additional Form-1 Attached ☐

☐ **Y** ☐ **N** **Documentation Attached? If yes describe below:**

_____

_____

_____

_____

_____

Reviewing Sergeant Name/Badge: _____

Reviewing Sergeant Signature: _____ **Date:** _____

Reviewing Lieutenant Signature: _____ **Date:** _____

RESCINDED EFF. 01/01/18
SEE NEW GPO 4.06.04

Wearable Camera System (WCS) Cycle Review – Lieutenant Level

Refer to GPO 3.2.20 Wearable Camera System Section IV. A. 2.

Reviewed Officer: _____ **Badge:** _____

Category D Review Dates: _____ & _____	**Compliant**	**Non-Compliant**	**None** ☐
ID (captured media contains properly formatted ID)	☐	☐	
Category (captured media is properly categorized)	☐	☐	
Title (captured media is properly titled)	☐	☐	
Operation (appropriate "field of view" with clear audio)	☐	☐	

Category E Review Dates: _____ & _____	**Compliant**	**Non-Compliant**	**None** ☐
ID (captured media contains properly formatted ID)	☐	☐	
Category (captured media is properly categorized)	☐	☐	
Title (captured media is properly titled)	☐	☐	
Operation (appropriate "field of view" with clear audio)	☐	☐	

Category F Review Dates: _____ & _____	**Compliant**	**Non-Compliant**	**None** ☐
ID (captured media contains properly formatted ID)	☐	☐	
Category (captured media is properly categorized)	☐	☐	
Title (captured media is properly titled)	☐	☐	
Operation (appropriate "field of view" with clear audio)	☐	☐	

☐ **Y** ☐ **N** **Irregularity or other violations observed within captured media? If yes explain:**

_____

_____

_____

Additional Form-1 Attached ☐

Action(s) Taken (Explain in detail):

_____

_____

_____

☐ **Y** ☐ **N** **Documentation Attached? If yes describe:**

_____

_____

_____

Reviewing Lieutenant Name/Badge: _____

Reviewing Lieutenant Signature: _____ **Date:** _____

Reviewing Captain Signature: _____ **Date:** _____

RESCINDED EFF. 01/01/18
SEE NEW GPO 4.06.04

Wearable Camera System (WCS) Cycle Review – Captain Level

Refer to GPO 3.2.20 Wearable Camera System Section IV. A. 3.

Reviewed Officer: _____ **Badge:** _____

Category A Review Dates: _____ & _____	**Compliant**	**Non-Compliant**	**None** ☐
ID (captured media contains properly formatted ID)	☐	☐	
Category (captured media is properly categorized)	☐	☐	
Title (captured media is properly titled)	☐	☐	
Use (appropriate "field of view" with clear audio)	☐	☐	

Category B Review Dates: _____ & _____	**Compliant**	**Non-Compliant**	**None** ☐
ID (captured media contains properly formatted ID)	☐	☐	
Category (captured media is properly categorized)	☐	☐	
Title (captured media is properly titled)	☐	☐	
Use (appropriate "field of view" with clear audio)	☐	☐	

Category C Review Dates: _____ & _____	**Compliant**	**Non-Compliant**	**None** ☐
ID (captured media contains properly formatted ID)	☐	☐	
Category (captured media is properly categorized)	☐	☐	
Title (captured media is properly titled)	☐	☐	
Use (appropriate "field of view" with clear audio)	☐	☐	

☐ **Y** ☐ **N** **Irregularity or other violations observed within captured media? If yes explain:**

_____

_____

_____

Additional Form-1 Attached ☐

Action(s) Taken (Explain in detail):

_____

_____

_____

☐ **Y** ☐ **N** **Documentation Attached? If yes describe:**

_____

_____

_____

Reviewing Captain Name/Badge: _____

Reviewing Captain Signature: _____ **Date:** _____

Reviewing Commander Signature: _____ **Date:** _____

RESCINDED EFF. 01/01/18
SEE NEW GPO 4.06.04

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
October 18, 2011		1 of 8	3.3.01

SUBJECT:	
ACTIVE SHOOTER RESPONSE	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To empower the patrol officer or first responder to confront an active shooter when any delayed response or a failure to act constitutes a greater risk than waiting for a specialized response. To establish a plan of action for first responders to follow when such an active shooter event occurs.

POLICY: In order to prevent death or serious harm to innocent persons, officers responding to an active shooter incident shall have the authority to and shall attempt to make immediate contact with and stop the active shooter. Secondarily, responding officers shall deny the active shooter access to additional victims and shall rescue injured/potential victims. Officers shall rely on their Rapid Action Immediate Deployment (RAID) training to quickly and efficiently mount an immediate response prior to the availability of a tactical unit. In active situations, delayed response can result in additional loss of life or serious physical harm.

This policy shall not be construed to mandate that responding officers place themselves in harm's way in a manner that is beyond what is reasonably and objectively expected based upon the officers' skill, training, experience, equipment, and responding environment. RAID deployment is not a substitute for a specialized response by officers specifically trained for such encounters.

DEFINITIONS:

Active Shooter: The suspect's activity and use of a firearm (or any other deadly instrument, device, machine, dangerous ordnance, or deadly hazard) is causing or attempting to cause immediate death and/or serious physical harm in a well populated area (target rich environment), such as a school, church, business, or any other public place. The activity is continuing and there is an immediate and ongoing threat of death or serious

physical harm to potential victims. Escape from a law enforcement response is not a priority of the active shooter. Active shooters may have planned diversionary events to permit themselves more time to accomplish their primary task. Active shooters may have deployed Improvised Explosive Devices (IED) or other "booby traps" to impede a law enforcement response or to magnify the harm intended. The active shooter may also employ an "ambush" to maximize harm to emergency responders. The active shooter may also be just one member of a team of assailants. Active shooters may be wearing body armor. Active shooters will generally be very familiar with the physical layout and other details of the event environment.

Dynamic Situation: The situation is evolving very rapidly along with the suspect's action of shooting and moving.

Static Situation: The situation is not evolving or in motion. The suspect's actions have ceased or appear to be contained, such as when the suspect has barricaded him/herself in a room and the suspect's deadly actions have been temporarily suspended.

PROCEDURES:

I. Rapid Action Immediate Deployment (RAID) Considerations

A. The aggressive and deadly behavior is active.

1. The event is ongoing and the suspect(s) is actively engaged in causing death or serious physical harm by way of a firearm, edged weapon, or any other deadly instrument, device, machine, dangerous ordnance, or deadly hazard.

2. The incident location potentially contains multiple suspected victims:

a. Schools and day care facilities

b. Crowded public parks/playgrounds/recreation areas

c. Sporting events/other public venues

d. Hospitals

e. Shopping malls/retail stores

f. Places of business/employment

B. Citizen/Officer Rescue

1. A citizen or police officer is gravely wounded and a delayed rescue may prove fatal.

2. The suspect may, or may not, be actively involved in an assault, however, an assault is imminent and immediate rescue is critical.

3. Due to the location of the victim(s), an immediate rescue may be necessary to prevent death or great bodily harm.

II. First Responders

The first officers on the scene are likely to be uniformed patrol officers assigned to the Patrol Section but may also be the nearest officer from any unit or an off-duty police officer in civilian clothing who is already on scene (refer to GPO 3.4.23 for plains clothes/off-duty officer safety protocols). The first responding officers' actions are critical to the event's outcome. An initial responder is in charge of the scene as the ad-hoc incident commander, until relieved by a superior/command officer. Assumption of incident command may be based on rank, expertise, or experience. The name, rank, and assignment of the incident commander shall be made immediately clear through all channels of incident communication.

A. Assess the Situation

1. Establish an Incident Command. The senior or most experienced officer on the scene shall accept this responsibility until a superior officer arrives.

2. Make a rapid assessment and request appropriate resources.

a. Additional officers

b. Additional weaponry/equipment

c. Emergency medical personnel

d. SWAT/Field Forces

e. Division of Fire

f. Bomb Squad

g. Mutual Aid

3. Determine if immediate action and rapid deployment is required.

B. Communications

1. The incident commander shall transition to the appropriate tactical channel as the event progresses.

2. Important information must be made available to responding units.

a. Number of suspect(s)

b. Physical and clothing description of suspect(s)

c. Description of suspect weapon(s)

d. Last known location or movement of suspect(s)

e. Special information about the incident location

3. On-scene officers shall communicate the safest approach to the event based on information available.

4. On-scene officers shall establish an Incident Command Post location, even if only temporary.

5. While establishing perimeters is not a primary duty of responding officers, perimeters shall be established as permitted as additional police resources arrive on scene to handle the task.

C. Assemble Contact and Rescue Teams

In active situations, officers **may** enter alone or with fewer than the three back-up officers when perceived delay may result in additional loss of life.

1. Contact Team assignments (officers may constitute a smaller configured team as warranted by the need for an expeditious response.)

a. **Team Leader and Point-Person**: Assigns team member responsibilities, formulates and implements a plan, deploys a shotgun(slug)/patrol rifle, and provides cover for entrance and/or egress if necessary.

b. **Left Flank**: Provides cover on the left side of the formation, may rotate and acts as a rescue or contact officer.

c. **Right Flank**: Provides cover on right side of the formation, may rotate and acts as a rescue or contact officer.

d. **Rear Guard**: Deploys a shotgun(slug)/patrol rifle and provides cover for entrance and/or egress as required.

e. All the above positions shall also cover areas overhead and below, as threats can appear 360° x 360°.

2. Contact Team responsibilities

a. Consider alternate entry points other than the main entry point where the active shooter may be anticipating and preparing to respond (attack/booby trap/IED) to a law enforcement entry.

b. Continue past victims (injured or not), but communicate back to the Rescue Team the location and condition of victims for later rescue.

c. Priority is to make rapid contact with the suspect and stop the violent behavior and to provide preliminary assessment of:

(a) Victim location and medical needs

(b) Suspicious packages and possible IEDs (location & type)

(c) Suspect description, location, and name

(d) Suspect weapon(s) and equipment (e.g. body armor)

d. Limit suspect movements and prevent escape

e. Communicate progress to Incident Command

3. Rescue Team Responsibilities

a. Priority is the rescue and recovery of victim(s) whether via evacuation or shelter-in-place strategies.

(a) Enter at the same point as the Contact Team, tracing the Contact Team's route if possible, and move toward victims.

(b) Extract victims to a safe area (or temporarily shelter in place).

(c) Debrief victims and relay event intelligence back to the Contact Team.

(d) Notify medical personnel and escort same to victims when necessary.

(e) Communicate any possible suspect sightings, contacts, or evidence of recent suspect movements.

(f) If a suspect is confronted, the Rescue Team becomes a Contact Team.

b. Coordinate activities with the Contact Team leader and responding personnel.

c. Emphasize custody and control.

D. Use of Deadly Force

When a suspect's behavior presents an immediate threat of death or great bodily harm to an innocent person, it may be necessary to use deadly force. The team leader has ultimate authority over team actions. Individual officers are authorized to use deadly force in accordance with Cleveland Division of Police policies on the Use of Force (GPO 2.1.01).

E. Mental Preparation for Entry and What to Expect: Active shooter situations are sufficiently unique and rare so that officers can expect an environment for which they may never be completely prepared. This environment may include but is not be limited to:

1. Constant or continual noise from screaming and crying people, alarms, intermittent gunfire, etc.

2. Carnage, possibly even involving very young victims.

3. Smoke or overpowering smells.

4. Fire and sprinkler operation and possible standing water.

5. Confusion and chaos with victims hiding, afraid, in shock, and not responding to commands from officers.

6. Encountering IEDs.

    a. Visually inspect (but refrain from touching) a suspected IED for active timer, lit fuse, trip wires, etc.

    b. If an IED is located, initiate protocols for Bomb Squad/IED (reference GPO 3.2.19). This includes limitations on two-way electronic communications (this includes cell phones) and appropriate evacuation distances as required.

    c. Identify locations of suspected IEDs and communicate this verbally when possible.

    d. Do not touch or move suspected IEDs.

    e. Move past the device when part of a Contact or Rescue Team.

F. Arrival of SWAT before resolution of the event.

1. Coordinate and relinquish contact responsibility.

2. Assist with containment of the suspect if needed.

3. Assist with evacuation or relocation of victims.

4. Act as a guide, “pathfinder”, for SWAT.

    a. Direct to last known suspect location.

b. Communicate locations of suspected IEDs.

c. Pass on all pertinent information regarding the situation.

G. Incident Command System (ICS)

As an overview, the expeditious establishment of the Incident Command System will enhance the probability of a swift resolution. Even upon the rapid resolution of an active shooter situation, there are still large-scale activities to be completed. A large crime scene needs to be preserved and processed as well as matters of identification and continuing aid to victims to consider. A large scale event can be expected to attract media attention and a large number of concerned citizens who may or may not have a relationship with any suspected victims. As such, there will be a need for a liaison for the media and the families of the victims or suspected victims. Designated areas will need to be established for command and control, staging of resources, staging for victims' families, staging for the treatment of the injured, and an area for media relations. Refer to past training and other resources for additional specifics on ICS protocols.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 15, 2012		1 of 7	3.3.02

SUBJECT:	
FIELD FORCE	
ASSOCIATED MANUAL: Field Force Manual	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To establish a Field Force (FF) within the Division of Police. To establish procedures to manage FF operations.

POLICY: The Field Force within the Division of Police shall provide for the effective utilization of personnel and equipment in the event of (or the expectation/prevention of) a riot, civil disturbance, disaster, or mass casualty event. Field Force officers responding to an event shall follow the orders of the Field Force Commander.

DEFINITIONS:

Field Force Squad: consists of nine (9) to twelve (12) officers led by a lieutenant or sergeant.

Field Force Platoon: consists of 3 squads led by a lieutenant.

Field Force Company: consists of 3 platoons led by a captain.

Field Force Commander: is a supervisor assigned to Field Operations.

Field Force Division: consists of 3 companies led by the Field Force Commander.

Incident Commander: is any superior officer in charge of field operations at the scene of a riot, catastrophe, disaster, serious police incident, large scale event, or other multiple unit operation.

Tier 1: are designated Field Force personnel.

Tier 2: are all other members of the Division.

PROCEDURES:

I. Field Force Activation

A. Planned or Expected Special Events:

1. Requests of FF for planned/expected special events shall be sent to through the chain of command to the Deputy Chief of Field Operations.

2. Examples of Planned or Expected Special Events that can benefit from a FF deployment:

a. Public demonstrations

b. Civil disturbances

c. Sporting events or other large entertainment events

d. Parades

e. Dignitary protection

B. Unplanned or Unexpected Large Scale Events.

1. Requests for assistance of FF personnel in emergency situations shall be requested via the Communication Control Section (CCS).

2. Examples of Unplanned or Unexpected Special Events that can benefit from a FF deployment.

a. Impromptu rioting or other mass disorder where FF can handle:

(1) Victim/officer rescues

(2) Crowd control and/or dispersal

(3) Restoration of order

b. Disasters or mass casualty incidents where FF can:

(1) Prevent looting and destruction of property

(2) Respond to and control the perimeter of any:

(a) Biological, chemical or nuclear terrorist attack

(b) Large explosive or incendiary event

(c) Other terrorist incident

II. Field Force Mobilization

A. Upon determining that a serious crowd control incident exists that the available District personnel cannot contain /control, Command or superior officers may request the immediate call up of Field Force personnel.

B. Emergency requests for immediate on scene assistance shall be made via CCS.

C. Upon request for Field Force assistance the dispatcher shall obtain the following information:

1. Crowd size

2. Estimated potential for crowd size escalation

3. Precipitating incident if known

4. Any related incidents of violence that have already occurred

D. The dispatcher will immediately notify the Communications Control Section supervisor who will notify the Deputy Chief of Field Operations and the Commander of the District of occurrence.

E. The CCS supervisor shall:

1. Notify the Field Force Commander who will determine the number of personnel needed and the staging area for the Field Force.

2. Notify the Special Weapons and Tactics (SWAT) Unit.

3. Contact neighboring districts that have on-duty Tier 1 Field Force personnel.

4. Mobilize the Command Vehicle and report the mobilization to the Field Force Commander.

5. Monitor the channel that is assigned to the incident.

6. Call up Tier 2 Field Force Squads at the request of the Deputy Chief of Field Operations or the Field Force Commander.

III. Tier 1 Field Force Supervisors Responsibilities

A. The Field Force Commander shall:

1. Ensure training is conducted and maintain all FF records.

2. Lead the Division in yearly FF training exercises.

3. Ensure all units are properly equipped.

4. Ensure the updated FF personnel roster is forward to CCS quarterly.

5. Ensure that a Divisional Notice (DN) is issued announcing quarterly inspections of the FF Units.

B. The District/Bureau Commander of Field Force Units shall ensure that:

1. A current list of phone numbers of all Tier 1 FF members is maintained and forwarded to the Field Force Commander on a quarterly basis.

2. Newly assigned personnel are issued FF equipment and trained in FF procedures, ensuring all equipment deficiencies are forwarded to the Field Force Commander.

3. Personnel-issued and unit-issued equipment are inspected quarterly for cleanliness and serviceability.

4. FF Training is conducted once a calendar month within their unit(s) to ensure preparedness. All training shall be documented including member attendance and type of training completed. These documents shall be submitted to the Field Force Commander and the Training Section within ten (10) days of completion.

IV. Command and Control Responsibilities

A. Prior to the arrival of the Field Force, the Incident Commander shall:

1. Establish perimeter control.

2. Advise CCS of best approach routes.

3. Establish ingress and egress routes from the scene.

4. Notify CCS of a safe staging area for the Field Force outside of the inner perimeter.

B. The Incident Commander shall be in charge of the perimeter of the incident.

C. Upon the arrival of the Field Force Commander, the Incident Commander shall brief him/her and relinquish control of the inner-perimeter to the Field Force Commander.

D. The Incident Commander shall assist the Field Force Commander with direction and personnel support as needed.

E. Upon being briefed, the Field Force Commander shall deploy his/her personnel and equipment in a manner that will control or disperse the crowd with priority being to maintain or regain control of an incident; and in the case of a disaster, render aid as necessary.

F. The Field Force Commander shall have exclusive command and control of Field Force personnel. Only the Chief of Police (or designee) or the Deputy Chief of Field Operations may overrule the Field Force Commander.

G. The Incident Commander will retain control of the outer perimeter.

H. At the conclusion of the incident, the Field Force shall withdraw and the original Incident Commander will take command of all operations with District personnel.

I. The Incident Commander shall be responsible for assigning a zone car to complete RMS reports arising from damage or injury caused by the disorderly crowd/disaster. If the number of reports required is too large a task for one car to handle, then a supervisor shall be assigned to manage the

task of delegating report writing responsibilities and ensuring all the necessary reports are completed.

J. Field Force personnel shall be responsible for completing their own arrest reports, Use of Non-Deadly Force (UNDF) reports and/or any other necessary reports for incidents which they were directly involved in.

V. Training

A. The entire Field Force will convene twice yearly for a combined training session conducted by the Field Force Commander with assistance from the Training Section.

B. The Training Section shall evaluate these training exercises, submitting these evaluations through the chain of command to the Chief of Police.

VI. Field Force Equipment Trailer

A. A van/trailer containing supplemental Field Force equipment shall be maintained at the Mounted Unit or another location as designated by the Deputy Chief of Field Operations. The equipment in the FF van/trailer shall be used by Tier 1 FF units only as a backup for equipment damaged.

B. The Field Force van/trailer may also be used to support Tier 2 Field Force in an emergency situation.

C. The Field Force Commander shall assign personnel to maintain the Field Force van/trailer.

VII. Tier II

A. Officers

1. Zone car personal shall keep their riot helmet and haz-mat bag in their zone car during their tour of duty.

2. When not on duty, zone car personnel shall keep their riot helmet and haz-mat bag at their place of assignment or otherwise readily available.

3. All other units shall maintain their riot helmet and haz-mat bag at their assigned work location.

B. TIER II Supervisors

1. Shall inspect officer equipment under their command twice a year (completed by the last business day in March and September).

2. Shall record this information and forward it through the chain of command to the Field Force Commander.

MM/SM/sjs
Academy Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
June 13, 2016		1 of 28	3.3.03

SUBJECT:

CROWD MANAGEMENT AND THE
PROTECTION OF CONSTITUTIONAL RIGHTS

ASSOCIATED MANUAL:	RELATED ORDERS:

CHIEF OF POLICE:

Calvin D. Williams, Chief

PURPOSE: To provide guidance on safely and effectively managing crowds that assemble for the purposes of carrying out Constitutionally protected activities of free speech and assembly. The Cleveland Division of Police (Division) recognizes the right of free speech and assembly, and shall actively protect people in the exercise of those rights. During marches, demonstrations, protests or rallies, the priorities of the Division are to preserve the peace, protect life and property, and uphold the rights of those assembled.

Along with guaranteeing the right to exercise certain freedoms, the Constitution places duties and obligations on both demonstrators and non-demonstrators, including members of law enforcement. Those who exercise their First Amendment rights are obligated to respect and not abuse the civil and property rights of others. Likewise, police officers are obligated not to let their own personal, political or religious views affect their actions.

Should it become necessary to control the actions of an individual or a crowd that has become engaged in unlawful conduct, the Division shall do so with optimal efficiency, minimal impact upon the community, and using only such force as is reasonable and necessary. In crowd control situations where demonstrators are engaged in unlawful conduct, the Division shall make reasonable efforts to employ "non-arrest" methods of crowd management, such as de-escalation and communications, as the primary means of restoring order and obtaining voluntary compliance. Should such methods prove unsuccessful, arrests shall be made for violations of the law in a fair and efficient manner, in order to restore and maintain order, safeguard life and property, and protect vital facilities and infrastructure.

DEFINTIONS:

Peaceful Protest: The act of expressing disapproval through a statement or action without the use of violence; also known as non-violent resistance or

non-violent action. It is the policy of Cleveland Division of Police to support and facilitate peaceful protest.

Civil Disobedience: Refusal to obey certain laws or government demands, typically through non-violent means, for the purpose of influencing policy or public opinion. Note that civil disobedience is not synonymous with civil disturbance (see below). However, an act or series of acts of civil disobedience may, on occasion, rise to the level of a civil disturbance.

Civil Disturbance: Planned or unplanned acts of violence, riots, insurrections, disorder, unlawful obstructions or assemblages of individuals acting collectively that violate the law and disrupt public order. Civil disturbances may be triggered by any number of events or issues such as celebratory events (sporting or specific annual event), the airing of grievances against a government or private group, or counter-demonstrations against groups that are engaging in activities of their own.

Communications Control Section: The unit providing emergency call-taking and dispatch functions for the Cleveland Division of Police.

Crowd Control Situation: An incident requiring techniques to address civil disturbances, to include de-escalation and communication, a show of force, crowd containment, dispersal tactics and equipment, and preparations for multiple arrests.

Crowd Management: Techniques used to manage assemblies before, during, and after the event for the purpose of maintaining the peace and protecting Constitutional rights. Crowd management is achieved through pre-event planning, pre-event and ongoing contact with group leaders, issuance of permits when applicable, information gathering, personnel training, and other means.

De-escalation: Techniques that may include listening, explanation of event guidelines, verbal persuasion, warnings, and tactical de-escalation techniques, such as slowing down the pace of an incident, waiting out subjects, creating distance between the officer and the threat, and requesting additional resources (e.g., specialized crisis intervention officers or negotiators).

Incident Command System (ICS): An ICS is a standardized, on-scene management system designed to enable effective and efficient management of single or multiple incidents, without being hindered by jurisdictional boundaries. ICS is the combination of facilities, equipment, personnel,

procedures, and communications operating within a common organizational structure.

Incident Action Plan (IAP): The IAP is a written plan that defines the incident objectives and reflects the tactics necessary to manage an incident during an operational period. There is only one IAP for each incident, and that IAP is developed at the incident level. The IAP is developed through the incident action planning process. The IAP is a detailed directive that is operational at its core; it is not primarily an assessment tool, feedback mechanism, or report. However, a well-crafted IAP helps senior leaders understand incident objectives and issues.

Mass Arrests: Apprehension of large numbers of suspected law breakers within a short period of time. This may include processing prisoners using alternative protocols, sometimes through portable booking facilities and establishing processing zones or intake areas, arranging for bus transports, etc. In this context, mass arrests shall be defined as a measured law enforcement response to a civil disturbance, which will be directed by the Chief of Police or designated Incident Commander and shall require detailed documentation.

Field Force Operations: Operations to effectively manage crowds and demonstrations and respond to civil disobedience and civil disturbances while protecting the safety of the public and the exercise of Constitutionally protected rights.

Quick Response Teams: Teams of approximately 6-10 officers assigned to various locations to manage pre-planned events and to respond to incidents, including civil disobedience and low-level civil disturbances.

Mobile Field Force: (MFF): Larger units comprised of law enforcement **officers who have advanced training** in field force (crowd management) operations and that are prepared to respond to higher-level incidents. A Mobile Field Force (MFF) can range from 25 to 150 officers (or more), and is often in a stand-by location and mobilized quickly to the scene to take control of emergency situations involving civil disturbances. The MFF can be used for various reasons, such as to isolate areas of civil disorder, to control or disperse unruly crowds, to apprehend multiple offenders, to conduct high-profile rescues, and to assist at the scene of large disasters.

POLICY: As it pertains to crowd management and the protection of Constitutional rights, it is the policy of the Cleveland Division of Police:

- To ensure that all citizens are afforded their Constitutional First, Fourth, and Fourteenth Amendment rights. In brief, these protections involve citizens' rights to freedom of speech, peaceable assembly, freedom from unreasonable search and seizure, as well as protections against the deprivation of a citizen's life, liberty, or property without due process of law and equal protection thereof.

- That individuals and groups are guaranteed a right to organize and participate in peaceful First Amendment assemblies on the streets, sidewalks, and other public ways and spaces of the City of Cleveland, and to engage in First Amendment assembly near to the object of their protest so they may be seen and heard. These rights may be subject to reasonable restrictions designed to protect public safety, persons, and property, and to accommodate the interest of persons not participating in the assemblies to use the streets, sidewalks, and other public ways to travel to their intended destinations, and use public spaces for recreational purposes.

- To safeguard the rights of all persons, to protect and preserve life, to preserve the public peace, to prevent crime, to arrest offenders who violate the law, and to protect public and private property from theft or unlawful damage. As part of this responsibility, the Division shall respond to the scene of First Amendment assemblies in order to preserve peace while protecting the Constitutional and statutory rights of people to assemble peacefully and exercise free speech.

- To make reasonable efforts to meet with event leaders in advance of the event and establish acceptable guidelines to ensure the protestors' ability to express their ideas and maintain a peaceful event. This shall include, but not be limited to, attempting to agree on the time, location and manner of the protests, and on acceptable activities and prohibited activities (e.g., allowed to march on some sidewalks or streets or prohibition from blocking a highway).

- To make every reasonable effort to employ methods of crowd management that rely on de-escalation and voluntary compliance, and without using force, as the primary means of maintaining order. If such methods prove unsuccessful, arrests may be made for violations of the law based on probable cause. Officers shall be able to clearly articulate in

written format the specific violations for any arrests or uses of force.

- That all officers be trained annually in the Division's Use of Force policy, the use of lethal and less-lethal options for responding to resistance, and de-escalation techniques. Officers shall use de-escalation techniques whenever possible and appropriate, before resorting to force and to reduce the need for force. De-escalation techniques may include verbal persuasion and warnings and tactical de-escalation techniques, such as slowing down the pace of an incident, waiting out subjects, creating distance (and thus the reactionary gap) between the officer and the threat, and requesting additional resources (e.g. specialized CIT officers or negotiators). Officers shall be trained to consider the possibility that a subject may be noncompliant due to a medical or mental condition, physical or hearing impairment, language barrier, drug interaction, or emotional crisis. Additional training in crowd management, civil disturbances, and First Amendment rights shall be provided as necessary and in advance of planned events. The Division shall ensure that all officers adhere to the policies, procedures, and training as they relate to use of force, crowd management, handling of civil disturbances, and First Amendment protections. All officers shall review the Division's Use of Force policy prior to planned events.

- That immediately following a use of force, officers and, upon arrival, a supervisor shall inspect and observe subjects for injury or complaints of pain resulting from the use of force, and immediately obtain any necessary medical care. As necessary, officers shall provide emergency first aid until professional medical care providers are on scene. Officers shall review the Use of Force policy and related policies on providing medical attention following a use of force.

- If arrests are necessary, officers shall use only the minimum level of force, if any, that is necessary to make the arrest. **Mass arrests should only be made at the direction of the Chief of Police or designated Incident Commander.** Mass arrests shall be made in an organized and coordinated manner by units or subgroups (arrest teams) using specific procedures outlined in the Incident Action Plan (IAP) for documenting and processing individuals. The IAP should include details, such as: specific protocols and contingency plans for the arrest process, the documentation required, designated staging and holding area/s, description of type of care and provisions that will be provided to arrestees, etc. To the extent possible under the circumstances, arrests by and at the discretion of individual

officers are not permitted in a large-scale civil disturbance environment. These events can be volatile and individual actions can endanger all the officers present as well as crowd members. Arrests shall be documented and detainees safeguarded and adequately cared for at all times while in department custody. Officers shall refrain from making multiple arrests contemporaneously in one location when other reasonable alternatives exist. The decision to make any arrest shall be judicious and carefully considered and shall take into account the prevailing circumstances and arrest environment. Officers **shall have the discretion to delay or forgo** arrests as is reasonably possible to maximize officer and public safety, or to provide time for other approaches such as de-escalation to render positive results. Often those engaged in violent or criminal behavior can be video recorded and identified through investigative means and held accountable at a later date and time, without inciting the crowd or compromising officer safety.

- To ensure a prompt and sufficient supervisory response to any situation where First Amendment activities are being conducted and there is the potential for civil disturbance. For large-scale events or those where the potential for conflict is high, the Division shall employ an Incident Command structure to oversee management of the event, and shall engage in the necessary pre-planning efforts to prepare a detailed IAP that is consistent with policy and provides the guidance needed for Division officials and mutual aid agencies to effectively manage the event and to the extent possible, identify and prepare for potential challenges and threats.

PROCEDURES:

I. General Management and Organizational Procedures

A. The following procedures apply to a range of events, including pre-planned and spontaneous gatherings, and those that are peaceful in nature and those that involve, or have the potential to involve, civil disobedience or civil disturbance.

B. The Incident Command System (ICS) and National Incident Management System (NIMS) protocols shall be used in crowd management and civil disturbances to ensure control and unified command both within the Cleveland Division of Police and with partner agencies. Individual IAPs will be developed to further detail the pre-event, event, and post-event procedures

and the roles and responsibilities of all involved in crowd management events.

C. The protocols contained herein shall also apply to members of outside law enforcement agencies working under agreement with the Cleveland Division of Police.

II. First Responding Officer

The following policies are likely to be used for an unplanned event. A supervisor should already be on-scene for a planned event.

A. The first officer(s) on the scene, either by assignment or on-view, of an assemblage where there is a civil disturbance in progress or the potential for civil disturbance shall:

1. Immediately contact the Communications Control Section (CCS) and request a supervisor.

2. Observe the situation from a safe distance to determine if the gathering has the potential for a civil disturbance, if not already at that stage.

3. Request that appropriate operational personnel begin or continue monitoring social media to gauge crowd sentiments and potential activities.

4. Note the approximate number of persons in the assemblage and if it is increasing in size; the description of individuals within the assemblage; the nature of the assemblage as indicated by signage, verbalizations, or officers' street interviews; and any movements of the assemblage and its direction. If it can be obtained from a safe distance, the following information should also be noted: the presence of actual or potential weapons; the identification of the assemblage's leaders; and the identification of individuals engaged in any criminal acts. This information shall be relayed to the CCS.

5. Only if safe to do so, approach the assemblage and engage participants in conversation in an attempt to determine its purpose, intentions, and capability for civil disturbance, if any.

6. Relay all of this information to the supervisor who arrives on the scene.

III. Supervisory Response

A. The first supervisor on the scene shall:

1. Assess the situation and determine appropriate next steps, which may include:
   a. Assuming command of the incident;
   b. Continuing to monitor the assemblage;
   c. Using de-escalation techniques in an attempt to convince the assemblage to maintain order and/or peaceably disperse;
   d. Establishing an Incident Command to manage the situation if it appears that is will be ongoing and has the potential for civil disturbance.

B. An order to disperse shall require the authorization of the Incident Commander.

IV. Incident Command

Depending on the size of the event, there may be multiple incidents occurring simultaneously in different areas of the city. The scope of the command responsibilities will vary based on the size of the incident, and shall be defined further by the Incident Action Plan (IAP). The overall ICS "Incident Commander" for major events is designated by the Chief of Police, and his or her responsibilities include those listed below to be carried out as detailed by the ICS and the IAP.

A. Command responsibility, once established, does not pass from one officer to another simply by virtue of the arrival of a member of higher rank. Incident Command responsibility passes only in such instances when the higher-ranking official assumes command and so informs the lower ranking official.

B. The Incident Commander shall:

1. On a recorded police radio channel, announce that he/she is taking command of the incident.

2. Establish the number of personnel and equipment necessary to contain, manage, and, if necessary, disperse the crowd, and relay this information to CCS.

3. When adequate personnel and resources are in place, attempt to establish communications with leaders of the crowd (if any) to assess

their intentions and motivations and to attempt to develop a working relationship; if appropriate, communicate to the participants that their assembly is in violation of the law, that the police wish to resolve the incident peacefully, but that if officers have grounds for lawful arrests, that option may be exercised.

4. Request additional Divisional resources through the chain of command.

5. When necessary, ensure that appropriate notifications are made for fire and emergency medical services.

6. Ensure that the Division's Public Information Officer (PIO) has been contacted and advised of the event. Direct that the PIO establish a media staging area, as required.

7. Direct the establishment of a temporary command post based on proximity to the scene, the availability of communications, and available space and security from crowd participants. Temporary command posts will move as the disturbance moves.

8. Ensure that an outer perimeter sufficient to contain the crowd and restrict entrance into the affected area is established.

9. Ensure that, to the degree possible, uninvolved persons are evacuated from the immediate area of the disturbance.

10. Ensure that surveillance points are established to identify instigators, leaders, and individuals committing crimes, and to document and report on events as they happen. Photographic and video evidence of criminal acts and perpetrators shall be generated whenever possible.

11. Declare when the incident is over and personnel should return to routine assignments.

V. Objectives of Crowd Management

A. The overriding objective of any crowd management event is to provide for the safe exercise of Constitutional rights, to protect life and property, and to minimize the need for arrests and/or uses of force in managing the incident.

B. Except in the case of containment as a prelude to mass arrests (see Section V.F. below), all crowd management tactics shall include a dispersal route for participants to safely and peacefully depart the crowd.

C. **De-escalation/Prevention of Escalation:** Strategies that act to defuse, diminish, or re-direct the collective posture of a crowd. These strategies begin with the professional and organized appearance of the police, and by the individual officers' professional demeanor and organized movements. This presence shall be combined with verbal persuasion, tactical maneuvering, and, if necessary, warnings.

1. Effective communications rely on both speaking and active listening. Personnel shall pay careful attention to what the crowd is "saying" collectively and what individuals within the crowd are communicating. If possible, informal communications with the group and its leaders should precede formal instructions and warnings.

2. Verbal persuasion and warnings shall be clear and unambiguous.

3. Verbal persuasion and warnings shall include specific instructions to the crowd. Warnings shall be written and read to maintain consistency from one event or demonstration to another.

4. Absent exigent circumstances, each specific warning shall be repeated at least three times with at least five minutes between the first and second warnings, and three minutes between the second and third warnings. Additional warnings may be given as necessary at the discretion of the Incident Commander.

5. The warnings shall include the name and rank of the person verbalizing the warning or order, the specific law(s) that the crowd is in violation of, the conditions under which the crowd may be permitted to operate, and, as appropriate, a directive to disperse and/or move in a particular direction.

6. Verbal communications with the crowd shall be of sufficient amplification that a police officer in or behind the crowd can verify having heard the communication.

7. The Incident Commander or designee shall issue the warnings or orders from a stationary vantage point that is observable to the crowd.

8. The entire verbal communications process shall be documented and retained by means of an audio-visual recording, as well as radio transmissions over recorded police channels when feasible. Written documentation must be retained and made a part of any arrest files or incident reports.

D. **Isolation:** A tactic used to prevent the growth of the crowd by denying access of uninvolved persons to the crowd. This tactic minimizes the size of the crowd so that more effective engagement and management of the crowd's behavior are possible. Additionally, this tactic is employed to maximize the safety of all persons.

E. **Dispersal:** A tactic accomplished by moving the crowd in a predetermined direction by way of well-coordinated and orchestrated actions by the assigned police units. The movement shall be accomplished in a manner that divides the crowd into more manageable groups of individuals. Arrests may be employed during dispersal but only to the extent that it is strategically advantageous and protects the safety and well-being of the officers, crowd participants, and uninvolved persons. Mass arrest is a last resort. If possible, identify and isolate individual violators for arrest. Other participants will often leave or cease the unlawful behavior if the offender is removed from the crowd.

1. Dispersal Procedures:

a. The Incident Commander or designee at the scene of an assemblage shall assess the immediate situation for its seriousness and potential to escalate to a crowd control situation. The Incident Commander shall make an effort to disperse the assemblage using de-escalation techniques.

b. If the assemblage appears to be escalating into a crowd control situation, the Incident Commander or designee shall make the necessary notifications to CCS and immediately begin identifying routes of ingress and egress, identify perimeters sufficient to contain any disturbance, prohibit entrance of uninvolved persons to the area, take steps to ease the flow of vehicular and pedestrian traffic, and ensure the safety of uninvolved persons.

c. If the need arises to order the crowd to disperse based on accepted Constitutional guidelines and public safety concerns, the Incident

Commander or designee shall notify CCS and superiors of the intent to disperse the crowd and the reason(s) for the dispersal on a recorded time-stamped radio channel. The Incident Commander shall inform the crowd of his/her intentions by loud speaker if possible. Whenever possible, the circumstances leading to the dispersal and the announcement shall be videotaped. The announcement shall include the request to disperse, the direction the crowd should proceed away from the scene, and any appropriate statutes that apply. There should be a reasonable time period allowed for the crowd to move.

d. Should the crowd fail to disperse in the prescribed manner, the Incident Commander shall be prepared to implement Mobile Field Force Strategies to mitigate the effects of the crowd and to enhance the chances for a peaceful conclusion to the event.

F. **Containment:** A tactic designed to confine a crowd to a particular area by impeding their movement from that area or denying them access to a location. Complete containment of a crowd without a dispersal route shall be done only as a prelude to a mass arrest situation. This is the least desirable of all actions and shall be initiated only as a last resort to restore order and to bring the event to a quick and definitive conclusion, as required.

G. **Accommodation:** Working with group leaders in advance of the event, and during the event, to identify goals and to develop mutually acceptable solutions to facilitate a peaceful event or protest.

VI. Interactions with the News Media

A. Members of the news media have a Constitutional right to report on public events taking place, and it is the policy of the Cleveland Division of Police to support the news media in covering these events.

B. Members of the media shall be granted access to public areas where members of the public are allowed. In addition, the Division may designate special areas for the media to assemble and receive briefings from the Division's PIO or other personnel.

C. Members of the news media shall be permitted to record any events in the public space to the extent that it is safe for them to do so and that their activities:

1. Do not unreasonably impede the justifiable actions of law enforcement.

2. Do not infringe on the privacy rights of arrested persons during prisoner processing.

D. While the Division cannot prohibit the news media from recording activities that occur on public space, care shall be taken to guard against the release of sensitive security-related activity, strategies, or information to the news media or the public.

E. There is no Constitutional requirement that individuals engaged in the collection and dissemination of news have a pre-authorized press credential to cover an event in the public space. Legitimate bloggers and other non-traditional journalists should be afforded the same rights to report as those considered traditional media.

F. Officers shall take every precaution to identify and distinguish members of the news media and legal observers (often identifiable by official credentials or a specific article of clothing), as well as uninvolved persons, from the active members of a crowd engaged in civil disturbance.

G. The arrest of a member of the news media or legal observer shall be immediately reported to the Incident Commander.

H. Officers shall recognize that their actions and verbalizations are likely to be photographed or recorded by members of the news media, participants in the crowd, and/or uninvolved persons. Officers shall remain professional at all times, and in no way attempt to interfere with individuals who are attempting to photograph or record their actions in the public space. Officers shall never attempt to confiscate or destroy any photographs or recordings taken by these individuals.

VII. Officer and Crowd Engagement

A. All uniformed officers assigned to a crowd management event shall wear and clearly display insignia that identify them. Depending on the officer's assignment and uniform, these identifiers may include badge, name plate, and/or identification numbers on helmets and tactical vests. Officers shall not intentionally attempt to hide or disguise their identifiers.

B. Officers assigned to a crowd management event and who are working in close proximity to a crowd engaged in civil disturbance shall comport themselves in a respectful and professional manner and shall not respond to or engage in any antagonistic conversations or interactions with individuals associated with the crowd.

C. Officers shall not engage in unnecessary conversation or banter among themselves.

D. Officers shall not respond to any statements, actions or movements by individuals in the crowd intended to provoke a reaction from the officer. Officers shall not use force against persons who only verbally confront them and do not impede a legitimate police objective. Officers shall make no verbalizations to crowd participants, another officer, or to themselves in response to any provocation. Officers shall refrain from taking any action or engaging in any bodily movement that can be construed to be a response to a provocation. This policy is critical for the protection of the officer, the safety of all officers, and the successful outcome of the mission. (See Section VIII.H.2. below)

E. Officers shall not be subjected to an unlimited amount of verbal provocations and abuse. As such, officers needing to leave the police line for personal relief or another justifiable reason may communicate that request to a supervisor by way of a predetermined signal.

F. Officers who witness a fellow officer unnecessarily or inappropriately responding to a verbal or other provocation shall intervene and signal for the officer to be relieved from the police line.

G. Supervisors shall be diligent in recognizing officers' signals for relief and monitor all officers for indicators of high levels of fatigue and stress. Supervisors shall make every effort to mitigate officers' fatigue and stress by way of either officer replacement or reconfiguration of the police line.

H. Officers shall remain vigilant and fully cognizant that all their movements and verbalizations are likely to be audio and video recorded by any number of sources for any number of reasons. Officers shall permit video and audio recording of their actions as long as the distance at which it is occurring does not cause any personnel safety concerns.

I. In any type of crowd management event, officers and supervisors shall be vigilant for activities, such as burning of objects, which can incite a crowd engaging in peaceful protests to practice more violent activity. At the first sign of such activity, the Incident Commander, or a field commander on scene, shall deploy a quick response plan to immediately address the activity, including extinguishing any fires.

VIII. Use of Force and Crowd Management

A. The policies and procedures in General Police Order 2.1.01 are applicable and fully transferable to the application of force in crowd control situations.

B. Force shall be used only when other lesser means such as de-escalation have not or would not be effective.

1. In all instances, only the minimum amount of force necessary to mitigate the threat and accomplish the mission shall be used.

2. When contemplating any use of force in a crowd management event, consideration should be given to what impact the use of force may have on the dynamics of the crowd, including the possibility of further agitating the group.

3. Use of force in a crowd management event shall immediately be discontinued upon orders of the Incident Commander.

C. De-escalation and Voluntary Compliance

1. When considering any use of force in a crowd management event, personnel shall first explore opportunities to de-escalate the situation and garner voluntary compliance from crowd participants.

2. Possible de-escalation techniques include:

a. Active engagement and communications with crowd leaders and participants
b. Continued monitoring of events
c. Maintaining flexibility in terms of crowd activities
d. Requesting additional resources
e. Negotiating toward a mutually agreeable resolution

3. De-escalation should not be considered a one-time activity employed at the beginning of a crowd management event. De-escalation can be effective at any stage of an event and shall be employed at any time when it may prove beneficial.

D. Use of Force Postures

1. **Constructive Force** is characterized by the simple uniformed presence of law enforcement and the complete lack of physical contact between the police and a crowd or individuals associated with a crowd. Constructive Force shall be subdivided into the following categories:

   a. Individual or unorganized groups of police officers wearing the standard issue uniform of the day.
   b. Organized groups of police officers wearing the standard issue uniform of the day acting in concert as a show of force, at the direction of the Incident Commander. The officers may be organized in a defensive line or in another crowd control formation as may be necessary.
   c. Organized groups of police officers wearing personal protective equipment acting in concert as a show of force. Officers wearing personal protective equipment shall deploy only when there is a reasonable possibility of violence and only at the direction of the Incident Commander. These officers shall be staged out of view and deployed only when needed.

2. **Physical Force** at its lowest level involves hands-on touching without the use of tools or weapons. This shall include line and wedge formations (with or without personal protective shields) that employ simple body resistance to move a crowd. Arrests also fall into this category.

3. **Oleoresin Capsicum (OC) Force** involves the use of a natural chemical irritant derived from the pepper plant. It may be deployed from personal canisters (typically carried on an officer's duty belt) or deployed from larger volume canisters (MK-9 and MK-46 canisters) as a spray or fine mist. OC may also be deployed as a fine powder contained in plastic capsules and expelled by air pressure from a mechanical device. The protocol for deploying the powdered form of OC (pepper ball) shall be identical to those deploying OC spray in the large canister. OC Force against crowds shall be deployed only upon

approval by the Incident Commander. Individual officers may deploy their OC in accordance with Division use of force policies in order to protect themselves or others from assaults or to overcome active resistance to arrest and when lesser means would be ineffective. Generally, however, in the context of crowd management, these tactics are reserved for field units, not individual officers. (See Section VIII.H.7. for additional guidance on the use of OC force.)

4. **Mechanical Force**

   a. Any tool or equipment that is used as an impact device is considered a mechanical force. This includes a baton in any configuration, the ASP, and a personal protective shield when used as an impact device.
   b. Strikes to the head or neck by any impact device are prohibited. (See Section VIII.H.8 (b) below.)
   c. Mechanical force also encompasses less-lethal projectiles including any mechanically expelled objects such as bean bags or rubberized objects. These projectiles are specifically designed to minimize injury and avoid serious physical harm. Their deployment shall be only at the direction of the Incident Commander or designee (such as a field commander) and in the context of crowd management, these tactics are generally reserved for field units, not individual officers.

5. **Chemical Force** is the use of tools or weapons that disperse chemical irritants such as CS agents (tear gas). For the purposes of crowd management, the natural irritant OC shall not be considered a Chemical Force.

   a. Chemical Force shall be used only as a last resort when no other less-lethal force options are available to prevent police lines from being overwhelmed by violent protesters, to prevent large-scale destruction of property, and/or to prevent serious bodily harm to police officers and uninvolved members of the public.
   b. Only officers specially trained in CS agents are permitted to deploy them.
   c. Only the Chief of Police or designee can authorize the deployment of CS agents, and the authorization shall be documented in writing or recorded.

6. **Deadly Force** is any use of force likely to cause death or serious physical injury, including but not limited to the use of a firearm or a strike to the head or neck with a hard object. (Note that strikes to the head or neck with any impact device are prohibited.)

E. Officers shall not employ unauthorized tools or weapons, and all uses of force shall be consistent with the Division's Use of Force policy (GPO 2.1.01).

1. Officers shall not discharge a firearm at a threat that is not verified and clearly visible, nor discharge a firearm into a crowd. Officers will consider their surroundings before discharging their firearms and will avoid unnecessary risk to bystanders, victims, and other officers.

2. The application of force is confined to the force options as outlined in Sections VIII.G and VIII.H below.

3. The level of force shall be proportional to the threat faced and the level of opposition encountered.

F. In rare and exigent circumstances, and if communication with the Incident Commander is not possible, field commanders may direct the use of force by their units. The circumstances and reasons justifying the use of force must be thoroughly documented in writing.

1. If conditions permit, the Incident Commander shall be apprised of the situation prior to initiating any use of force at this level of command.

2. The application of force shall be immediately discontinued upon a determination by the ranking supervisor on the scene that the condition which required the use of force has been alleviated.

G. General Use of Force Protocols

1. **Orderly crowds or marches:** Police presence is the appropriate response in this category.

   a. There is no physical contact between police and the assemblage.
   b. Crowd activities shall be monitored.

2. **Unlawful, non-violent, peaceful actions by protestors:** Constructive Force is the appropriate response in this category.

a. Crowd activities shall be monitored.
b. Tactics include active engagement and open communications with the crowd and its leaders, controlled escort and guidance, blocking movements, traffic control, and similar non-physical force actions.
c. While arrest is an option, mass arrests are a last resort and shall be commenced only upon the direction of the Incident Commander.

3. **Non-Peaceful Civil Disturbance:** The following use of force options shall be used to the extent reasonably necessary to disperse, control or arrest only those persons who have engaged in unlawful conduct, and/or conduct a mass arrest, according to stated procedures.

H. Use of Force Options During Civil Disturbances

1. A police line can be either a Constructive or Physical force. A police line may be established when it becomes necessary to demarcate an area in which large-scale unlawful activity is occurring or has the potential of occurring. A police line is established to prevent damage or access to a specific target, such as a building, a utility, or a business area. The objective of a police line is to affect the movement of individuals or a crowd, to protect a group of individuals, or to accomplish the arrests of persons within a group. A police line may not encircle an assemblage unless it is used as a last resort to effect a mass arrest.

a. All police lines shall be constituted so as to leave an open path for individuals to exit from the assemblage.
b. Members of the news media, legal observers, and persons who reside, are employed, have a business or have business of an emergency nature in an area marked off by a police line shall not, under normal circumstances, be barred from entering the area unless their safety would be jeopardized or their entry would interfere with police operations. If those conditions exist, they shall be articulated to the impacted individuals.
c. Entry into such area shall not be barred solely based upon the person’s views or expressions.
d. Persons not falling into one of these categories shall be prohibited from crossing a police line into a disturbance area

until such time that order has been restored and the police line has been removed.

2. Verbal harassment and invectives directed against officers on a police line shall not be cause for members to break ranks for the purpose of making an arrest or to engage in a verbal confrontation or use force. Taking individual enforcement action can endanger the officer and other police personnel, as well as members of the public.

3. Assaults against police officers in the form of thrown missiles capable of inflicting injury (e.g., Molotov cocktails, fireworks, rocks and other hand thrown objects, slingshot powered projectiles), or physical attacks upon members, will be addressed. Police line supervisors shall make every effort to identify and arrest those engaged in such activity, but only to the extent that the integrity of the police line can be maintained and only if it can be done safely. The decision to arrest in these types of situations rests with field commander, in consultation with the Incident Commander, if possible.

4. The use of force against passively resisting persons is prohibited, except that physically moving a subject is permitted when it is necessary and objectively reasonable for the safety of that individual or the public. It shall be done with sufficient personnel so as not to endanger the subject or the officers. All other means of de-escalation should be exhausted prior to physically removing the person(s).

5. The use of force against persons who are handcuffed or otherwise restrained is prohibited unless it is objectively reasonable and necessary under the circumstances to stop an assault, escape, or where the subject is displaying aggressive physical resistance and lesser means would be ineffective or have been tried and failed. The use of electronic control weapons on persons who are handcuffed or restrained is not permitted.

6. Any use of force shall be preceded by a warning when reasonably able to do so.

7. OC Force shall be employed only (1) when such force is reasonable to protect the officer, the subject, or another party from physical harm and lesser means would be ineffective; or (2) for crowd dispersal or protection and other means would be more intrusive or less effective.

Such defensive use of OC Force against crowds shall be allowable only upon approval by the Incident Commander or designee.

a. Multiple OC exposures against an individual, wherein each successive exposure has no discernable positive effect, shall be considered excessive and is prohibited.

b. In the event there is an imminent danger of serious physical harm to officers or uninvolved persons, or if it is necessary to stop significant property damage and unreasonably waiting for an Incident Commander's approval would increase the risk of harm, police officers may deploy OC upon their individual initiative when there is no other reasonable recourse. (Typically this scenario may present itself when officers are cut off from the main body of law enforcement officers and/or communications with the Incident Commander are ineffective or impractical.) Such individually initiated deployments of OC shall be immediately reported to the Incident Commander and be the subject of a use of force investigation.

c. Personal size OC Spray shall only be used to subdue a single person when such force is reasonable to protect the officer, the subject, or another party from physical harm, and lesser means would be ineffective. The subject must be at least three (3) feet from the member and no more than five (5) to ten (10) feet away. A supervisor must approve the deployment, except in exigent circumstances.

d. Officers are prohibited from using the larger volume MK-9 and MK-46 OC spray canisters to disperse crowds or others, unless trained and certified and the use is approved by the Incident Commander or field commander, and other means would be more intrusive or less effective. More stringent requirements must be met to justify dispensing OC spray from the MK-46 canisters, which project a large amount of OC spray from a fire extinguisher-like device. The MK-46 canister shall be deployed only upon the approval of the Incident Commander to repel a substantial effort to breach a police line and/or to prevent significant physical injury of police personnel or uninvolved persons and/or to prevent significant property damage, and other means would be more intrusive or less effective.

e. Deployment of the pepper ball OC shall follow the same protocol as the MK-9 canister.

f. Individuals in police custody who have been affected by OC spray shall be given an opportunity for washing and flushing the affected areas with cold water as soon as possible, and no later than 20 minutes of being exposed. They shall be advised not to use creams, ointments, or bandages on affected areas, and that continual rubbing of the skin against affected clothing will cause irritation and reddening of the skin areas. Individuals who complain of continued effects after having flushed the affected areas shall receive treatment from emergency medical personnel on the scene or be transported to a hospital for medical treatment.

g. Refer to GPO 2.1.01 Use of Force for additional guidelines on OC use.

8. Baton

a. Batons are a mechanical force. In general, batons shall be used solely as defensive weapons, except when used in maneuvers to redirect a crowd (see VIII.H.8(c) below). Care should be taken to avoid an aggressive or intimidating appearance through the inappropriate handling of the baton. Batons shall remain in the baton holster until directed by the field commander. Uses such as striking a person as a means of protection or defense are permitted only when less forceful means would not be effective or could result in injury to the member, and when other means of assistance are not readily available to the member.

b. Strikes to the head or neck by a baton in any configuration are prohibited. A strike to the head or neck by any other non-traditional hard object (e.g., firearm, radio) is prohibited. **A strike to the head is considered deadly force and shall be investigated by the Use of Deadly Force Investigation Team (UDFIT). (Refer to GPO 1.2.22 Use of Deadly Force Investigation Team.)**

c. When holding the baton members shall always use a two-handed grip in the port arms position to move a resistive crowd from one area to another.

9. Neck Hold: A hold around the neck that may restrict the flow of oxygen or blood through the neck. **Neck holds are considered deadly force and are prohibited.**

10. Chemical Force (CS)

    a. Only the Chief of Police or designee may authorize the use of CS. The authorization shall be documented in writing (e-mail) to the commander charged with the deployment, along with a verbal notification on a recorded police radio channel.
    b. CS agents shall be used only as a defensive weapon for the purpose of dispersing crowds that are threatening or actively engaging in violence or to protect lives and property when the circumstances indicate that the use of chemical CS agents would be the most effective manner of accomplishing the objective.
    c. Any deployment of CS agents shall be preceded by a loud verbal warning. Warnings shall follow the warning protocols found in Section V.C of this GPO. Notifications should also be sent out over official Division social media to warn demonstrators and those who might be entering the area. If practical and time permits, businesses and other buildings in the affected area should be notified prior to dispersing CS agents so that they may turn off HVAC air handlers, which can pull CS agents into buildings.
    d. The Incident Commander overseeing the deployment of CS shall ensure that avenues of egress are available to the crowd.
    e. Individuals in police custody who have been affected by CS shall be given an opportunity for washing and flushing the affected areas with cold water as soon as possible, and no later than 20 minutes of being exposed. They shall be advised, moreover, not to use creams, ointments, or bandages on affected areas, and that continual rubbing of the skin against affected clothing will cause irritation and reddening of the skin areas. Individuals who complain of continued effects after having flushed the affected areas shall receive treatment from emergency medical personnel on the scene or be transported to a hospital for medical treatment.
    f. **The deployment of CS as a crowd control measure is a serious use of force and shall be the subject of an UDFIT investigation.**

11. Canines

    a. The use of canines for crowd control is prohibited.

b. Explosive Ordinance Detection canines may be used to conduct sweeps. Sweeps shall be done prior to a pre-planned event taking place.

12. Deadly force with a firearm shall be guided by the policies and protocols contained in GPO 2.1.01, which should be reviewed by all personnel prior to involvement in a pre-planned event. Following are key considerations for crowd management and civil disturbance situations:

a. Pointing a firearm as a threat of force is prohibited unless the circumstances surrounding the incident create an objectively reasonable belief that the situation may escalate to the point at which deadly force would be authorized.
b. Officers shall not discharge a firearm at a threat that is not verified and clearly visible, nor discharge a firearm into a crowd.
c. Officers shall in all circumstances consider their surroundings before discharging their firearms to avoid unnecessary risk to uninvolved persons and other officers.
d. Using a firearm as an impact weapon is never an authorized tactic.

IX. Mass Arrests – Incident Commander Duties: The decision to initiate mass arrests shall only be made by the Chief of Police or Incident Commander or designee, as a last resort when other reasonable options have been exhausted. As soon as conditions permit, normal arrest procedures will be reinstituted. The Incident Commander shall:

A. Notify CCS when mass arrest procedures have been implemented.

B. Ensure that adequate transport vehicles are secured to transport arrestees.

C. Ensure arrangements are made for the following:

1. Contact court staff to make arrangements for initial appearances, when appropriate.

2. Contact prosecutorial staff, when appropriate.

3. Contact the Division's PIO when response to the news media is necessary.

4. Contact other appropriate agencies when assistance is required.

X. Arresting Officer/Arrest Team Duties

A. Once the Incident Commander has given the order for mass arrests, officers designated to serve on arrest teams shall arrest individuals identified as suspects and verbally notify all identified persons that they are under arrest. The arrested persons shall be advised of the charge(s) against them at the time of arrest.

B. Handcuff all prisoners using disposable cuffs (flex cuffs), with the arresting officer(s) badge number(s) clearly marked on the cuffs with indelible ink.

C. The arrest and prisoner processing shall be video recorded when at all possible.

D. A protocol shall be established for identifying each person arrested and for capturing basic information about the arrest: date, time, location, name(s) and badge number(s) of arresting officer(s).

E. No prisoner shall be transported from the scene of the arrest unless the identity of the arresting officer(s) and the charge(s) are relayed to the Transport Officer(s).

F. The arresting officer(s) shall complete all arrest reports and other paperwork required by the Division as soon as practical and prior to reporting off-duty.

XI. The CCS supervisor shall advise the Central Processing Unit (CPU) of the estimated number of prisoners being delivered to their respective facilities.

XII. The proper operation of a Prisoner Processing Center (PPC) is extremely important to protect the rights of individuals who have been arrested, to ensure successful prosecution at a later date, and as an additional precaution against possible allegations concerning the conduct of the arresting officers.

A. The primary PPC shall be the CPU located in Cleveland Division of Police Headquarters.

1. Felony arrests shall be taken directly to Cuyahoga County Jail.

2. If the volume of misdemeanor arrests exceeds the capacity of the CPU to process them, prisoners shall be taken to other PPCs as determined by pre-planning. These PPCs may include Cuyahoga County Jail, the Division of Police neighborhood district jails and other locations as pre-arranged. These locations shall be utilized in pre-approved order.

3. Any PPC site not pre-arranged shall be subject to the approval of the Incident Commander.

4. Availability of food, water, and sanitation facilities as well as security considerations shall be factors in the selection of PPCs.

B. Prisoner Processing Center Personnel / Equipment

1. Prisoner Processing Officer (PPO) - The Prisoner Processing Officer will be designated by the Incident Commander. The PPO may be the Commissioner of the Bureau of Correction or designee. The PPO will be responsible for the following:

   a. Overall operation of the PPC.
   b. Determining the sufficient number of officers required for establishment of the PPC that is other than a jail facility. In some situations, the Incident Commander may elect to assign this function to another police agency.
   c. Establishing communications with the Incident Commander.
   d. If the Incident Commander so directs, he/she may establish contact with the other agencies to arrange personnel and equipment to transport prisoners from the PPC to a place of confinement.
   e. Determine if a prisoner is in need of medical attention and arrange treatment if necessary. Arrangements shall be made with Cleveland Emergency Medical Services (EMS) for a standby of qualified medical personnel to remain at the PPC if it is other than a jail facility. If required, EMS should establish field triage capability to determine whether certain prisoners shall to be transported to the hospital.
   f. Ensure that an accurate log is maintained of all persons brought to the PPC and their disposition.
   g. Regulate visits by defense counsel when requested by defendants during detentions at the PPC. The PPO shall advise attorneys requesting access to a prisoner in the detention area that they

may contact their client after booking has been completed and after transport to a permanent detention facility.

2. Photographer/Videographer - The Photographer/Videographer(s) shall be designated by the Incident Commander or PPO. This officer must be thoroughly familiar with the proper operation of the equipment. In addition to extra supplies for the camera equipment, this officer will bring a thumbprint kit, property envelopes / tags and manila envelopes for evidence, felt marking pens and cellophane tape, and booking forms.

3. Security Officers - A sufficient number of Security Officers shall be designated by the Incident Commander to guard the prisoner processing area against prisoner escape or attempts to free the prisoners when the PPC is other than a jail facility.

4. Booking Officer - An officer who is assigned to the PPC. The duties are explained under prisoner processing.

5. Transport Officers - A minimum of two transport officers shall be assigned to every transport vehicle. Transport Officers shall not transport a prisoner until the officers know the identity of the arresting officer(s) and the charge(s).

C. Prisoner Processing

1. Arrested persons shall be moved without delay to the PPC by the Transport Officers. The Transport Officers shall ensure that no prisoners are transported without a completed Field Booking Form.

2. Prisoners shall be searched for weapons prior to placement into a transport vehicle.

3. Upon arrival at the PPC, the prisoner will be thoroughly searched by the Booking Officer(s) for contraband/evidence. Any evidence found shall be properly tagged and the description included in the Law Enforcement Record Management System (LERMS) arrest report.

4. Upon completing the search, the Booking Officer shall obtain a LERMS arrest number, complete the “slap print” booking card, and obtain a DNA sample for any person arrested for a felony.

5. The prisoner shall have his/her picture taken by the photographer, holding a card at chest level which clearly states the arrested person's name, LERMS booking number, and arresting officer(s) badge number. Any weapons or other evidence will also be photographed with the same information card visible in the photo.

6. If the PPC is not a jail facility, the Booking Officer shall remove the prisoner to a secure area within the PPC. Prisoners shall remain there until transferred to the place of confinement. All property shall accompany the arrested person to the place of confinement.

7. Any evidence obtained shall be held at the PPC until it can be removed to a Division installation for booking into property storage.

8. Mass arrest situations can result in the need to safeguard large quantities of personal property from prisoners, including large or bulky items such as bicycles, tents, etc. Arresting officers and prisoner processing officers are to safeguard personal property or prisoners in accordance with Division policies and procedures.

9. Prisoners detained at a PPC that is not a jail facility shall be moved to a jail facility as soon as feasible to alleviate security concerns.

10. Pre-charging paperwork associated with arrests shall be presented to the prosecutor as expeditiously as is reasonable under the circumstances. Paperwork shall thereafter be forwarded when ready to the Clerk of Court on a rolling basis to prevent unreasonable delay.

XIII. All substantive actions taken in response to a crowd management event shall be memorialized as they occur and shall form the basis for subsequent reporting as mandated.

CDW/ajg
Chief's Office

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 30, 2006	March 30, 2006	1 of 4	3.4.01

SUBJECT:	
ACCOUNTABILITY FOR MMCs, PINs AND UTTs	
ASSOCIATED MANUAL: DISTRICT, TRAFFIC, IU, SUPPLY	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Changes in italics

PURPOSE: To set guidelines for the accountability of Parking Infraction Notices (PINs), Minor Misdemeanor Citations/Summons (MMCs), and Uniform Traffic Tickets (UTTs).

POLICY: The Cleveland Division of Police in cooperation with the Clerk's Office shall insure and account for MMCs, PINs and UTTs using the Division's lock box.

PROCEDURES:

I. General Responsibilities

A. Officers and traffic controllers shall complete the top identifier portion of the Officer's Ledger of Violations immediately, including their badge and ID numbers. They shall complete and return the Misdemeanor Citation Book Receipt, the PIN's control card – Start, and the UTT's Traffic Citation Book Receipt to their Officer in Charge (OIC) or the administrative supervisor.

B. As MMCs, PINs and UTTs are issued or voided, officers shall record the transaction on the Officer's Ledger of Violations.

C. The pink copy (MMC or UTT) or, in the case of the PIN, the neon envelope, shall be given to the violator unless there is an arrest. The remaining copies shall be given to the OIC. When there is an arrest, the booking officer shall attach the white and goldenrod copies to the booking card and the arresting officer shall give the green copy to the OIC immediately following booking.

D. MMCs, PINs, and UTTs may be voided only for reasons listed on the Form-1 (Appendix). Write "VOID" on the MMC, UTT or PIN, attach the completed Form-1 and maintain at the district or bureau.

E. *Any summons not issued to a violator at the scene shall be sent to the Clerk's Office via the district/bureau lock box. The word SUMMONS shall be clearly printed in capital letters across the signature space of the citation and the court date box on the lower right corner will be left blank.*

II. Responsibilities of Districts/Bureaus

A. Districts/Bureaus shall:

1. Complete all ticket fields (including social security number, type of vehicle, etc.).

2. Enter tickets into the Record Management System (RMS) at the district/bureau issued. A district/bureau supervisor shall verify (by their signature) that all tickets are complete.

3. UTTs, PINs, MMCs and Juvenile citations shall be bundled separately in numerical order and accompanied by one RMS log for each bundle. A district/bureau supervisor shall verify completeness by their signature on the log form. All tickets shall be delivered to the Clerk's Office within seven days of issuance.

4. All copies of a voided UTT and MMC shall be maintained at the District/Bureau with the accompanying VOID Form-1.

5. For a voided PIN, only the VOID Form-1 shall be kept at the District, and the voided PIN will be sent to the Clerk's Office via the lock box.

6. Districts/Bureaus shall maintain (minimum of two years) a file of the green UTT and MMC copies and the RMS log form.

7. Districts/Bureaus shall be responsible for any investigation into missing or voided tickets (UTTs, PINs, and MMCs) and shall run a RMS accountability report monthly.

B. Lock Box

1. If no arrest is made, tickets issued for Driving Under Suspension (DUS) must be sent via the lock box to the Clerk's Office by the next working day. DUS citations are issued a five day court date for a violator cited and released for DUS whose vehicle is seized under ORC 4510.41.

2. Only UTTs, MMCs and PINs, (with attached log forms) shall go into the lock box.

3. ALL OTHER CORRESPONDENCE SHALL BE SENT VIA DIVISION MAIL, faxed or hand delivered.

4. All lock boxes shall be delivered to the Clerks Office (third floor of the Justice Center at WINDOW 3), Monday through Friday between 0800 - 1100 hours. No deliveries will be made on designated Court *holidays, weekends or after hours*.

5. *No officer or employee shall hand carry a PIN, UTT or MMC to the Clerk's Office independently of the lock box.*

III. Clerk's Office Responsibilities

A. Unlock and remove UTTs, MMCs and PINs from the lock box and verify that all tickets match the accompanying RMS log form. Tickets that do not match, or any other items, shall be returned to the district/bureau via the district/bureau mail officer the following day.

B. Refuse to accept any UTT or MMC that has a green copy attached.

C. Maintain the juvenile UTTs for pickup by the Juvenile Liaison Officer.
.

D. Sole possessor of the lock box keys.

E. Maintain a daily log sheet for lock box items dropped off and those returned.

F. *Refuse to accept any PIN, UTT, or MMC that is not delivered to the Clerk's Office in the lock box.*

MM/TAH/MAD/JM
Policy & Procedures Unit
APPENDIX

DIVISION OF POLICE

CLEVELAND, OHIO

DIVISIONAL INFORMATION

DIST./BUR. **ZONE/UNIT** _____ **20** _____

EXAMINED BY _____ **RANK** _____ _____ **20** _____

FROM **TO**

SUBJECT Voided Minor Misdemeanor Citation, Parking Infraction Notice or Uniform Traffic Ticket

COPIES TO Commanding Officer, Bureau of Traffic (original ticket & Form-1), Data Processing Unit (copy of ticket & copy of Form-1), Unit Files

---

Sir:

On _____ while assigned to _____
Month / Day / Year Car / Beat / Post

The following:

☐ Minor Misdemeanor Citation _____
(Enter Single Ticket Number or Beginning and Ending Book Number)

☐ Parking Infraction Notice _____
(Enter Single Ticket Number or Beginning and Ending Book Number)

☐ Uniform Traffic Ticket _____
(Enter Single Ticket Number or Beginning and Ending Book Number)

entered under ID# _____ must be voided for the following reason:
(Reasons such as handicapped, delivery vehicle, broken meter, etc. cannot be voided by the issuing officer and must be adjudicated by an Ex-Parte Hearing)
4 appropriate box

☐ Damaged
☐ False information by defendant
☐ Lost Citation, Notice or Ticket
☐ Officer took leave of absence or is separated from the Division of Police
☐ Writing error (i.e. officer wrote the wrong plate or violation #) explain:

_____

Respectfully,

_____

Reviewed by_____ Date_____

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	3.4.02

SUBJECT:	
FAILURE TO COMPLY WITH ORDER OR SIGNAL OF A POLICE OFFICER	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

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

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.

EFL/TAH/LM/syd
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 01, 2002	NOVEMBER 26, 2007	1 of 4	3.4.03

SUBJECT:	
USE OF VIDEO/IMAGE & AUDIO RECORDING EQUIPMENT	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are noted in italics

PURPOSE: To establish guidelines for the use of audio and video/image recording equipment.

POLICY: The Cleveland Division of Police uses video/*image* and/or audio recording devices as tools to detect and prosecute persons suspected of DUI violations, to investigate fatal and serious non-fatal accidents, and to record evidence at crime scenes. Video/*image* and audio recording devices shall not replace police detection, arrest and evidence-gathering procedures. Video/*image* and audio recording devices are tools to supplement evidence gathering to strengthen an investigation or prosecution.

Officers shall not alter or edit video/*image* or audio records. All events captured or recorded are an official record and may be subject to public records disclosure.

Unless otherwise directed by the Chief of Police, <u>all</u> video/*image* and/or audio records that are recorded <u>on-duty</u>, may be disseminated only to criminal justice agencies or used in official court proceedings. *This shall also include all audio and video/image recording and/or transmitting devices that a member may have for personal use.*

Video/image recording equipment shall be defined as any electronic devices that can capture and/or record still or moving images.

Audio recording equipment shall be defined as any devices that can capture and/or record audio.

PROCEDURES:

I. Field care and storage of video recording devices:

A. Officers shall sign for video cameras to place them into service. Officers shall mount the camera in a police vehicle at the beginning of the tour of duty, and return it for proper storage when the tour is complete. **Officers shall not store video cameras in vehicles.**

B. Officers shall lock unattended vehicles with a video camera. If additional security precautions are required, officers shall lock the camera in the trunk.

II. When videotaping:

A. An evidentiary tape shall contain only one incident, and shall remain intact until that tape's case has been completely disposed of, including all appeals.

B. After recording is complete, rewind the tape briefly and play a portion to ensure a recording has been made, and then rewind the tape completely.

C. When recording an accident scene, make a detailed taped record of the accident scene, including but not limited to, the accident location and damage. Witness statements and remarks made by any operators involved in the crash shall also be videotaped.

D. Video cameras mounted in division vehicles:

1. At the start of each tour, an officer shall insert a blank tape into the video camera and shall hold two spare tapes in reserve.

2. An officer that has reasonable suspicion that a DUI offense is occurring shall:

a) Immediately activate the video camera.

b) Not follow the operator any longer than is necessary to effect a safe traffic stop. If dispatched to the scene, activate the camera when nearing the location.

c) State the date, time, location, weather conditions, initial traffic violation and relevant factors that determine a DUI offense while preparing to stop the violator.

d) Not allow lights being used to illuminate the stop interfere with videotaping (i.e. the spotlight reflecting off a chrome bumper).

e) Record Field Sobriety Tests (describe the surface where the tests are being administered).

f) Advise suspects that they are being videotaped, if probable cause exists for DUI. Once inside the police vehicle, deactivate the wireless microphone and remove the audio wire from the external microphone jack on the video camera. Tape all conversations with suspects while completing paperwork.

g) If probable cause does not exist for the DUI, then deactivate the camera and rewind the tape completely.

III. Storing videotapes and/or audiotapes as evidence:

A. The reporting officer shall mark the tape as evidence and including:

1. Tape number (e.g. 1 of 1).

2. Date of occurrence.

3. Names of suspects or involved operators.

4. Names of officers.

5. Camera number (if videotape).

6. Incident Report Number, citation numbers and/or charges.

B. The reporting officer shall mark the tape's container:

1. Tape number (1 of 1).

2. Names of suspects or involved operators.

3. Names of officers.

C. The reporting officer shall enter the tape into Division property as evidence. The Bureau of Traffic shall maintain evidentiary tapes made by members of the Bureau of Traffic.

D. The Division shall store evidentiary tape until the case has been disposed of, including appeals.

1. Once a videotape is no longer needed for evidence, the storing unit shall forward the tape to the Logistics Section for re-use.

2. Once an audiotape is no longer needed for evidence, the storing unit shall forward the tape to the tape's owner.

MM/TAH/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	3.4.04

SUBJECT:	
DISORDERLY CONDUCT INTOXICATION (DCI) ARRESTS	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To provide Division guidelines for Minor Misdemeanor Citation forms (MMC) in Disorderly Conduct Intoxication (DCI) arrests.

POLICY: The Cleveland Division of Police shall use the Minor Misdemeanor Citation form as the affidavit and complaint to effect an arrest for a **non-traffic** minor misdemeanor offense.

DEFINITIONS:

Disorderly Conduct – Section 605.03(a) of the Codified Ordinances, a minor misdemeanor.

Disorderly Conduct Intoxication – Section 605.03(b) of the Codified Ordinances, a minor misdemeanor.

Aggravated Disorderly Conduct – Sections 605.03(a) and (b) of the Codified Ordinances, a misdemeanor of the first degree.

PROCEDURES:

I. A citation shall be issued for the commission of a minor misdemeanor offense unless <u>one</u> of the following apply:

A. The offender requires medical care or is unable to provide for their own safety.

B. The offender cannot or will not provide satisfactory evidence of his identity.

C. The offender refuses to sign the citation.

D. The offender was previously cited for the same offense and failed to appear in court or pay the required waiver.

E. The offender refuses to comply with a reasonable request to desist, which constitutes an Aggravated Disorderly Conduct. **(Arrests for Aggravated Disorderly Conduct are handled in accord with established Division procedures for misdemeanor arrests. In such cases, the arresting officer shall submit a Records Management System (RMS) report and timely consult with a municipal prosecutor.)**

II. To Complete the MMC in DCI Arrests:

A. The MMC serves as the arresting officer's affidavit and complaint. Neither an RMS report nor a prosecutor's consultation is required in these cases.

B. When issued, the MMC shall be completed in its entirety. The "Description of Offense" section is particularly important and shall be completed as follows:

1. Provide a detailed description of the offense.

2. Enter the appropriate arrest exception contained in Section I of this order.

C. In the spaces provided for the defendant's signature and date, enter "BOOKED AT __#____ DISTRICT."

EFL/TAH/LM/lw
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 1	3.4.05

SUBJECT:	
ACCESS TO FIREARMS BY A CHILD	
ASSOCIATED MANUAL:	RELATED ORDERS: 6.2.02, 6.2.05
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To provide compliance by uniformed officers of the Cleveland Division of Police with minor misdemeanor, Cleveland Codified Ordinance (CCO) 627A.02(a) Access to Firearms by a Child.

POLICY: The Division shall investigate incidents of children in possession of firearms to determine if an adult allowed or enabled access.

PROCEDURES:

I. Officers who arrest a juvenile for firearm possession offenses shall attempt to determine if an adult allowed or enabled the juvenile to obtain possession of the firearm.

II. Officers shall make a Record Management System (RMS) report.

A. They shall pay particular attention to determining how and where the juvenile obtained the firearm. Whether the location was locked or secured and what was done to prevent access to the firearm.

B. They shall include juvenile responses to the above and any other questions.

III. In an arrest or if probable cause exists to believe that 627A.02(a) was violated the officer shall confiscate the firearm as evidence.

IV. The officer shall forward the report, juvenile fact sheet and booking card to the Youth Unit for follow-up investigation.

V. The above procedures apply to uniformed officers serving on duty or in secondary employment.

EFL/TAH/LM/pmz
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 3	3.4.06

SUBJECT:	
ISSUANCE OF CITATIONS OR WARRANT SUMMONS	
ASSOCIATED MANUAL:	RELATED ORDERS: 2.2.02
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To state when officers shall issue a citation or warrant summons in lieu of an arrest.

POLICY: Officers of the Cleveland Division of Police shall arrest offenders when required by law. Members shall use the procedures in this order to determine whether to arrest or issue a citation or warrant summons if arrest is not mandated.

PROCEDURES:

I. Per *Ohio Revised Code 2935.26* law enforcement officers shall issue a **citation** in lieu of an arrest for a minor misdemeanor violation unless one of the following applies:

A. The offender requires medical care or is unable to provide for one's own safety.

B. The offender cannot or will not offer satisfactory evidence of one's own identity.

C. The offender refuses to sign the citation.

II. Officers of the Division shall issue a **warrant summons** in lieu of warrant arrest under the following conditions:

A. The warrant is a City of Cleveland traffic warrant or a non-violent misdemeanor warrant.

B. The warrant is not a capias, contempt of court or listed as an attachment.

C. The defendant can be identified and lives in Cuyahoga County or an adjacent county (Geauga, Lake, Lorain, Medina, Portage and Summit).

D. There is no physical arrest made for other offenses.

III. When issuing a **warrant summons**, an officer shall:

A. Inform the Communication Control Section (CCS), upon confirmation of a warrant, if they will issue a warrant summons so that CCS can notify the Clerk of Courts during the same phone call. Officers shall advise CCS of the Multi-Purpose Complaint Form number used for the warrant summons (each warrant requires its own warrant summons).

B. Mark the Multi-Purpose Complaint Form with an X in the Warrant Summons Block.

C. Mark the box ordering personal appearance at Cleveland Municipal Court.

D. Release the defendant upon completion of the summons if another police department was holding the defendant.

IV. When there is an arrest for the cited misdemeanor or a related offense, the officer shall set the court date for the next date court is in session. Otherwise, officers shall set the court date 14 days from the date of issue, unless the Court date falls on a Saturday, Sunday or Court Holiday, or the violation is Driving Under Suspension and the vehicle is seized under *Ohio Revised Code 4507.38*, or a juvenile is cited for Driving Under the Influence.

A. District Six and the Bureau of Traffic shall set court appearance for 1430 hours. Districts One through Five (and all other Bureaus) shall set court appearances for 1330 hours.

B. If the date falls on a Sunday or court holiday, set the date for the next court date.

C. If the date falls on a Saturday:

1. For Juvenile Court, set the date for the Monday 16 days from the issue date (unless the Monday is a court holiday, then set the date for the Tuesday 17 days from the issue date).

2. For other courts, set for the date for the Friday 13 days from the issue date (unless the Friday is a court holiday, then set the date for the Monday 16 days from the issue date).

D. If the vehicle is seized under *ORC 4507.38*, the officer shall set the court date within five days from the date of issuance, weekends and court holidays counting as days.

E. If a juvenile is cited for DUI, the officer shall set the court date within five days from the date of issuance, weekends and court holidays counting as days.

EFL/TAH/LM/cld
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 1	3.4.07

SUBJECT:	
MENACING BY STALKING	
ASSOCIATED MANUAL: DETECTIVE BUREAU, JAIL	RELATED ORDERS: 3.4.08, 3.4.16
CHIEF OF POLICE:	

PURPOSE: To provide guidelines for members of the Cleveland Division of Police for incidents of Menacing by Stalking, Ohio Revised Code 2903.21.1.

POLICY: The Division shall enforce the Menacing by Stalking statute.

PROCEDURES:

I. Field operations:

A. Officers shall sign, date and issue an "Information Sheet to Victims of Domestic Violence, Menacing by Stalking, & Aggravated Trespass," form C of C 71-2195, to victims of Menacing by Stalking.

B. The victim must complete a Misdemeanor Complaint Statement, form C of C 71-2141, for an officer to make a warrantless Menacing by Stalking arrest.

C. Officers shall provide the district detective bureau's phone number and advise the victim that a detective shall assist them in case prosecution.

II. Computerized Criminal History (CCH) check:

The arresting officer shall obtain a CCH check for the arrested person prior to booking. The name and badge number of the member who obtains the CCH check shall be included in the Records Management System report.

EFL/TAH/LM/lw
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	3.4.08

SUBJECT:	
PROTECTION ORDER ENFORCEMENT	
ASSOCIATED MANUAL: JAIL, WARRANT UNIT	RELATED ORDERS: 3.4.07, 3.4.16
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To provide members of the Cleveland Division of Police with direction specific to Violation of Protection Orders, Ohio Revised Code 2919.27.

POLICY: The Division shall enforce all protection orders generated within the United States.

PROCEDURE:

I. Field operations:

When investigating an alleged violation of a Temporary Protection Order (TPO), an Anti-Stalking Protection Order (APO) or a Civil Protection Order (CPO), officers shall:

A. Confirm with Channel Nine that the protection order is in effect and has not been modified.

B. Determine if the suspect is aware of the protection order and its provisions.

1. If the investigating officers are satisfied that the suspect is aware of the protection order, they shall complete a Records Management System (RMS) report for Violation of a Protection Order and arrest the suspect. If the suspect is not present, officers shall promptly seek a warrant for the suspect's arrest.

2. If the investigating officers cannot determine that the suspect had prior knowledge of the protection order and the suspect has no warrants, they shall inform the suspect of the order and its provisions and advise the suspect to comply. If the suspect refuses, the officers shall arrest the suspect.

C. If the suspect is arrested for any reason, advise the complainant to consult with a municipal prosecutor, as soon as possible, and provide the prosecutors' hours of operation.

II. Computerized criminal history check:

If a suspect is arrested for violating a protection order, the arresting officer shall obtain a Computerized Criminal History (CCH) check on the person prior to booking. The name and badge number of the member who obtains the CCH check shall be included in the RMS report.

III. Violating a Restraining Order is a civil matter and the investigating officer shall advise the complainant to the Domestic Relations Court. Officers shall not arrest someone who violates a restraining order unless the suspect has committed a separate criminal violation.

EFL/TAH/LM/lw
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	3.4.09

SUBJECT:	
MARIJUANA CITATIONS/ARRESTS	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE:	

PURPOSE: To provide guidelines to arrest and/or cite individuals for violation of Cleveland Codified Ordinance 607.03(a) (2) – Drug Abuse (Marijuana).

POLICY: The Cleveland Division of Police shall vigorously enforce laws for obtaining, possessing, or abusing marijuana.

PROCEDURES:

I. Drug Abuse Marijuana (less than 100 grams)

A person who obtains, possesses, or abuses marijuana and the weight involved is less than 100 grams (three point five ounces) is guilty of a minor misdemeanor. Officers shall cite and release offenders with a Minor Misdemeanor Citation, and make an RMS report for the offense "Drug Abuse; Marijuana" (MM).

II. Drug Abuse Marijuana (100 to 200 grams)

A person who obtains, possesses, or abuses marijuana and the weight involved is 100 to 200 grams (seven ounces) is guilty of a misdemeanor of the first degree. Officers shall arrest offenders for Drug Abuse; Marijuana, and make an RMS report for the offense "Drug Abuse; Marijuana" (M1). The arresting officer shall consult with the prosecutor to obtain papers.

III. Marijuana Packaged for Sale

A person who possesses 200 grams (seven ounces) or less of marijuana, **packaged in ten or more individual packets**, is guilty of a felony. Officers shall arrest offenders for Violation of State Drug Law (VSDL), and make an RMS report for the offense "VSDL (Marijuana Packaged for Sale)". The Narcotics Unit shall do a follow-up investigation and the arresting officer shall not consult the prosecutor to obtain papers.

IV. Drug Abuse Marijuana (Over 200 Grams)

A person who obtains, possesses, or abuses marijuana and the amount involved is over 200 grams (seven ounces) is guilty of a felony. Officers shall arrest offenders for VSDL and make a RMS report. The Narcotic's Unit shall do a follow-up investigation and the arresting officer shall not consult the prosecutor to obtain papers.

EFL/TAH/LM/pmz
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	3.4.10

SUBJECT:	
DRUG RELATED ACTIVITY PROHIBITED	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To establish guidelines to investigate drug-related activity that will ensure successful prosecution under City of Cleveland Codified Ordinance 607.19.

POLICY: The members of the Division of Police shall vigorously enforce the City's ordnance on "Drug Related Activity Prohibited".

Definition: In this section, a **"known unlawful drug user, possessor or seller"** is a person who, within the arresting officer's knowledge, falls into the following category:

The person has been charged two or more times, within one year prior to the date of arrest, for a violation involving the use, possession or sale of illegal drugs or has been convicted within five years prior to the date of arrest, of any violation involving the use, possession or sale of illegal drugs.

PROCEDURES:

Officers shall describe the following three elements of Drug Related Activity Prohibited in the narrative section of the RMS Report.

I. The arresting officer must observe the suspect in a drug related activity, which includes, but is not limited to:

A. Repeatedly stopping, attempting to stop, beckoning to or engaging in conversation with passerby,

B. Repeatedly stopping, or attempting to stop, motor vehicles by hailing, waving arms, or making other bodily gestures,

C. Acting as a lookout,

D. Transferring, in a furtive manner, small objects or packages for currency or other things of value,

E. Placing in the mouth, swallowing, or attempting to swallow small packages received in exchange for currency or other things of value.

II. The arresting officer **must** warn the suspect to cease such activity prior to the arrest and note the time warned.

III. The suspect must either:

A. Be a known unlawful drug user, possessor or seller (as described above) **or**,

B. Display the following characteristics of drug intoxication or usage:

1. Dilated pupils
2. Glassy eyes
3. Slurred speech
4. Loss of coordination
5. Needle tracks

IV. Officers shall provide the prosecutor with a copy of the Record Management System (RMS) report during consultation.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	3.4.11

SUBJECT:	
SILENT 911 CALLS	
ASSOCIATED MANUAL: COMMUNICATION CONTROL SECTION	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To establish guidelines for response to Silent 911 calls.

POLICY: The Cleveland Division of Police shall respond to all Silent 911 calls.

DEFINITION: **Silent 911 calls** are those calls received on the 911 system where the caller hangs up or does not respond to the 911 operator. Calls may be received for reasons that include, but are not limited to: pranks, hang up calls, a person attempting to get emergency service, but unable to speak, a person using a Telecommunications Device for the Deaf (TDD), or someone who may be in serious danger.

PROCEDURES:

I. Upon arrival, officers shall attempt to obtain a response and evaluate the situation. Officers shall:

A. Listen for sounds coming from inside the premises, and if able, peek through windows to assess the scene.

B. Observe the entire scene (i.e. cars with warm engines in the driveway, unusual items or objects on premises, open doors, broken windows).

C. Interview landlord, bystanders, neighbors, or family members who may have keys.

II. If officers are unable to determine the cause of the Silent 911 call and the investigation reveals suspicious circumstances (i.e. domestic violence history at address) the officers shall request a supervisor respond to the scene.

III. A forced entry may be made prior to the supervisor's arrival if an on-scene officer **believes that an emergency exists**. If an emergency is not apparent, then prior supervisor approval is required before entry may be made.

IV. If a forced entry is necessary, the supervisor shall:

A. Announce, at the door, that there will be a forced entry if there is no response.

B. Ensure that the residence/business is secure before leaving.

C. Complete a Form-1 to explain the circumstances of the forced entry and forward it through the chain of command to the Chief of Police.

D. Make a Damage to Property/Performing a Police Function Record Management System (RMS) report if there is damage was done to property during the forced entry.

EFL/TAH/LM/aaf
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
DECEMBER 23, 2005	FEBRUARY 18, 2009	1 of 3	3.4.12

SUBJECT: ETHNIC INTIMIDATION AND HATE INCIDENT INVESTIGATIONS

ASSOCIATED MANUAL:	RELATED ORDERS:

CHIEF OF POLICE: *Michael McGrath, Chief*

Substantive changes are in italics

PURPOSE: To establish guidelines for the investigation of, arrest for and prosecution of Ethnic Intimidation and/or Hate Incidents.

POLICY: The Cleveland Division of Police shall assure that people are free from violence and threats of harassment *to the extent of the law based on race, religion, color, sex, sexual orientation, national origin, age, disability, ethnic group or Vietnam-era or disabled veteran status.*

DEFINITIONS:

Ethnic Intimidation is the separate criminal offense of aggravated menacing, menacing, criminal damaging or endangering, criminal mischief, or telecommunications harassment that is committed *based on the victim's inclusion in a particular group or category. Ethnic Intimidation is a criminal offense under Ohio Revised Code (ORC) 2927.12 based on the victim's race, color, religion, or national origin. Ethnic Intimidation is a criminal offense under Cleveland Codified Ordinance (CCO) 623.16 based on the victim's race, color, religion, national origin, sex, sexual orientation, national origin, age, disability, ethnic group or Vietnam-era or disabled veteran status. Investigating officers shall be mindful that the definition of victim is more expansive under CCO 623.16 than under ORC 2927.12. This may result in certain Ethnic Intimidations offenses under the CCO 623.16* ***not*** *escalating to the next higher degree offense if that makes the offense a felony. In that case, the offense cannot be enhanced and must be therefore prosecuted as a misdemeanor.*

A **Hate Incident** *is any targeted encounter intended to harass or victimize a person based on the victim's race, religion, color, sex, sexual orientation, national origin, age, disability, ethnic group or Vietnam-era or disabled veteran status*. A Hate Incident is a Division term used for classification purposes only and may not necessarily be a criminal offense.

PROCEDURES:

I. Patrol Section - The assigned supervisor and zone car personnel shall investigate allegations of Ethnic Intimidation or a Hate Incident.

A. On-scene supervisor responsibilities:

1. Determine if an Ethnic Intimidation or Hate Incident has occurred.

2. Immediately notify Communication Control Section (CCS) that an Ethnic Intimidation or Hate Incident has occurred.

3. Ensure that zone car personnel make a report.

4. *Ensure that crime scenes involving a hate incident are processed by the Crime Scene and Record Unit as appropriate, including* proper collection, retention *and cataloguing* of evidence.

B. Officer responsibilities:

1. *Make the appropriate RMS report as necessary*.

2. Advise victims that a member of the district Detective Unit will contact them to assist with prosecution and provide them with the district Detective Unit's telephone number.

3. Officers shall not advise victims to the Prosecutor's Office.

II. Reporting Procedures:

A. Ethnic Intimidation:

1. The primary crime of Aggravated Menacing, Menacing, Criminal Damaging or Endangering, Criminal Mischief, or Telecommunications Harassment shall be entered as Offense #1 in the Offense/Incident Section of the Record Management System (RMS) Report.

2. The crime of Ethnic Intimidation shall be entered as Offense #2 in the Offense/Incident Section of the RMS Report.

3. The Narrative Section shall contain a statement that CCS has been notified of the incident.

B. Hate Incident with underlying criminal offense:

1. A Hate Incident requires the officer making the report to check the box on the RMS report, consult the table for the code and enter it on the

report. Circle "Y" on the significant event line of the report.

2. Enter the primary offense (e.g., Felonious Assault, ORC 2903.11), as Offense #1 in the Offense/Incident Section of the RMS Report.

3. The report title will include Hate Incident (e.g. Felonious Assault/Hate Incident/Arrest.

4. The RMS Narrative Section shall include a statement that CCS has been notified of the Hate Incident.

C. Hate Incident with No Underlying Criminal Offense

1. The investigating officer shall make a Form-1 with pertinent information and send a copy to the district of occurrence's Detective Unit.

2. The Form-1 shall note that CCS was notified of the incident.

D. District Detective Units shall:

1. *Be responsible for following up on reports of Ethnic Intimidation/Hate Incidents.*

2. *Complete the Ethnic Intimidation/Hate Incident Disposition Report (Appendix) and fax it to the Intelligence Unit. The Detective Unit will maintain a copy for its files and forward the original to the Intelligence Unit through Division mail.*

3. Initiate initial contact with the Department of Community Relations Hate Crimes Coordinator for victim assistance.

4. *Make entries into and maintain a separate logbook of Ethnic Intimidation and Hate Incident investigations. Entries shall include dispositions as well as initials, badge number and date of notice to the Community Relations Hate Crimes Coordinator*.

5. Confer with the designated municipal prosecutor on every case involving an Ethnic Intimidation.

ETHNIC INTIMIDATION / HATE INCIDENT DISPOSITION REPORT

Victim:		**Crime:**	
RMS#:		**Address:**	
District:		**Suspect/ Race:**	
Zone:		**Victim/ Race:**	
Detective Assigned:			

Brief Synopsis:

Hate Crime: Y / N Type?

Prosecutor Consultation Results:

Mediation Results:

OIC Approval:

FAX completed form to Intelligence Unit 623-5533

GENERAL POLICE ORDER
CLEVELAND POLICE DEPARTMENT

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	3.4.13

SUBJECT:	
PARKING INFRACTION NOTICE (PIN)	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To establish guidelines to complete the City of Cleveland Parking Infraction Notice (PIN) and the Parking Violations Bureau, Hearing Request Form.

POLICY: The Cleveland Division of Police shall enforce Part Four of the Cleveland Codified Ordinance (CCO) for parking infractions. Members shall not use Title 45 of the Ohio Revised Code (ORC) to write PINs unless a comparable violation does not exist in the CCO. Parking infractions are not criminal offenses. Officers shall not arrest for parking infractions.

PROCEDURES:

I. Members that enforce parking shall issue a PIN to a vehicle parked in violation of Part Four of the CCO.

A. Members shall print all entries on the PIN with a blue or black ballpoint pen.

B. Members shall complete all parts of the PIN.

C. Members shall secure the PIN copy to the vehicle in a conspicuous location, for example, under the windshield wiper.

D. Member shall maintain a log of issued PINs.

E. Members shall deliver the original issued PIN to the Officer-in-Charge (OIC) at the end of their tour.

II. Members that operate a Division vehicle and receive a PIN shall:

A. Pay the fine stated on the PIN or;

B. Contest the PIN within ten days and request a hearing with a Hearing Request Form, attach to the PIN, and forward both through the chain of command. Hearing Request Forms are available at the PIN payment counter on the first floor of Police Headquarters.

C. If the outcome of the hearing is not in the employee's favor, payment of the PIN is mandatory and due immediately upon notification. The employee must show their immediate supervisor written verification that the PIN has been paid. The immediate supervisor shall retain a copy of the verification for the unit file and forward a copy to the liaison with the Clerk of Courts at the Mayor's Office. If payment is not made in five working days from notification, the amount of the fine will be deducted from the employee's check once a Form-1 authorization from the employee is received.

D. Employees that find a PIN on a vehicle they are prepared to operate, but did not operate at the time of issuance, shall immediately hand deliver the PIN to their immediate supervisor. That supervisor shall determine who operated or parked the vehicle at the time of issuance and hand deliver the PIN to that employee at the first available opportunity.

EFL/TAH/LM/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 5	3.4.14

SUBJECT:	
DRIVING UNDER SUSPENSION ARRESTS AND CITATIONS	
ASSOCIATED MANUAL:	RELATED ORDERS:
COMMUNICATION CONTROL SECTION, DISTRICT, INSPECTION UNIT, DATA PROCESSING	8.2.06
CHIEF OF POLICE:	
Edward F. Lohn, Chief	

PURPOSE: To provide guidelines to cite or arrest drivers who operate a motor vehicle under a driver license or wrongful entrustment suspension.

POLICY: The Cleveland Division of Police shall arrest/or cite violators for Driving Under Suspension and/or Wrongful Entrustment, and as legally mandated, seize the motor vehicle.

PROCEDURES:

I. Cleveland Codified Ordinances (CCO) for Driving Under Suspension (435.07):

A. Prohibits operation of a motor vehicle by a person whose driver license is suspended or revoked due to a Financial Responsibility Act (FRA) violation.

B. Prohibits an owner, under suspension, from knowingly allowing another person to operate their vehicle, during the period in which the suspended person is required to file proof of financial responsibility which must be maintained with respect to that vehicle.

C. When a LEADS inquiry shows "No Driving Privileges Indefinitely," and the reason is " Proof Filing Canceled," the person is delinquent in their payment and the insurance company has notified the Bureau of Motor Vehicles (BMV). The officer shall cite under 435.07 (a) for this license suspension.

D. 435.07(b) is a duplicate of 435.01(c) and shall not be used.

E. 435.07(c) prohibits operation of a motor vehicle by any person whose driver's license has been suspended due to failure to pay reinstatement fee for an Administrative License Suspension (ALS) or any other court-imposed suspension.

F. When a LEADS inquiry shows "No Driving Privileges Indefinitely," due to a "Reinstatement Fee Required" and no other active suspension shows, cite the violator under 435.07(c).

G. 435.07(d) is a "catch all" for driving under any type of suspension other than a FRA or DUI, or any of the specific suspensions listed under 435.07. (This section also prohibits driving outside of granted occupational driving privileges, except in connection with a DUI suspension).

H. 435.07(e) prohibits operation of a motor vehicle by any person whose driver's license has been suspended in connection with a DUI conviction, or who, is found to be driving outside of court granted occupational driving privileges.

I. 435.07(f) prohibits operation of a motor vehicle by any person under an Administrative License Suspension (ALS) or judicial pretrial suspension. This applies if a person refuses to take a chemical test in connection with a DUI or fails the test, and is then placed on an ALS. When a LEADS inquiry is made, this suspension shows as "ALS Suspension", and may range from five days after arrest, to final disposition of the case.

J. 435.05(a/b) prohibits the owner or operator to allow another, with no legal right, to drive their motor vehicle. This is the CCO version of wrongful entrustment.

II. Procedures for Driving Under Suspension Arrests and/or Citations:

A. When a violator is cited under CCO 435.07 for Driving Under Suspension, the specific applicable subsection letter (a,c,d,e or f) shall be included with the CCO # 435.07 in the offense code section on the Uniform Traffic Ticket. **It is critical that a specific subsection letter be included**, because the court cannot seize or initiate forfeiture proceedings on a motor vehicle unless the proper and complete offense code is on the UTT.

B. When a violator is cited under CCO 435.07 for Driving Under Suspension, a copy of the violator's driving record and registration by VIN (LEADS printout) of the motor vehicle driven shall be attached to the white copy of the UTT. If LEADS is unavailable at the time the officers attempt to retrieve the printouts, they shall notify the booking institutional guard, who shall

insure that the above mentioned printouts are obtained and attached to the white copy of the UTT prior to same being forwarded.

C. If a LEADS inquiry into a violator's driving status reveals "No Driving Privileges Indefinitely/License Expired", the officers shall determine the reason for the license suspension and cite the violator for Driving Under Suspension under the appropriate code number and letter designation. Officers shall not additionally cite for CCO 435.01(a) Driver's License Required. The court ruling, (STATE v. GILBO) found that citing for both the suspension and lack of driver's license is improper.

D. When a violator is cited under CCO 435.07, Driving Under Suspension, and the violator is in possession of a driver's license, the officer's shall seize the license, place it in a glassine envelope and attach it to the white copy of the UTT to forward to court. The driver's license shall not be sent to the B.M.V. If the operator states he has a license but does not have it on his person, the violator shall be ordered to surrender the license to the court at the initial appearance. If a DUI and DUS violation, use the DUI procedures for sending the driver's license to the B.M.V., if applicable.

E. If a violator is in possession of a driver's license or other form of valid identification, it is the officer's discretion to cite and release, or make a physical arrest. If cited and released, the court date shall be set for 14 days from issuance, with the exception of the five day rule in Sec. III. B. of this order.

F. When a violator is cited under CCO 435.07, driving under suspension, the motor vehicle that the violator is operating shall be towed in connection with the arrest/citation. The only exception to this is if the owner (or owner-authorized person) has a valid driver license, and proof of insurance for the motor vehicle.

G. When arresting/citing for Driving Under an FRA or DUI Suspension (435.07a/e), or Wrongful Entrustment (435.05a/b), the ORC mandates seizure (tow) of the motor vehicle, if the violator is the owner of the motor vehicle. If the owner is not the violator, but subsequently attempts to claim the motor vehicle to avoid the tow, officers can arrest/cite for Wrongful Entrustment (435.05a/b), if probable cause exists for that offense.

III. Procedures to be followed only when arresting/citing for Driving Under a Financial Responsibility Act (FRA), Driving Under the Influence (DUI) (435.07a/e), or Wrongful Entrustment Suspension (435.05a/b):

A. When a person is arrested/cited for one of the offenses listed in the above heading, the Driving Under FRA or DUI Suspension Form shall be completed.

1. The top portion of the form shall be filled out with the driver's information, motor vehicle information, and the motor vehicle owner's information. If the motor vehicle information is the same as that of the driver, fill in "SAME AS ABOVE LISTED DRIVER", in the motor vehicle owner's space.

2. The center portion contains four "YES" or "NO'' questions which must be answered, and a space for the UTT number, which must be entered.

a) The first question asks if the driver license was seized, and if, the answer is "YES". Refer to Sec. II.D. of this order for the procedure for disposition or surrender of a driver's license.

b) The second question asks if the driver is provided a copy of the required form, the answer is "YES''.

c) The third question asks if the motor vehicle and plates were seized under ORC 4507.38. This should be answered "YES", if the violator is the owner of the motor vehicle. If the violator is not the owner, answer "NO".

NOTE: Due to the court ruling (STATE v. HOCHHAUSLER), it cannot be seized or forfeited unless the violator is the owner of the motor vehicle.

d) The fourth question asks if the motor vehicle is subject to forfeiture.

If the violator is the owner of the motor vehicle, the violator's driving record shall be checked via LEADS, to determine if the violator has had any past convictions for Driving Under an FRA

Suspension, Driving Under a DUI Suspension, Wrongful Entrustment, a third conviction of Driving Under FRA or DUI suspension. If the answer is "Yes" than the motor vehicle is subject to forfeiture. The "vehicle subject to forfeiture" box must be checked on the UTT. If the motor vehicle is not subject to forfeiture, the answer on the form is "NO".

3. The "consequence statement" comprises the bottom portion of the Form. No information is required from the officer. The violator's signature is not required.

4. The original shall be attached to the original white court copy of the UTT. A copy of the form shall be provided to the violator. This form is not sent to the Bureau of Motor Vehicles.

B. If the violator is cited and released, and the motor vehicle is seized under ORC 4507.38, the court date on the UTT shall be five days from the date of issuance, including weekends and court holidays. If no arrest is made, the original white court copy of the UTT shall be forwarded directly to the Background Special Investigation General Office. The green UTT shall be submitted according to procedures.

IV. When a motor vehicle is being seized or forfeited under ORC 4507.38, the officers shall advise CCS (Channel Seven) dispatcher that the motor vehicle is either being seized for DUS or Wrongful Entrustment, or subject to forfeiture for DUS or Wrongful Entrustment, and shall be held until released by the court. In "Reason for Tow'', section of the tow sheet, officers shall write "Hold for DUS Seizure", "Hold for Wrongful Entrustment Seizure", or "Hold for Forfeiture".

EFL/TAH/LM/mp
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
November 19, 2004	December 28, 2016	1 of 3	3.4.15

SUBJECT:	
MISDEMEANOR THEFT OFFENSES	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

This General Police Order has been revised in its entirety

PURPOSE: To establish guidelines for the investigation and reporting of misdemeanor theft offenses as defined in the Ohio Revised Code (ORC) and Cleveland Codified Ordinances (CCO).

POLICY: The Cleveland Division of Police may arrest or create a "Named Suspect" Incident Report for misdemeanor theft offenses.

PROCEDURES:

I. Officers shall determine if the theft offense is a felony or misdemeanor based on the reported total value of the stolen property. If a felony theft:

A. The suspect shall be booked for theft, grand theft, or aggravated theft depending on the total value of the stolen property.

B. The victim or reporting person shall be advised to await contact from the district detective unit. A notation shall be made on the last line of the Incident Report to reflect the advisement.

II. If the suspect is arrested for misdemeanor theft, officers shall ensure that a misdemeanor complaint statement is completed by the victim or reporting person.

III. Officers shall complete an Incident Report (e.g., Petty Theft/Recovery/Arrest, Petty Theft/Recovery/Named Suspect) according to current reporting procedures.

A. A misdemeanor theft suspect may be made a Named Suspect in the Incident Report only when all of the following factors exist:

1. The suspect is able to produce satisfactory identification (e.g., current Ohio Driver License, Ohio I.D. card).

2. The suspect resides in Cuyahoga County or an adjoining county (i.e., Summit, Lorain, Medina, Geauga, Portage, Lake).

3. The suspect is not wanted on an outstanding verified warrant.

4. The preliminary investigation reveals that the suspect has not committed additional crimes that are not minor misdemeanors (e.g., Assault, Resisting Arrest).

B. The Incident Report shall include, as applicable:

1. Name, contact information, and/or description of the:

a. Victim (e.g., person, store).

b. Reporting person.

c. Named Suspect or arrested person

2. Disposition of the stolen property.

a. Recovered, partial recovery, or not recovered.

b. Recovery location and condition.

c. Property returned to owner or entered into evidence.

3. Notation on the last line of the narrative that:

a. If a suspect was arrested, a misdemeanor complaint statement was completed.

b. The victim was advised to the Cleveland Municipal Prosecutor's Office.

IV. The victim or reporting person shall be advised to consult the Cleveland Municipal Prosecutor's Office. Officers shall provide the victim or reporting person with the:

A. Officer's name and badge number.

B. Incident Report number.

V. Disposition of stolen/recovered property:

A. If not needed as evidence, property may be returned to the victim.

B. Recovered, stolen property may be confiscated and held as evidence. If confiscated, it shall be marked, tagged, and entered into the appropriate property book according to established procedures.

VI. Supervisors shall review all misdemeanor theft Incident Reports ensuring that the report accurately describes the misdemeanor theft offense and all the required information for charging the suspect is included.

VII. Misdemeanor theft Incident Reports completed by off-duty officers working secondary employment shall be reviewed by the OIC or sector supervisor assigned to the district in which the theft occurred.

CDW/jeh
Policy Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	August 11, 2009	1 of 5	3.4.16

SUBJECT:	
ENFORCEMENT OF DOMESTIC VIOLENCE STATUTES	
ASSOCIATED MANUAL:	RELATED ORDERS: 3.4.07, 3.4.08
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are in italics

PURPOSE: To provide direction specific to Domestic Violence intervention. Establish a policy of arrest as the preferred course of action for a family or household member who committed the offense of Domestic Violence and whom the officer has reasonable cause to believe is the primary physical aggressor.

POLICY: Officers shall arrest Domestic Violence suspects and complete an incident report in cases of Domestic Violence where there is evidence of Domestic Violence. This shall ensure compliance with Ohio Revised Code 2935.03.

No special privilege or consideration shall be given to members of the Department of Public Safety, elected or appointed officials of the City of Cleveland or law enforcement officers of other agencies.

Any member of the Division who is a suspect in a Domestic Violence incident shall immediately report this to their Commander. If the member is unable to contact their Commander, they shall contact the Communication Control Section (CCS) and request that the CCS Officer-in-Charge (OIC) make the notification.

The Internal Affairs Unit (IAU) shall monitor investigations originating outside the City of Cleveland if the investigations involve employees of the Division of Police.

PROCEDURES:

I. Field procedures:

A. Mediation is not an alternative to arrest.

B. In instances where a primary physical aggressor can be identified, that person shall be arrested.

C. Officers shall not discourage victims from prosecuting the offender.

D. While investigating Domestic Violence complaints, officers shall request that the victim, or a parent/guardian (if the victim is a minor), complete and sign the Misdemeanor Statement Form, #71-2141 Rev. If necessary, officers shall assist the victim or parent/guardian in completing the Misdemeanor Statement Form, however, the victim or parent/guardian must sign the form.

E. To determine which family or household member is the primary physical aggressor, officers shall consider of the following:

1. Any history of Domestic Violence or of any other acts by either person involved in the alleged offense that the officers can reasonably ascertain;

2. If violence is alleged, whether the alleged violence was caused by a person acting in self-defense;

3. Each person's fear of physical harm, if any, resulting from the other person's threatened use of force against any person or resulting from the other person's use or history of use of force against any person, and the reasonableness of that fear;

4. The comparative severity of any injuries suffered by the persons involved in the alleged offense.

F. Officers shall provide a copy of the Information Sheet, #71-2195, the Ohio Attorney General's booklet *Picking Up the Pieces, and the Domestic Violence Center's information card (a small business-card size tri-fold card containing essential domestic violence resource information)* to all Domestic Violence complainants. Officers shall provide the complainant with their names, badge numbers, incident number and date on the Form #71-2195.

G. If it is necessary for victims to leave the residence as a protective measure, officers shall assist victims by transporting them a reasonable distance to haven with family, friends, a Domestic Violence shelter or public accommodation. If victims are moved for safety, officers shall include the phone number of a contact person in the report.

H. When officers make a misdemeanor Domestic Violence arrest, they shall recommend that the victims go to the Victim/Witness Services Center by 0830 hours the next morning that the prosecutor's office is open. If it is unknown

whether the offense is a misdemeanor or felony, officers shall advise the victim to contact the district detective bureau to determine if the victim should go to the detective bureau or the municipal prosecutor's office.

I. In misdemeanor cases where probable cause exists but the suspect is not on scene, the officer shall promptly consult with a municipal prosecutor to obtain a warrant for the arrest of the suspect.

J. If the suspect is a member of the Division of Police:

1. The responding officers shall request that a supervisor of a higher rank than the suspect respond to the scene.

2. The supervisor shall notify the OIC of the CCS that the Internal Affairs Unit (IAU) is required on scene.

3. The OIC of the CCS shall notify the Internal Affairs Unit (IAU).

4. The IAU shall respond to the scene, investigate the incident and be responsible for initiating disciplinary action.

II. Evidence:

A. If there are signs of physical injury or damage as a result of an alleged Domestic Violence complaint, officers shall request a supervisor *to take photographs of the injuries and any other related evidence. Photographs shall be printed and be marked with the RMS number and victim's name, placed in an evidence envelope and entered into the District Property Book. Digital images shall be handled according to established protocols*. The fact that photographs were taken shall be noted in the incident report.

B. Sector Supervisors shall request that radio tapes be saved for evidence if the tape contains relevant evidence pertaining to the complaint. This information shall be noted in the incident report. The CCS shall preserve radio tapes as evidence.

C. If the offense or alleged offense of Domestic Violence involves the use or threatened use of a weapon, the weapon constitutes contraband and shall be seized.

III. Determination of misdemeanor or felony offense:

A. The offense is a misdemeanor if all of the following apply:

1. The suspect does not have a previous conviction for Domestic Violence, Felonious Assault, Aggravated Assault, Assault, Negligent Assault, Aggravated Menacing, Menacing, Stalking or Aggravated Trespass involving a family or household member.

2. The nature of any injury does not constitute serious physical harm or the current incident is limited to threats of violence.

B. The offense is a felony if any of the following apply:

1. The victim suffered serious physical harm.

2. The suspect has a previous conviction for Domestic Violence, Felonious Assault, Aggravated Assault, Assault, Negligent Assault, Aggravated Menacing, Menacing, Stalking or Aggravated Trespass involving a family or household member and the victim suffered physical harm.

3. District detectives shall determine whether the prior conviction for Felonious Assault, Aggravated Assault, Assault, Negligent Assault, Aggravated Menacing, Menacing, Stalking or Aggravated Trespass involved a family or household member.

IV. Reporting:

A. The investigating officer shall make a Record Management System (RMS) report when there is a violation of the Domestic Violence Statute. Reports must include the following:

1. A complete description of the suspect.

2. A detailed description of the officer's observations of the suspect, victim and scene.

3. A statement that the Information Sheet to Victim's of Domestic Violence (Form C of C #71-2195) and the booklet; *Picking Up the Pieces* have been given to the victim.

4. *A Domestic Violence Supplemental Form must be completed and faxed along with the RMS report to the Report Intake and Review Unit*.

B. Officers shall provide the victim with their names, badge numbers, RMS report number and date on the Form #71-2195.

C. *The investigating officer shall ascertain whether or not the victim was pregnant at the time of the offense, and if the offender knew the victim was pregnant. If that is the case, the officer shall note the information in the title of the RMS report, i.e. Domestic Violence (Unborn Child) Arrest, and provide the relevant details to that effect in the narrative section of the report. Per state statute [(ORC 2919.25 (D)(5)], it is felony of the fifth degree if the offender knew that the victim was pregnant at the time of the violation.*

V. Prosecutor review:

A. When a misdemeanor arrest for Domestic Violence is made and the victim refuses to sign the Form #71-2141, or appears to the officer to be reluctant to assist with the prosecution, the arresting officer shall consult with a municipal prosecutor. The prosecutor shall conduct a review to determine if the arresting officer shall act as the complaining witness.

B. When a felony arrest for Domestic Violence is made and the victim refuses to assist or appears to the officer to be reluctant to assist with the prosecution, assigned detectives may notify the arresting officer to attend the prosecutor's review to determine if the officer shall act as the complaining witness.

C. Officers attending a prosecutor review where papers are obtained shall immediately notify the Bureau of Special Investigations of the prosecutor's name and the case number if available.

MM/TAH/JCO/ajg
Policy & Procedures Unit
Attachment

CLEVELAND DIVISION OF POLICE DOMESTIC VIOLENCE SUPPLEMENTAL FORM

VICTIM'S NAME (L, F, M)	DATE OF BIRTH	RMS#

ORIGIN/CRIME DESCRIPTION

I responded to a call of at

I found the victim

The victim displayed the following emotional and physical conditions:

VICTIM		DESCRIBE ALL CONDITIONS OBSERVED
☐ ANGRY ☐ APOLOGETIC ☐ CRYING ☐ FEARFUL ☐ HYSTERICAL ☐ CALM ☐ AFRAID ☐ IRRATIONAL ☐ NERVOUS ☐ THREATENING ☐ OTHER: EXPLAIN IN NARRATIVE	☐ COMP OF PAIN ☐ BRUISES ☐ ABRASIONS ☐ MINOR CUTS ☐ LACERATIONS ☐ FRACTURES ☐ CONCUSSION	PHYSICAL: EMOTIONAL:
SUSPECT		
☐ ANGRY ☐ APOLOGETIC ☐ CRYING ☐ FEARFUL ☐ HYSTERICAL ☐ CALM ☐ AFRAID ☐ IRRATIONAL ☐ NERVOUS ☐ THREATENING ☐ OTHER: EXPLAIN IN NARRATIVE	☐ COMP OF PAIN ☐ BRUISES ☐ ABRASIONS ☐ MINOR CUTS ☐ LACERATIONS ☐ FRACTURES ☐ CONCUSSION	CRIME SCENE:

RELATIONSHIP BETWEEN SUSPECT & VICTIM		PRIOR HISTORY OF DOMESTIC VIOLENCE? ☐ YES ☐ NO
☐ SPOUSE ☐ FORMER SPOUSE ☐ COHABITANTS ☐ FORMER COHABITANTS ☐ DATING/ENGAGED ☐ FORMER DATING ☐ SAME SEX ☐ PARENT OF CHILD FROM RELATIONSHIP	LENGTH OF RELATIONSHIP _____YEARS _____MONTHS DATE RELATIONSHIP ENDED (if applicable): _____	PRIOR HISTORY OF VIOLENCE DOCUMENTED? ☐ YES ☐ NO NUMBER OF PRIOR INCIDENTS_____ ☐ MINOR ☐ SERIOUS CASE NUMBER(S):_____ INVESTIGATING AGENCY:_____

MEDICAL TREATMENT		
☐ NONE ☐ WILL SEEK OWN DOCTOR ☐ FIRST AID ☐ PARAMEDICS ☐ HOSPITAL ☐ REFUSED MEDICAL AID	PARAMEDICS AT SCENE: ☐ YES ☐ NO UNIT NUMBER:_____ NAME(S) ID#: _____	HOSPITAL:_____ ATTENDING PHYSICIAN(S): _____ SUSPECT UNDER THE INFLUENCE OF: ☐ ALCOHOL ☐ DRUGS ☐ N/A

EVIDENCE

EVIDENCE COLLECTED:	DESCRIBE ALL EVIDENCE AND DISPOSITION
FROM: ☐ CRIME SCENE ☐ HOSPITAL ☐ OTHER: EXPLAIN PHOTOS: ☐ YES ☐ NO NUMBER:____ TYPE: ☐ 35mm ☐Polaroid ☐ Digital Taken by: _____ DESCRIBE ALL PHOTOGRAPHS Photos of victim's injuries: ☐ Yes ☐ No Photos of suspect's injuries: ☐ Yes ☐ No Weapon used during incident: ☐ Yes ☐ No Type of weapon used:_____ Weapons impounded: ☐ Yes ☐ No Firearms impounded for safety: ☐ Yes ☐ No Property tag number:_____	

PIO	SIO	UNIT	ASST UNIT(S)	SUPERVISOR NAME/ID#	PAGE
					_____OF_____

WITNESSES

WITNESSES PRESENT DURING DOMESTIC VIOLENCE? ☐ YES ☐ NO
STATEMENTS TAKEN? ☐ YES ☐ NO
CHILDREN PRESENT DURING DOMESTIC VIOLENCE? ☐ YES ☐ NO
Names, ages, and DOB of all children present:_____
_____
STATEMENTS TAKEN? ☐ YES ☐ NO
WITNESS INFO LISTED: ☐ YES ☐ NO

PROTECTION ORDERS: ☐ YES ☐ NO
☐ CURRENT ☐ EXPIRED
TYPE: ☐ CRIMINAL ☐ CIVIL
ISSUING COURT:_____
CASE NUMBER:_____

VICTIM GIVEN:
☐ DOMESTIC VIOLENCE INFORMATION SHEET
☐ RMS NUMBER
☐ DOMESTIC VIOLENCE UNIT PHONE NUMBER

VICTIM WILL BE AT A TEMPORARY ADDRESS? ☐ YES ☐ NO

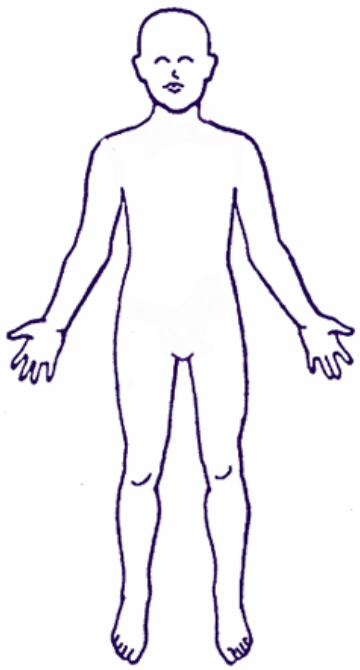
Witnesses/Children

W1_____
___Apologies
___Afraid
___Angry
___Calm
___Calmed down
___Tearful/Crying
___Hysterical
___Irrational
___Nervous
___Upset
___Threatening
___Other:_____

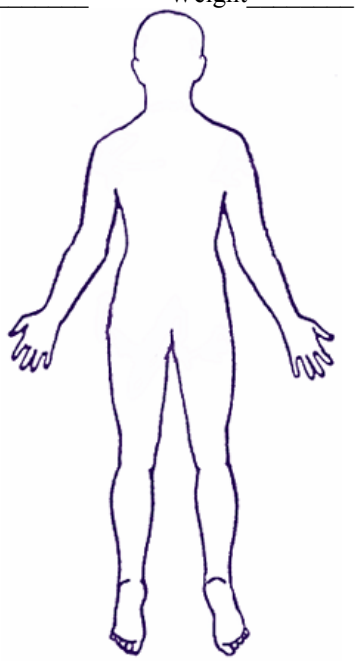
W2_____
___Apologies
___Afraid
___Angry
___Calm
___Calmed down
___Tearful/Crying
___Hysterical
___Irrational
___Nervous
___Upset
___Threatening
___Other:_____

W3 _____
___Apologies
___Afraid
___Angry
___Calm
___Calmed down
___Tearful/Crying
___Hysterical
___Irrational
___Nervous
___Upset
___Threatening
___Other:_____

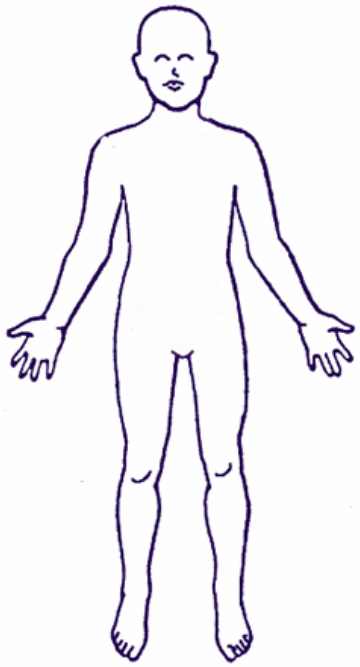
V S?



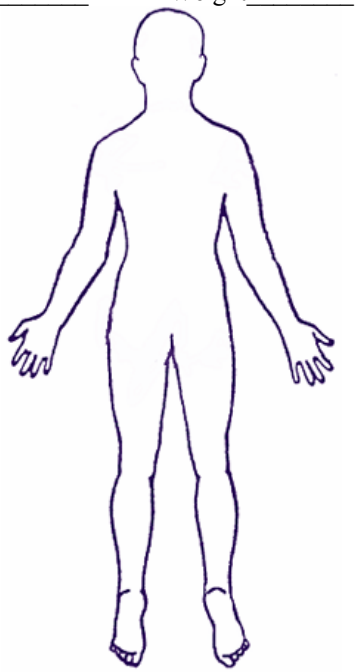
Height _____ Weight_____



V S?



Height _____ Weight_____



TO ALL HEALTH CARE PROVIDERS:

Having been advised of my right to refuse, I hereby consent to the release of my medical records to law enforcement, the County Prosecutor's office and the City Prosecutor's office. Signature: _____

Revised 02/06

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 1	3.4.17

SUBJECT:	
REQUEST FOR DRIVER LICENSE EXAMINATION	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To outline procedures for police officers to request the Ohio Bureau of Motor Vehicles (BMV) to examine a licensee's ability to drive.

POLICY: According to section 4507.20 of the *Ohio Revised Code*, the Registrar of the BMV has the authority to order a complete driver examination when evidence indicates an inability to operate a motor vehicle in a competent manner. The examination to determine driver fitness and future license status falls under the authority of the BMV.

PROCEDURES:

I. Officers shall complete a Request for Driver License Examination or Recertification Form, BMV 2308 10/97, when there is reason to believe that a licensed driver is incompetent or otherwise unqualified to operate a motor vehicle due to poor physical condition or poor driving ability. Officers shall complete this form in black ink.

II. The observing officer shall forward the form and a copy to the Accident Investigation Unit (AIU).

III. The Accident Investigation Unit shall review the form.

A. If the form is correct, AIU shall forward the original to the traffic commissioner, and retain the copy in AIU files.

B. If the form is incorrect, AIU shall return the form and the copy to the sending officer, with an explanation of why it could not be forwarded.

IV. If the traffic commissioner approves the form, the commissioner shall sign the "Approved By" section of the form and forward it to the Ohio Bureau of Motor Vehicles.

EFL/TAH/LM/cld

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
JANUARY 06, 2003	DECEMBER 31, 2007	1 of 3	3.4.18

SUBJECT:	
TELEPHONE BOMB THREATS	
ASSOCIATED MANUAL: COMMUNICATION CONTROL SECTION (CCS)	RELATED ORDERS: 3.2.10
CHIEF OF POLICE: *Michael McGrath, Chief*	

Changes to this order are italicized.

PURPOSE: To establish guidelines to investigate a telephone bomb threat.

POLICY: The goal of the Cleveland Division of Police regarding telephone bomb threats is to protect the health and safety of involved persons. Use extreme caution when responding to a bomb threat.

PROCEDURES:

I. The Communications Control Section (CCS) shall assign bomb threat assignments to **plain clothes officers** from the affected district.

A. If **plain clothes officers** are not available, the sector supervisor shall:

1. Respond to the scene; or

2. Send a uniform patrol car until civilian dress officers are able to respond. The uniformed officers may be released from the scene when civilian dress officers arrive.

B. Exception: The Officer-in-Charge of the *Building Security Unit* shall assign officers to investigate bomb threats received at Police Headquarters and ensure investigative guidelines, notifications, and necessary reports are completed.

II. Investigation Guidelines for telephone bomb threats:

A. When a call is received that a bomb is on a premises the call taker shall:

1. Keep the caller on the phone as long as possible.

2. Note the exact time of the call.

3. Note the exact words used by the caller.

4. Pay attention to characteristics of the caller such as:

   a) Race, gender, and estimated age.

   b) Noticeable accent.

   c) Background noises that may give a clue to the caller's identity or whereabouts.

B. When the caller hangs up, dial *69 on the telephone keypad to see if the automatic callback will relay the caller's phone number.

C. Immediately notify CCS, which will alert the Emergency Medical Services and the Division of Fire.

III. Upon arrival at the scene:

A. **Do not use** a radio transmitter within 300 feet of the device or suspected area of the bomb threat.

B. Formulate plans to protect the public and personnel at the bomb threat location.

C. Proceed as though there is a confirmed explosive device.

D. Respond quickly to the scene without drawing undue attention.

E. Be alert to suspicious activity in the area.

F. Be calm.

G. Interview complainant to verify information and determine the nature of the call.

H. Assist in the search for the bomb's location:

1. Use employees and supervisors who are familiar with the area.

2. Concentrate on areas that are accessible to the public.

3. Look for items or objects which appear out of place or suspicious.

I. If a suspicious object or bomb is found or there has already been an explosion on the premises.

1. Be aware there may be a second explosive device.

2. Evacuate the area within a 300 foot (100 paces) radius around the suspected explosive device.

3. Immediately notify CCS by **TELEPHONE**. CCS shall notify the Bomb Squad, SWAT, Intelligence Unit and other necessary units or agencies.

4. **NEVER move, touch or attempt to cover any device suspected to be a bomb**.

J. **Upon arrival at the scene, the Bomb Squad will take charge of all police operations regarding the explosive device.**

IV. The reporting officer shall complete a structured Form-1 on "Bomb Threats", and make three copies. The original shall be retained at the district/unit and a copy forwarded to Special Operations, Intelligence Unit, and the Bomb Squad Unit.

V. Aircraft

A. When a member receives a threat at or regarding Cleveland Hopkins International Airport or Burke Lakefront Airport, the member shall make notification in accordance with that airport's procedures.

B. A member who receives a threat involving private aircraft at non-airport locations shall make the same notifications as other bomb threats, and a CCS supervisor shall notify the Federal Aviation Administration and the Federal Bureau of Investigation of the bomb threat.

MM/TAH/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 1	3.4.19

SUBJECT:	
OPEN CONTAINER CITATIONS/ARRESTS	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE:	

PURPOSE: To set guidelines for officers to arrest and/or cite individuals for violation of Cleveland Codified Ordinance 617.07 – Open Container Prohibited.

POLICY: The Cleveland Division of Police shall use the Multi-Purpose Misdemeanor Complaint Form as the affidavit and charging instrument for Open Container violations. Officers shall not consult the prosecutor for open container violations.

PROCEDURES:

I. When issuing a citation for Open Container, officers shall check the "Misdemeanor Complaint and Summons" block in the upper left corner. **Checking any other choice renders the affidavit invalid.** Officers shall complete the remainder of the form according to established Division procedures.

II. Officers shall make a Records Management System (RMS) report for Open Container cases. Officers shall mark, tag and enter evidence into the logbook.

The **only** exception to the RMS report requirement is if the suspect destroys or pours the evidence out of an open **commercial container**, so no evidence is available. In these situations, the officer shall write, "Destroyed By Suspect" to the right of the "Evidence" block on the citation. Officers shall include a complete description of the commercial container in the narrative section. EXAMPLE: "One 40 ounce glass bottle of Colt .45 Malt Liquor, observed partially full in defendant's possession, bottle cold to the touch, strong odor of an alcoholic beverage from the bottle." If necessary, narrative may be continued on the back of the white copy.

EFL/TAH/LM/lw
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
April 17, 2003		1 of 2	3.4.20

SUBJECT:	
USE OF THE HOUSING CODE VIOLATION WARNING FORM	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To establish procedures for using the Housing Code Violation Warning Form (C of C 71-2700) to notify citizens when vehicle(s) on their property are in violation and subject to citation.

POLICY: Members of the Cleveland Division of Police shall use the Housing Code Violation Warning Form.

PROCEDURES: Officers shall:

I. Complete the Housing Code Violation Warning Form (Appendix), which is neon orange in color, for vehicles they observe in violation of Chapters 349 (Zoning Code) or 3101 (Building Code of the City of Cleveland). Most common violations are:

A. City of Cleveland Building Code 3101.10(E) – "Exterior property areas of all premises shall be kept free of any object, wrecked, dismantled, inoperative, discarded, unused or unlicensed motor vehicles".

B. Cleveland Codified Ordinance 349.07 – "Accessory off street parking shall be surfaced with concrete, asphalt concrete or similar surfacing material maintained in good condition".

II. Place the Housing Code Violation Warning Form in a conspicuous place on the vehicle.

III. Issue a Minor Misdemeanor Citation (MMC) to the owner/leassee of the property if the vehicle has not been removed after the warning expires (24 Hours).

IV. Set the court date according to Division procedures and indicate on the MMC that the defendant must appear in courtroom 13B (Housing Court).

V. Officers may obtain the Housing Code Violation Warning Form from the Supply Unit.

Cleveland Division of Police

WARNING NOTICE

THIS VEHICLE IS PARKED IN VIOLATION:

- ☐ Cleveland Codified Ordinance 349.07 - Accessory off street parking shall be surfaced with concrete, asphaltic concrete or similar surfacing material maintained in good condition.
- ☐ City of Cleveland Building Code 3101.10(E) - Exterior property areas of all premises shall be kept free of any object, wrecked, dismantled, inoperative, discarded, unused or unlicensed motor vehicles.
- ☐ Other:_____.

The vehicle must be moved within 24 hours and the violation corrected. Failure to comply will cause you to be cited for this violation and any other violations noted. Each day the violation occurs constitutes a seperate violation. Please correct this matter immediately.

MAKE:_____ MODEL:_____

PLATE:_____ STATE:_____

DATE:_____ TIME:_____

OFFICER:_____ BADGE:_____

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MAY 05, 2008		1 of 3	3.4.21

SUBJECT:	
COOPERATIVE RESPONSE TO SERIOUS CRIMES	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To provide for an expeditious Divisional response across chains of command when immediate action is required in response to certain serious crimes. The action is of a nature that is immediate, substantive and intensive. It is an action that makes optimal use of the Division's resources to stabilize and conclude a serious situation, maximizes investigative potential for prosecution, and reduces the probability of continuing serious criminal activity.

POLICY: The Cleveland Division of Police shall establish procedures that expedite and mobilize all of the Division's resources when an immediate response is necessary to bring a situation under control, to maximize investigative assets or reduce continuing criminal activity and disorder. The Chief or designee may order the deployment of any support staff to assist any district or specialized unit as needed.

PROCEDURES:

I. Requests for Cooperative Response

A. The Chief or designee shall notify the Deputy Chief of Special Operations when a request for a cooperative response is received. The Deputy Chief of Special Operations will direct selected Division personnel, regardless of Division assignment, to respond as needed. In addition, the Deputy Chief of Special Operations shall contact other law enforcement agencies as necessary.

B. The Deputy Chief of Special Operations shall establish a support staff that will include a command officer or designee from the district or unit requesting a cooperative response. The command officer shall have authority over all involved Division officers and supervisors.

C. General Police Orders relating to perimeter authority of the SWAT Unit and the Bomb Squad shall be in force.

D. The command officer may assign supervisory authority over select officers/detectives to other supervisors that are outside the officers/detectives normal chain of command.

II. Deployment of Cooperative Response Assets

A. The command officer will review the incident and determine an initial response and any additional response as required.

B. Assets include but are not limited to:

1. Bureau of Special Services detectives and supervisors;

2. Bureau of Special Investigations detectives and supervisors;

3. SWAT Unit, suspect and evidence search;

4. Homeland Security personnel to include Aviation Unit, Canine Unit and Intelligence Unit;

5. District personnel from the district of occurrence: other districts as needed to supplement officers and supervisors; on and off duty sworn personnel as needed.

6. Individual sworn members, regardless of assignment, who have demonstrated special skills or knowledge;

7. Other outside law enforcement agencies including county, state and federal law enforcement assets.

III. Cooperative Response Responsibilities

A. Cooperative Response personnel shall not be deployed as relief for the unit normally responsible for an incident response, but rather to provide assistance by accessing resources to support the normally assigned unit and expedite the capture of suspects and retrieval of evidence in a timely manner.

B. The unit originally assigned to handle the incident shall retain responsibility for completing the investigation unless assigned otherwise by the Deputy Chief of Special Operations.

C. The Chief may assign investigative responsibility to another Division unit or to another law enforcement agency.

IV. Backlog Notification

A. When a critical incident causes a backlog of radio assignments and/or a shortage of responsive personnel, the Communication Control Section shall immediately inform the affected district's ranking patrol supervisor and seek advisement for remedy of the situation.

B. The ranking patrol supervisor of the affected district may request deployment of additional patrol personnel from other districts through established protocol and/or request via the chain of command a Cooperative Response.

MM/ET/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
November 20, 2008	August 4, 2011	1 of 2	3.4.22

SUBJECT:	
TERRORIST ACTIVITY AND IDENTIFICATION RESPONSE	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Revisions are italics

PURPOSE: To provide guidance when there is suspicion of terrorist activity or a person is suspected of being a terrorist.

POLICY: The Cleveland Division of Police is committed to being vigilant against terrorist threats to the United States. The Division shall coordinate prevention and response efforts with all other government agencies as necessary.

Definition: Terrorism is the unlawful use, or threatened use, of violence by a group, committed against persons or property to intimidate, or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives.

PROCEDURES:

I. Investigation of <u>Terrorist Activity</u> or <u>Information</u>: Division personnel receiving information of suspected terrorist activity shall contact the Intelligence Unit by telephone at 5530 between 0800 and 1600 hours, Monday through Friday. At other times, personnel shall confer with their supervisors to determine whether or not an immediate notification is required. If immediate notification is deemed necessary, supervisors shall request the Communications Control Section (CCS) to contact the Officer-in-Charge (OIC) of the Intelligence Unit. All terrorism-related incident reports shall also be faxed to the Intelligence Unit at 5533.

A. Division personnel, such as personnel assigned to the Report Center, who receive terrorism-related information via LEADS and NLETS, shall follow the procedures in the preceding paragraph.

B. Members shall not make direct notification to a federal agency or task force for suspected **<u>terrorist activity</u>** or **<u>information</u>**. The Intelligence Unit or the Division's Homeland Security office shall make all notifications to outside agencies.

II. Investigation of <u>Individuals</u>: Terrorist Screening Center (TSC)

A. Queries on individuals that are sent through the National Crime Information Center (NCIC) also automatically access the TSC. When a query on an individual yields a positive response indicating a possible or confirmed link to terrorism, one of four handling codes is initiated. Division personnel shall familiarize themselves with the following codes in order to ensure the safest and most appropriate course of action.

1. Handling Code 1: Warning - Approach with Caution: Arrest this individual. This individual is associated with terrorism. Once this individual is arrested, immediately contact TSC for additional information and direction.

2. Handling Code 2: Warning - *Approach with Caution*: Detain this individual for a reasonable amount of time for questioning. This individual is of investigative interest to law enforcement regarding association with terrorism. Immediately contact TSC for additional direction.

3. Handling Code 3: Warning - The person queried through this search MAY be an individual identified by intelligence information as having possible ties with terrorism. Contact TSC for additional identifying information available to assist you in making this determination. Do not alert the person to this notice. Do NOT arrest this individual unless there is evidence of a violation of federal, state or local statutes. Conduct logical investigation techniques and ask probing questions to determine if this person is identical to the person of law enforcement interest.

4. *Handling Code 4: has been deleted*.

B. If contact with this **<u>individual</u>** warrants further investigation based on circumstances consistent with terrorist activity, contact TSC via CCS. TSC may be contacted at 1-866-872-5678 or via e-mail at TSC@techtrack.gov.

MM/TAH/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
July 1, 2011		1 of 5	3.4.23

SUBJECT:	
OFFICER SAFETY: OFF DUTY AND PLAIN CLOTHES	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: That members of the Division of Police taking a police action while in plain clothes, whether on or off duty, shall do so in a safe manner when confronted by another law enforcement officer who may not recognize that member's law enforcement status.

POLICY: Plains clothes officers are vulnerable to mistaken identity in police-on-police confrontations. Armed off-duty officers attired in civilian clothing are especially at risk when taking a police action. Therefore, off-duty officers shall use extreme caution when brandishing a firearm and taking a law enforcement action. In the furtherance of officer safety, the Cleveland Division of Police shall establish common protocols to guide members' actions in situations where a sworn member confronts another law enforcement officer who is taking a police action while dressed in plain clothes.

DEFINTIONS:

Plain Clothes - clothing and accessories common to civilian attire. An officer whose predominant attire is civilian, regardless of insignia suggesting otherwise, is considered to be in plain clothes.

Confronted Officer - a police officer in plain clothes (on-duty or off-duty) who is confronted or challenged by another police officer taking a police action.

Confronting Officer - a police officer who is confronting or challenging another person that the officer has reasonable suspicion to believe, based on the totality of circumstances, is committing, attempting to commit, or preparing to commit a crime.

PROCEDURES:

I. On-duty officers working plain clothes assignments

A. Plain clothes officers who are assigned to duties that have the potential to place them in harm's way shall wear body armor unless a supervisor deems

that such a requirement prevents the execution of the task (i.e. an officer in an undercover role).

B. Plain clothes officers shall always be in possession of their police picture identification, with exceptions as noted immediately above.

C. Supervisors shall ensure that, when the task calls for it, plain clothes officers have additional indicators of their police status (i.e. raid jacket).

D. On-duty plain clothes officers shall follow the same safety protocols as off-duty civilian dressed police officers when confronted or challenged by another law enforcement officer.

II. Off-duty officers

A. Off-duty officers taking a police action while attired in civilian clothes shall take a conservative approach when faced with the decision of taking a police action. Officers shall weigh the consequences of brandishing a deadly weapon, particularly a firearm, as this can present a particularly unique danger of mistaken identity to the off-duty officer.

B. Such officers shall consider the following factors in their decision-making process.

1. The severity of the crime involved.

2. The potential of serious physical harm or death to innocent persons if no action is taken.

3. The presence of weapons (including the officers).

4. The number or potential number of suspects involved. (Never assume there is only one.)

5. The officer's possession of appropriate police identification and other police tools (handcuffs).

6. The ability to contact 911 or a police dispatcher personally or through an intermediary; access to other forms of assistance (e.g. bystanders).

7. The situational environment including time of day, physical layout, access to cover/safety, the paths of pursuit or escape, presence of innocent persons, demeanor of other persons present (unruly/unfriendly crowd), the speed of the evolving situation, and the officer's own level of skill, training, and confidence.

8. The likelihood of apprehending the suspect(s) at a later time if no overt police action is taken immediately.

C. Officers shall be mindful that acceptable police actions can range from being an expert witness to the actual deployment of a firearm. Gathering accurate intelligence can often have a higher law enforcement value than actual intervention.

D. When contacting 911 via themselves or through an intermediary, officers shall include their own physical description.

E. When available and if possible, officers shall prominently display or be prepared to display their police identification. Officers shall loudly, clearly, and repeatedly identify themselves as police officers. This serves to identify the officer not only to the suspect but just as importantly to any bystanders and approaching police.

F. When confronted by another law enforcement officer, the confronted officer shall loudly, clearly and repeatedly state "I am a police officer" immediately followed by the confronted officer's name and assignment (i.e. "I am a police officer, Detective Smith, Cleveland Police, 3rd District Vice Unit"). This may be followed by a rapid and clearly articulated short description of the scenario, "serving warrant", "arresting suspect" "chasing prowler". Officers being confronted by another Cleveland police officer may also tactically resort to jargon unique to the Division (i.e. "I work First Vice", "I need a sector supervisor", "Start EMS rolling")

G. The confronted officer shall never move or flex their body or any part of their body in any manner that may indicate a turn in the direction of a confronting officer. The confronted officer shall in effect freeze any motion until ordered to do so otherwise. Even the act of turning one's head toward a confronting officer may cause one's hips and shoulders (and consequently the arm holding the firearm) to rotate towards the confronting officer. Confronted officers shall never make any movement until they receive permission to do so from the confronting officer.

H. The confronted officer shall never reach for or point toward their police I.D. Rather they shall verbalize to the confronting officer the location of their police identification.

I. Upon being challenged by a confronting officer, all interactions will be governed by the confronting officer. **The confronting officer is always in command, not the confronted officer,** until proper identification can be made and it is appropriate to relinquish that command. Confronted officers shall comply without hesitation exactly as directed by the confronting police officer

J. Civilian dressed officers, when confronted by another law enforcement officer and hearing a command such as "Police, don't move", shall always assume that the command is meant for them and not the suspect that they themselves may be confronting.

K. Confronted officers shall be mindful that confronting officers are making nearly instantaneous decisions based on perceptions deduced from their immediate observations, information reported to them (accurate or inaccurate), and environmental conditions such as visibility, time of day, location, access to cover, or other situational uniqueness.

L. All confronted officers can expect to be treated as suspects until their identities can be confirmed with absolute certainty by the confronting officers. Confronted officers, regardless of rank or position, shall not demonstrate any malice or contempt toward a confronting officer that is simply practicing good safety procedures.

III. Confronting Officers

A. While it is rare, officers shall be aware of the possibility that an armed person they are confronting may in fact be another law enforcement officer taking a police action while in civilian clothes. **However, that consideration shall <u>never</u> be cause for an officer to unduly hesitate to use an appropriate level of force when necessary to neutralize a reasonably perceived threat.**

B. Officers confronting an armed person shall strive to do so from a position of cover. As part of an officer's everyday regularly-practiced situational awareness, officers shall continually assess their tactical advantage, particularly as it relates to the proximity and utility of various cover

positions. Cover provides responding officers extra time to analyze a situation prior to committing to a force action.

C. Time permitting, officers challenging an armed person shall verbalize appropriate commands in a loud, clear, and unambiguous fashion (i.e. Police! Don't move! Stop running! Drop the gun!). Officers shall avoid using slang (i.e. "give it up") or abbreviated commands (i.e. "stop") that may cause confusion in the mind of the confronted person.

D. Confronting officers shall be cognizant of the effects of tunnel vision and sensory deprivation on their decision-making processes and broaden their view if at all possible. Tunnel vision may cause a confronting officer to see only the gun held by a confronted law enforcement officer and not the badge the officer is holding in the other hand. Similarly, sensory deprivation can cause the confronting officer's sense of vision (seeing a firearm) to overwhelm the confronting officer's sense of hearing (the confronted officer's shouts of "I'm a cop, don't shoot").

E. Confronting officers shall not deescalate from their position of command until after the threat level has been reduced to their complete satisfaction.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MAY 9, 2003	APRIL 1, 2003	1 of 9	4.1.01

SUBJECT:	
VEHICLE PROCESSING	
ASSOCIATED MANUAL: DISTRICT, DETECTIVE, AUTO THEFT, VIU, CS&RU	RELATED ORDERS: 8.2.01
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

Revisions are in Italic.

PURPOSE: To provide guidelines for Cleveland Division of Police officers requesting process tows.

POLICY: *Officers shall process tow vehicles they have probable cause to believe are connected with a crime and contain evidence, were used as a criminal tool, require special examination to find the Confidential Vehicle Identification Number (CVIN), or were involved in a police use of deadly force incident.*

PROCEDURES:

I. *A vehicle towed for evidence cannot be held longer than 72 hours, unless a detective files a petition with the court and the court issues an order granting an extension by the court's next business day.*

II. *If a towed vehicle is subject to forfeiture, it may be held for 30 days. If charges are not filed within 30 days the vehicle must be released.*

III. Officers shall have commercial vehicles towed for processing to a lot contracted for commercial vehicles and all other vehicles towed for processing to Lot Two.

IV. The investigating officer shall complete a Record Management System (RMS) report when a vehicle is involved in a crime and requires scientific processing or used as a criminal tool. The processing request information shall be included in the original or supplemental RMS report.

V. Officers requesting process tows shall:

A. Obtain a computer check on the license plate and Vehicle Identification Number (VIN) for other wants.

B. Obtain the approval of a sector supervisor.

C. Order the tow through the Communication Control Section (CCS) via Channel Seven, and obtain the Vehicle Impound Unit (VIU) number.

D. *If a vehicle is towed in connection with a use of deadly force (UDF) incident, advise Channel Seven dispatcher accordingly. The Channel Seven dispatcher will record the UDF information on the Vehicle Impound Unit Tow Record at the "Reason For Tow" section in the "Other" field.*

E. Complete the RMS Vehicle/Tow Supplement, C of C 71-175 rev 5/00.

F. Complete the Vehicle Processing Request Form (Appendix), C of C 71-1081 rev 10-87, in quadruplicate.

G. All Vehicle Processing Request Form copies are given to the tow truck driver, with a copy of the RMS Vehicle/Tow Supplement.

H. If a vehicle will be processed for evidence, an officer shall follow the towed vehicle to Lot Two to maintain the chain of evidence.

VI. The sector supervisor shall:

A. After determining the necessity for processing, approve the request.

B. Determine that the Vehicle/Tow Supplement Form, the Vehicle Processing Request Form, and the RMS report are properly completed.

C. *Ensure that the Form-1 section of the Vehicle Processing Request Form is completed by the requesting officer(s). The Form-1 section shall provide a brief synopsis of why the vehicle is being towed.*

VII. A vehicle may be held as a criminal tool when the vehicle was used to facilitate the commission of a crime (i.e. transporting stolen property) or the vehicle was used to sell or distribute contraband (i.e. narcotics). *A vehicle towed as a criminal tool may be held for 30 days, pending a forfeiture request by the investigating detective in accordance with established Division procedures.*

VIII. If a vehicle is located within the city limits and involved in a Cleveland crime **and** a foreign crime, the investigating officer shall:

A. Tow the vehicle for processing.

B. Have CCS notify the foreign police department of the impound lot where the vehicle may be processed by their department.

IX. If the vehicle is located within the city limits and involved **only** in a foreign crime, the investigating officer shall have CCS request the foreign department send an officer to tow the vehicle. The officer locating the vehicle shall remain with the vehicle until the foreign department arrives and has custody of the vehicle, unless an emergency tow (defined in General Police Order 8.2.01 "Vehicle Tow or Release") is necessary.

X. *The tow truck operator shall:*

A. *Tow, **not drive**, the vehicle to the proper impound lot.*

B. *Turn over all copies of the Vehicle Processing Request Form to the impound lot officer.*

C. *Sign their name in the designated area on the Vehicle Processing Request Form.*

XI. *The impound lot officer shall:*

A. *Review the Tow Authorization Form and the Vehicle Processing Request Form for accuracy and completeness with particular attention given to the Form-1 section of the Vehicle Processing Request Form for completeness.*

B. *Inventory contents of the vehicle and compare it with both forms for discrepancies, also check the physical condition of the vehicle.*

C. *Complete on all copies of the Vehicle Process Request Form the entries "Towed to Lot #", "Received by", "Time", and "Date".*

D. *Notify the proper unit to process the vehicle. The officer completing the notification shall indicate what unit(s) were notified, print the date and time, and sign their name and badge number.*

E. *Upon completion of the processing, notify the detective section or unit responsible for the completion of the investigation.*

F. *If the vehicle was towed as a criminal tool with no processing required, notify the detective section or unit that will investigate the criminal tool charge.*

G. *Maintain files for copies of the Vehicle Processing Request Forms.*

H. *Be responsible for the proper safeguarding of the vehicle and its contents. Admit the evidence technician(s) or detective(s) upon arrival.*

I. *After processing, continue to maintain safe custody of the vehicle pending release by the Impound Unit.*

J. *After processing, if the OIC of the Tow Unit, Lot Two, determines that the vehicle belongs to a* ***victim****, they shall cause the vehicle to be released and the victim notified, unless the investigating detective notifies the OIC of the Tow Unit that they have petitioned the court for an extension.*

XII. *The police evidence technician shall:*

A. *Complete necessary scientific evidence processing within 72 hours of the seizure, unless the investigating detective secures a court order granting an extension.*

B. *Remove evidence requiring further examination or detailed laboratory study.*

C. *Complete the "Evidence Technician" section on all copies of the Vehicle Processing Request Form.*

D. *If a VIN examination is also necessary, all copies of the Vehicle Processing Request Form shall be left at the impound lot for the VIN processing technician.*

E. *If the vehicle is held as evidence, or there is property in the vehicle that needs to be removed, indicate so on all copies of the Vehicle Processing Request Form.*

F. *Leave all but the Crime Scene & Record Unit technician copy (canary) of the Vehicle Processing Request Form with the impound lot officer, who shall distribute copies to the section or unit that has investigative responsibility.*

G. *When applicable, complete the supplemental offense/incident section of the original RMS report.*

H. *Remove property from the vehicle which must be held in evidence and enter it in the property book. The information shall also be entered on the Vehicle Processing Request Form.*

XIII. *The VIN processing technician shall complete the following within 72 hours of the seizure (unless a court ordered extension is secured by the investigating detective):*

A. *Ascertain that other evidence processing is either completed or unnecessary.*

B. *Conduct their special investigation to locate the VIN number.*

C. *Record the results of the examination on both copies of the Vehicle Processing Request Form and leave a copy with the impound lot officer.*

D. *Cause computer checks to be made for stolen vehicle information. Complete necessary GTMV recovery reports, and if a determination can be made that the vehicle can be released, complete the "Authority to Release" section on the original copy of the Vehicle Processing Request Form and deliver it immediately to the Impound Unit.*

E. *If the vehicle was involved in a crime being investigated or there is property in the vehicle that needs removing, or a determination cannot be made to release the vehicle, indicate such information along with the information of photos taken and evidence removed on the original Vehicle Processing Request Form and immediately forward it to the section or unit that has investigative responsibility.*

XIV. *The OIC of the investigating detective section or unit shall:*

A. *Be responsible for processing vehicles for crimes that occur in their district within 72 hours (unless a court ordered extension is granted).*

B. *When notified of a vehicle towed as a criminal tool, assign such cases for investigation and cause the Vehicle Processing Request Form to be picked up from the impound lot for the investigating detective.*

C. *Accept the Vehicle Processing Request Form after the processing technicians have completed the processing and ascertain that all necessary processing has been completed.*

D. *If there is property in the vehicle which must be removed, assign detectives to take custody.*

E. *Assign such incident or crime for any necessary investigation and if appropriate the investigator shall complete the "Authority to Release" section of the Vehicle Processing Request Form. They shall also notify the*

owner that the vehicle is approved for release, record such information on the Vehicle Processing Request Form, forward it immediately to the Tow Unit, Lot Two, and telephone the Tow Unit, Lot Two, to notify them.

F. *If an extension is granted by the court, notify the Tow Unit, Lot Two, to place a HOLD on the vehicle. Complete the "Authority to Hold" section of the Vehicle Processing Request Form indicating name, badge number, telephone number, and district or unit assigned, and forward it to the Tow Unit, Lot Two with a copy of the court order.*

G. *Once a "HOLD" has been placed on the vehicle in the above manner and a release of the vehicle becomes authorized, notify the owner that the vehicle can be released to them, and notify the Impound Unit to remove the hold from the Tow Release Form indicating their name, badge number, and district or unit of the authorizing officer. Complete the "Authority to Release" section of the Vehicle Processing Request Form and forward it to the Tow Unit, Lot Two.*

XV. *The Impound Unit shall:*

A. *When receiving the Vehicle Processing Request Form:*

1. *If the "Authority to Release" section is completed:*

   a. *Determine whether or not the owner has been notified. If the owner has* ***not*** *been notified, contact the investigating unit.*

   b. *File the Vehicle Processing Request Form in the proper file.*

2. *If the "Authority to Hold" section is completed:*

   a. *Ascertain that the "HOLD" has been placed on the Tow Release Form in red ink.*

   b. *File the Vehicle Processing Request Form in the proper file.*

3. *When receiving telephone calls from investigators relative to "HOLDS" on a vehicle:*

   a. *Place a "HOLD" on the Tow Release Form in red ink indicating the investigator's name, badge number, district or unit, and telephone number.*

b. Review the "HOLD" within 72 hours to determine if the investigating detective has obtained a court order.

c. Remove the "HOLD" from the Tow Release Form, indicating the investigator's name, badge number, district or unit, and telephone number authorizing the release ***only*** *after a return telephone call to the investigating unit to verify the release and owner notification.*

d. Upon receiving an authorization to release, be responsible for issuance of the Release Slip, but only after:

1. Presentation of documentary proof of ownership.

2. Determining that any outstanding tickets, towing and storage fees have been paid.

4. Direct the claimant to the impound lot to obtain the vehicle.

XVI. *Completion of the Vehicle Processing Request Form.*

A. *The officer requesting the tow shall complete numbers 1-26.*

1. *VIU#: enter the VIU number, obtained from Channel 7.*
2. *Circle Processing Requested: if "other" is circled, explain in the space provided.*
3. *Evidence Most Likely Found At: enter what area evidence is most likely to be found (i.e. back seat, steering column, glove box.)*
4. *Towed From: enter location from where the vehicle was towed.*
5. *Date: enter the date the vehicle was towed.*
6. *Time: enter the time the vehicle was towed.*
7. *Lic Plate: enter the license plate number.*
8. *State: enter the name of the state issuing the license plate.*
9. *VIN#: enter public Vehicle Identification Number, if none enter "none".*
10. *Year: enter year of vehicle.*
11. *Make: enter make of vehicle (i.e. Ford, Chevy, etc)*
12. *Model: enter the model of the vehicle (i.e. Mustang, Cutlass, etc.)*
13. *Color: enter color of the vehicle.*
14. *Crime Involved: enter the crime involved if known (i.e. Kidnapping, GTMV, Agg. Robbery) or if the vehicle is being towed in connection with a police use of deadly force incident write "Police Use of Deadly*

Force Incident"

15. *Crime Location: enter location of crime.*
16. *Service#: enter the RMS number if a report has been previously made.*
17. *District: enter district where the crime occurred.*
18. *Victim: enter full name of victim.*
19. *Arrested: enter full name of person(s) arrested for this crime.*
20. *Information Form 1:* ***MUST BE COMPLETED.*** *Give a brief synopsis of why vehicle was towed (i.e. used in Agg. Burg. – suspects bailed out and fled on foot, property in back seat)*
21. *Officer Requesting Tow: name and badge number of officer requesting tow.*
22. *Officer/Badge: enter partner's name and badge number.*
23. *Car#: enter car assigned.*
24. *Supervisor Authorizing Tow: enter name of supervisor authorizing tow.*
25. *Towed By: enter towing agency name.*
26. *Driver: Obtain signature of tow truck driver.*

B. *The impound lot officer shall complete numbers 27-34.*

27. *Lot#: enter Impound Lot to which the vehicle is towed.*
28. *Received By: enter name and badge number of the officer who accepted vehicle at the impound lot.*
29. *Date: enter date vehicle received at impound lot.*
30. *Time: enter time vehicle received at impound lot.*
31. *Circle Unit Notified: circle unit notified that the vehicle is at the impound lot.*
32. *Notified By: enter impound lot officer's name and badge number that made the notification.*
33. *Date: enter date of notification.*
34. *Time: enter time of notification.*

C. *Evidence technicians shall complete numbers 35-47*

35. *Evidence Found: enter evidence found (i.e. weapons, drugs, fruits of crimes).*
36. *Evidence Removed: enter evidence removed from the vehicle.*
37. *Remarks: use this space to enter if any photos and/or prints were taken and any other pertinent information (i.e. 8 photographs, no LP's) or list property that needs to be removed.*
38. *Processed By: enter name and badge number of officer doing the processing.*

39. *Unit: enter the unit to which the processing officer is assigned.*
40. *Date: enter date of processing.*
41. *CVIN Found: CVIN will be entered in this space by Auto Theft Unit evidence technicians* ***ONLY****.*
42. *CVIN Not Available: circle reason CVIN cannot be found.*
43. *Recovery Report Service #: Auto Theft Unit technician will enter the service number.*
44. *Remarks: use this space to enter any information c/w processing (i.e. Public VIN pulled and entered as evidence, plates removed for evidence, photos and/or prints taken, parts missing VIN, or parts with different VIN etc).*
45. *Processed By: enter officer's name from the Auto Theft Unit doing the processing.*
46. *Unit: enter unit to which the detective is assigned.*
47. *Date: enter date of processing.*

D. *Evidence technicians or investigating detectives shall complete numbers 48-56.*

48. *Authority To Release: enter detective's name and badge number.*
49. *Unit: enter unit to which the detective is assigned.*
50. *Date: enter date of authorization to release.*
51. *Authority to Hold: enter detective's name and badge number requesting a hold to be placed on a vehicle. Only a detective can place a hold on a vehicle. If the investigation determines a hold is necessary, the investigating detective shall secure a court order within 72 hours, and will notify the Tow Unit, Lot #2, the vehicle is to be held. The investigating detective will be responsible for removing the hold and for the final disposition.*
52. *Unit: enter unit to which the detective is assigned.*
53. *Date: enter date the hold is placed on vehicle.*
54. *Owner Notified By: enter the name and badge number of the officer making notification to the owner that the vehicle is authorized to be released.*
55. *Unit: enter the unit to which the officer making the notification is assigned.*
56. *Date: enter date of notification.*

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
April 10, 2006	April 10, 2006	1 of 2	4.1.02

SUBJECT:	
FIREARM TEST FIRING AND SERIAL NUMBER RESTORATION	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To establish guidelines to test fire *all* confiscated *handguns*, process firearms for obliterated serial numbers and eliminate unnecessary test firing.

POLICY: Seized, confiscated or found firearms shall be transported to the *Forensic* Unit *within three business days*, except those in the custody of the Homicide, *Internal Affairs and Intelligence Unit*. *Rifles and shotguns shall be conveyed to the Property Unit per normal Divisional procedures. If a rifle or shotgun needs to be test fired, the investigating officer shall convey the firearm to the Forensic Unit, observe the test fire, and the firearm will be returned to the investigating officer*.

PROCEDURES:

I. Test firing:

A. *All handguns seized, confiscated or found, except by Homicide, Internal Affairs and the Intelligence Unit, shall be forwarded to the Forensic Unit within three business days.*

B. Forensic Unit personnel shall *maintain a file of all bullets and shell casings from test fired weapons. The file shall include the name and badge number of the person conducting the test fire and the witnessing officer if applicable.*

C. Forensic Unit personnel shall document the test-firing results *in RMS, and forward the handgun(s) to the Property Unit. NIBIN (National Integrated Ballistic Information Network) entries will be made on all test fired handguns.*

II. Processing for serial number restoration (recovery):

A. *When a firearm is received for test firing or other analysis, and found to have an obliterated serial number, it shall be retained by the Forensic Unit staff to process for serial number restoration.*

B. *If processing reveals a serial number, the lab staff shall conduct a computer check of the firearm and make a RMS entry stating the results of the serial number restoration and computer check.*

C. *Lab staff will notify the appropriate investigative unit who will follow up.*

MM/LWF/EJT/WM/eab
Special Operations

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
FEBRUARY 28, 2007	September 29, 2011	1 of 2	4.1.03

SUBJECT:	
CRIME SCENE PRESERVATION AND PROCESSING	
ASSOCIATED MANUAL:	RELATED ORDERS: 2.1.01, 4.1.07, 4.1.10
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive Changes Printed in Italic

PURPOSE: To establish on-scene protocol and procedures to request crime scene processing by personnel of the Bureau of Special Investigation, Crime Scene and Record Unit (CS&RU).

POLICY: *When there is evidence at a crime scene to be recorded or collected, officers shall take all appropriate precautions to preserve a crime scene to prevent the destruction, modification, movement, or manipulation of evidence. The Crime Scene and Record Unit (CS&RU) shall have the task of recording and collecting evidence at any scenes related to the commission of a crime.*

PROCEDURES:

I. *Establishment of a Crime Scene*

A. *At the earliest moment when it becomes apparent that a crime scene may contain evidence that could be substantive to the investigation of a crime, the first arriving officers shall ensure that the crime scene is secured in a manner that prevents uninvolved officers or other persons from entering the crime scene. This may include the establishment of an area cordoned off by crime scene tape and the establishment of a crime scene log.*

B. *Crime scenes shall be secured to encompass the largest area that could potentially contain evidence. The area of the crime scene can always be reduced if need be.*

C. *Notwithstanding the rendering of first aid and other exigencies, crime scenes shall be maintained in the most undisturbed state possible pending the arrival of CS&RU. All officers on the scene shall exercise due care to avoid touching, manipulating, moving, or altering any evidence or changing the appearance of a crime scene in any manner. As appropriate at certain crime scenes, this includes but shall not be limited to turning on/off lights, touching*

telephones, touching door handles, opening/closing windows, opening drawers, and unnecessarily walking through the scene. In order to avoid cross contamination, officers shall be highly cognizant of the potential to transfer their DNA or fingerprints to a crime scene or any item within that crime scene. Officers shall not eat, drink, use tobacco products, or introduce any item or substance into a crime scene unless it is in the furtherance of protecting or processing the crime scene.

D. *A supervisor shall determine if physical evidence warrants crime scene processing and/or photography. If warranted, the supervisor shall contact the Crime Scene and Record Unit (CS&RU) via the Communications Control Section (CCS) to respond to the scene*

E. Supervisors shall have officers remain on the scene of a serious crime until CS&RU personnel arrive. A zone car must remain on the scene if a suspect may still be on scene or in the area.

II. A request for CS&RU processing shall include:

A. The location where CS&RU personnel are needed and the RMS number.

B. Nature of the crime and services needed (prints, photographs, etc.).

C. Whether officers are to remain on the scene and if not, any restrictions regarding access to the scene.

D. Name and rank of the requesting supervisor.

E. Information which may assist CS&RU personnel to respond to and complete an assignment including specific areas or items to be processed.

F. Information that may affect the safety and security of CS&RU personnel (e.g. weapons, hazards, suspects on scene).

III. When the crime scene does not require an immediate response or CS&RU is delayed due to a backlog of assignments, CS&RU shall notify the on-scene officers of their approximate arrival time. The officers shall then advise the complainant or victim.

MM/LM/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	4.1.04

SUBJECT:	
VEHICULAR ASSAULT OFFENSES	
ASSOCIATED MANUAL: ACCIDENT INVESTIGATION UNIT	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To set guidelines to investigate and prosecute Ohio Revised Code (ORC); Section 2903.08, Aggravated Vehicular Assault; Vehicular Assault.

POLICY: The Cleveland Division of Police shall investigate felony violations to successfully prosecute individuals accused of committing felony crimes.

PROCEDURES:

I. The investigating officers shall determine if there is probable cause to believe an Aggravated Vehicular or Vehicular Assault has occurred. If probable cause exists, the investigating officers shall notify a sector supervisor to respond to the scene.

II. If a sector supervisor determines that an Aggravated Vehicular or Vehicular Assault has not occurred, basic patrol officers shall handle the assignment according to Division procedures.

A. When the sector supervisor determines that an Aggravated Vehicular or Vehicular Assault has occurred by a suspect who fled, basic patrol officers shall conduct the preliminary investigation, and complete the necessary reports.

B. If proper investigation of the incident requires special equipment or expertise not available, the sector supervisor shall request the Accident Investigation Unit (AIU) to assist.

III. If the sector supervisor decides an Aggravated Vehicular or Vehicular Assault has occurred and a suspect has been arrested, AIU personnel shall conduct the entire investigation. Basic patrol officers shall complete Record Management System (RMS) reports and give the report number to AIU and assist them to:

A. Obtain witness information.

B. Impound Vehicles.

C. Transport and Book Prisoners.

D. Conduct Alcohol/Chemical Tests.

E. Control Traffic.

F. Preserve the Crime Scene.

G. Complete an OH-1 and Form-10 if AIU is not on scene.

IV. When the operator of a vehicle is arrested for an Aggravated Vehiclular or Vehicular Assault, officers shall not cite the operator for moving violations. When intoxication is a factor in the assault :

A. Officers shall test the suspect in accordance with Division procedures. They shall give AIU complete Alcohol/Drug Influence Report forms, Administrative License Suspension forms, and other reports they have completed.

B. If the suspect requires immediate hospital treatment, officers shall request the suspect submit to a blood test to determine the weight of alcohol in the blood. If the suspect agrees to the test, officers shall request hospital personnel administer it. If they refuse, officers shall note this in their RMS report. Officers shall give AIU complete alcohol/drug influence forms, Administrative License Suspension forms and other reports they have completed.

V. In an Aggravated or Vehicular Assault, officers shall check the hospital where the victim is treated before the end of their shift, and report the victim's condition in their RMS report.

EFL/TAH/LM/syd
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	4.1.05

SUBJECT:	
FELONIOUS ASSAULT INCIDENTS INVOLVING POLICE OFFICERS	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To provide guidelines to investigate assaults on officers of the Cleveland Division of Police and officers of other jurisdictions.

POLICY: The Division of Police shall immediately commence a thorough investigation of assaults against law enforcement officers coming to the attention of the Division. The Use of Deadly Force Investigation Team (UDFIT), the Homicide Unit, or a district detective bureau, pursuant to the following guidelines shall investigate such assaults.

PROCEDURE:

I. A supervisor shall have the Communications Control Section (CCS) notify the UDFIT when:

A. A shooting incident causes an injury and involves a law enforcement officer.

B. A deadly force incident causes serious physical harm and requires professional medical attention.

C. The Chief of Police or the Chief's designee assigns a case.

II. A supervisor shall have CCS notify the Homicide Unit when:

A. A law enforcement officer fires their weapon at a suspect and it does not cause injury.

B. The use of deadly force causes injury to an officer, a citizen or suspect.

C. The Chief of Police or the Chief's designee assigns a case.

III. District detectives shall investigate Felonious Assault incidents against law enforcement officers when there are no injuries from the incident.

IV. The Chief, the Chief's designee or the Deputy Chief of Special Operations may grant administrative leave to an officer involved in a deadly force incident.

EFL/TAH/LM/aaf
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 1, 2002	March 20, 2013	1 of 3	4.1.06

SUBJECT:	
CHARGING AND RELEASING: WARRANTLESS FELONY AND ESCALATING MISDEMEANOR ARRESTS	
ASSOCIATED MANUAL:	RELATED ORDERS:
DETECTIVE MANUAL	2.3.03, 2.3.04, and 4.1.12
CHIEF OF POLICE:	
Michael McGrath, Chief	

Substantive changes are italicized

PURPOSE: *To establish procedures for the charging or releasing of persons arrested for felonies or escalating misdemeanors. Escalating misdemeanors are specific misdemeanors wherein the person may be charged with a felony after having committed a second offense following a conviction for that same offense*.

POLICY: Detectives shall conduct investigations of felony crimes expeditiously, without diminishing the quality of the investigation. Detectives shall charge *or release* felony suspects taken into custody without a warrant *within 36 hours of the time of arrest. Detectives shall handle all escalating misdemeanors regardless if they have been determined to not have "escalated" to a felony. This is necessary to ensure that persons are charged/released within the 36 hour requirement.*

PROCEDURES:

I. *Officer/Detective Responsibilities when making Warrantless Arrests:*

A. *Officers/detectives making warrantless felony arrests shall follow up the arrest with the completion of a Record Management System (RMS) report endorsed by their district/bureau/unit supervisor*.

B. *Officers/detectives shall properly complete the Affidavit Establishing Probable Cause (PC affidavit) form and check the Warrantless Arrest box. Refer to General Police Order 2.3.04 Affidavit Establishing Probable Cause (PC affidavit) for the proper completion and filing of the PC affidavit form.*

II. Case assignment for warrantless felony arrests:

A. Each investigative unit shall have a written procedure so investigations involving warrantless felony arrests are assigned to on-duty detectives and commence without delay when no unit supervisor is on-duty. This includes investigations assigned by the Bureau of Special Investigations (BSI) General

Office.

B. Upon receipt of the booking information, the BSI General Office Unit shall formally assign the case to the district detective unit or specialized unit responsible for conducting the follow-up investigation. If one incident involves multiple felony crimes creating joint investigative responsibilities between more than one investigative unit, (e.g. Aggravated Burglary/ Rape/VSDL) the Bureau of Special Investigations (BSI) General Office shall assign the case in accordance with guidelines established by the commander of BSI as approved by the Chief of Police.

C. The Officer in Charge (OIC) of the district detective unit or specialized unit responsible for the follow-up investigation shall assign the case to the first available detective(s).

D. Detectives shall complete the final disposition of any prisoner assigned to them. Once a detective is assigned a case, that detective shall charge on all counts, felony and misdemeanor. The detectives shall obtain the case number from the Municipal Clerk of Court's office regarding the misdemeanor charges.

E. *Each district detective unit and specialized unit OIC shall maintain an assignment logbook wherein all assignments and dispositions for those units are tracked. Refer to the Detective Manual for this logbook's format*.

F. Unit OICs shall periodically review the logbook to determine the status of each suspect released to ensure that the investigations were properly completed.

G. When the Division will pursue felony prosecution, the assigned detective shall ensure that the Grand Jury Packages are delivered to the Statement Unit within seven days of the suspect's arrest. The final disposition shall be noted in the logbook.

III. *Charging a person in custody:*

A. *When charging a suspect in custody detectives shall use the Affidavit Establishing Probable Cause (PC affidavit) form and check only the "Statement of Facts" box.*

B. *The charge or release process for warrantless felony arrests must be completed* ***within 36 hours*** *from the time of the arrest.*

C. *The PC affidavit form used by detectives for charging may be sworn to by a supervisor authorized to be a Notary Public. Otherwise, the form shall be sworn to at the Municipal Clerk of Courts. Note: supervisors who are Notary Public are reminded to strictly adhere to the rules of a Notary Public when taking an* <u>*affirmation*</u>*, i.e. the Notary Public shall state to the affiant, "Do you solemnly affirm that the statements in the affidavit are true under penalty of the law of perjury?" The affiant shall then sign the affidavit in the presence of the Notary Public. This process differs substantially from an* <u>*acknowledgement*</u> *wherein the Notary Public demands an oath only to show that the signature is actually of the person in the Notary Public's presence.*

IV. Release: No Formal Charges (RNFC) of warrantless felony suspects:

A. *A suspect that has not been charged within 36 hours from the time of arrest shall be released (RNFC).*

B. The detective assigned to the case shall:

1. Report to the BSI General Office and complete a Final Disposition Receipt (FDR) to release the prisoner.

2. Inform the Division of Correction Central Prison Unit (CPU) of the release and ascertain the location of the prisoner.

3. The detective shall inform the Corrections Officer (CO) of the release and fax the FDR to the CO.

4. Place the FDR in the Final Disposition Receipt Basket and enter the disposition in the logbook.

C. BSI General Office personnel shall make all computer entries.

D. *Detectives shall refer to the Detective Manual for additional details on the charging/releasing process.*

MM/jsb
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 1, 2002	October 31, 2012	1 of 3	4.1.07

SUBJECT:	
GUNSHOT RESIDUE (GSR) COLLECTION	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are italicized

PURPOSE: To establish guidelines for the collection of gunshot residue (GSR) from persons suspected of discharging a firearm or handling a firearm immediately after it has been discharged.

POLICY: The Cleveland Division of Police shall maintain proper controls for the collection of gunshot residue. Absent the subject of a GSR test being under arrest, the collection of gunshot residue from persons not under arrest but where probable cause for an arrest exists, and where officers have reasonable cause to believe that there is evidence on the person, and where that evidence is highly destructible, officers may collect evidence of GSR without the person's voluntary consent. This type of search is permissible only to the extent that it is limited to highly evanescent (quickly vanishing, very destructible) evidence. *GSR tests may also be performed on victims of firearm discharges to the extent described in this directive*.

GSR analysis can indicate that a person discharged a firearm, came into contact with a firearm that was recently discharged, or used fireworks. GSR analysis cannot prove that a person discharged a specific firearm or, as in the instance of fireworks, indicate the residue is from a firearm at all.

PROCEDURES:

I. Responsibilities of Officers and Detectives in GSR Collection

A. Officer Responsibilities

1. GSR collection shall be conducted only in instances where it is suspected that a firearm was discharged.

2. GSR collection shall be conducted on persons arrested for a felony or where probable cause exists for a felony arrest or the person is a named suspect in a felony. GSR collection shall not be performed for crimes like the misdemeanor sections of Improper Handling of a Firearm in a Motor Vehicle and other "possession" type crimes *(e.g. CCW)* that do not contain the element of a firearm discharge.

3. *GSR collection <u>may</u> be performed on victims of a suicide attempt, accidental discharge, or other firearm discharge (e.g. "Russian Roulette"). If the victim is still alive and conscious, consent must first be gained from the victim. Consent is not required if the victim is unconscious or is deceased. Officers shall consult a supervisor to determine if GSR collection will be valuable to any subsequent investigation.*

4. *GSR collection <u>may</u> be performed on other persons that were present at the scene at the time of a suicide attempt, accidental discharge, or other firearm discharge. However, GSR collection can be done only to the extent that consent can be gained from that person or persons or if otherwise there exists probable cause to arrest that person or person with a crime related to that firearm discharge. Officers shall consult a supervisor to determine if GSR collection will be of value to any subsequent investigation.*

5. *Officers shall ensure that requests for consent are handled in a delicate and sensitive manner. Success in gaining consent may aid in the investigative process in that it may assist to identify or eliminate a person or persons of interest. However, officers shall be aware that due to the high number of external variables involved, a GSR test is statistically of limited usefulness and that a positive or negative test result is not necessarily conclusive evidence that any particular person held or shot a firearm, or did not hold or shoot a firearm.*

6. GSR is lost by rubbing, scratching, or washing. *Officers shall also be aware that manipulation or substantive contact with a suspect's hands such as by a struggle or handcuffing will also affect the amount of detectable GSR.*

7. *For best results, the test should be performed within two hours after the suspected discharge of a firearm. A GSR test may be performed beyond that time limit, but the possibility of producing useable*

evidence is severely compromised; and, depending on environmental factors, may be of no use after four to five hours.

8. Officers shall notify the Crime Scene and Records Unit (CSRU) immediately through the Communications Control Section (CCS) when GSR collection is required.

9. Until the collection is completed, officers shall not fingerprint or allow the subject to wash their hands or touch anything.

10. If a suspect requires medical attention, officers are to notify hospital staff to prevent contamination by using paper bags on the suspect's hands. *Plastic shall never be used to "bag" a person's hand*. *This notification is also required for suspected suicides or accidental shootings where the GSR guidelines contained herein can be applicable*.

B. In instances involving a dead body, the Homicide Unit or a Cuyahoga County Medical Examiner's Office designee shall ensure that the deceased's hands are bagged when residue collection will be made at the Cuyahoga County Medical Examiner's Office.

C. When requested, CSRU detectives shall respond to the scene of a dead body and collect GSR per CSRU's standard operating procedures.

II. Gunshot residue evidence shall be submitted for testing to the Cuyahoga County Regional Forensic Science Lab (CCRFSL).

III. The investigative unit responsible for follow-up shall enter the results of the GSR collection into the Record Management System (RMS).

MM/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
January 6, 2003	NOVEMBER 8, 2002	1 of 1	4.1.08

SUBJECT:	
ARSON INVESTIGATIONS	
ASSOCIATED MANUAL:	RELATED ORDERS: 3.4.18
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

Changes to this order are italicized.

PURPOSE: To designate duties of the Cleveland Division of Police in arson incidents.

POLICY: The Division shall investigate fires that involve stolen vehicles and fires that result in fatalities. The Fire Investigation Unit (FIU) of the Cleveland Division of Fire shall investigate other arson-related fires and receive Division of Police assistance if requested.

PROCEDURE:

I. When basic patrol receives an assignment that involves suspected arson they shall immediately request FIU through the Communications Control Section (CCS).

II. Basic patrol shall complete the initial Record Management System (RMS) report of arson and the related offenses. At their discretion, FIU officers may assume this responsibility.

III. Basic patrol shall protect the crime scene until FIU officers arrive. When FIU officers are unavailable, a basic patrol supervisor shall request the Cleveland Division of Police Technical Section respond to the scene.

IV. *If it is determined that the incident is the result of a bombing, or if an unexploded device is found, the Bomb Squad and Intelligence Unit shall be immediately notified through the CCS. The Intelligence Unit shall have follow-up investigative responsibility.*

EFL/TAH/MB/jsb
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	July 7, 2011	1 of 1	4.1.09

SUBJECT:	
FILM SUBMITTED TO THE PHOTO UNIT	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

This General Police Order is rescinded.

(This page left intentionally blank)

MM/LM/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
July 29, 2003	April 5, 2012	1 of 2	4.1.10

SUBJECT:	
CRIME SCENE ENTRY LOG	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.1.22, 2.1.01, 4.1.03
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are in italics

PURPOSE: To establish procedures for use of the Crime Scene Entry Log (Attachment).

POLICY: Members of the Cleveland Division of Police shall maintain professionalism and accountability at crime scenes. Members shall use the Crime Scene Entry Log (C of C 71-203) to ensure crime scene integrity and prevent entry of unauthorized personnel.

DEFINITIONS:

Crime Scene is that area which may contain physical and/or trace evidence.

PROCEDURES:

I. Supervisors shall:

A. *Assign an officer* to create a Crime Scene Entry Log at the scene of "major" crimes. Major crimes include use of deadly force investigations, homicides, and other serious crimes as determined at the discretion of a supervisor.

B. Maintain a supply of Crime Scene Entry Log forms in their vehicles.

II. Officers shall:

A. Seal off the crime scene by the use of crime scene tape or other prudent measures.

B. Safeguard the crime scene and identify witnesses.

C. Prevent any *unauthorized person* from touching or moving any object at the scene.

D. Prevent anyone from smoking, drinking, or eating at the scene.

III. *The Crime Scene Entry Log officer shall log every person's arrival time, departure time, and purpose of their presence in the crime scene into the Crime Scene Entry Log.*

IV. *Anyone* not involved in the investigation, *or necessary for the rendering of first aid or other exigency, shall* remain outside of the crime scene.

V. The Use of Deadly Force Investigation Team (UDFIT) supervisor, or their designee, shall take over the log when arriving on scene and note in the log any personnel not already listed. The UDFIT supervisor or their designee shall cause the log to be included in the investigative packet.

VI. If the Crime Scene Entry Log is <u>not</u> turned over to the investigating unit on the scene, it shall be attached to the original RMS report and a copy forwarded through Division mail to the investigating unit.

VII. Officers shall note in the RMS report that a Crime Scene Entry Log was completed.

VIII. Crime Scene Entry Log forms may be obtained from the Supply Unit.

MM/jsb
Policy & Procedures Unit
Attachment

CRIME SCENE ENTRY LOG

All persons on the crime scene shall be accounted for along with their purpose for being there. Anyone on the crime scene may be subject to interview by detectives or may be subpoenaed to the grand jury and /or any trial.

LOCATION:_____ TYPE OF CRIME:_____

OPENED ON: _____ @ _____ HRS

BY (PRINT NAME):

SIGNATURE:

CLOSED ON: _____ @ _____ HRS

BY (PRINT NAME):

SIGNATURE:

DATE	DEPT/ UNIT	TIME IN	TIME OUT	NAME (PRINTED) / BADGE #	REASON/DUTIES

SHEET # _____OF_____ TOTAL SHEETS

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
Sept 29, 2006		1 of 3	4.1.11

SUBJECT:	
ELECTRONIC RECORDING OF HOMICIDE AND DEADLY FORCE ENCOUNTER STATEMENTS	
ASSOCIATED	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To establish guidelines monitoring the taking of electronically recorded formal written statements from all suspects by members of the Homicide Unit during all homicide investigations, including formal written statements of Division of Police members involved in investigations under the control of the Cleveland Division of Police Use of Deadly Force Investigation Team.

POLICY: Members of the Homicide Unit and the Use of the Deadly Force Investigation Team shall electronically record all formal written statements given by suspects in homicide investigations and members of the Division of Police in fatal deadly force incidents.

All applicable rights afforded under the federal and state constitutions, federal and state statutes and the applicable collective bargaining agreements shall be honored.

PROCEDURES:

I. Homicide and UDFIT Investigations

A. Investigator Responsibilities:

1. When investigators are conducting canvass interviews, they shall follow the Standard Operating Procedures for interviews and document them on a Form-10 report.

2. When circumstances cause an interview to be conducted at a non-Division owned location (hospital, detention facility, etc.), the investigator shall attempt to have a room secured and follow the procedures outlined in this Order regarding taping the interview statement.

3. If the investigator or their supervisor believes a formal written statement should be obtained, that statement shall be recorded in accordance with the procedures outlined in this policy.

4. Investigators shall not erase or re-use any recorded statement.

II. Electronic Recording of Statements in All Homicide and UDF Investigations

A. General Requirements

1. In homicide investigations, there shall be at least one supervisor and two members of the Homicide Unit present when obtaining and recording statements of suspects. The supervisor shall designate a lead investigator.

2. In UDF investigations, there shall be at least one supervisor, two members of UDFIT and appropriate bargaining unit representative(s) present when obtaining and recording statements of members of the Cleveland Division of Police. The supervisor shall designate a lead investigator.

B. Lead Investigator:

1. Shall make sure the recording device is in proper working condition.

2. Shall record the date, time, location, names of all parties present and Garrity or Miranda warnings given.

C. Before beginning the recording of a formal written statement, detectives shall obtain a signed waiver from the suspect or member of the Cleveland Division of Police.

D. After detectives obtain the signature of the suspect or member of the Cleveland Division of Police, they shall read the contents of the waiver aloud on the recording device and instruct the suspect or member of the Cleveland Division of Police to respond verbally, waiving each section on the form.

E. The recording shall be marked as evidence and secured according to Division guidelines for future court proceedings.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
December 3, 2007	March 20, 2013	1 of 2	4.1.12

SUBJECT:	
CHARGING PROCEDURES: WARRANTLESS NON-ESCALATING MISDEMEANOR ARRESTS	
ASSOCIATED MANUAL:	RELATED ORDERS: 2.3.03, 2.3.04, and 4.1.06
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are italicized

PURPOSE: To ensure timely charging of persons taken into custody in connection with non-escalating misdemeanor crimes.

POLICY: Persons arrested on non-escalating misdemeanor charges shall be charged or released without delay. To facilitate this process the supervisors assigned to the Record Section will serve as a liaison between arresting officers and the Municipal Prosecutor's Office.

PROCEDURES:

I. *Officer's Responsibilities:*

A. *Officers/detectives making warrantless non-escalating misdemeanor arrests shall follow up the arrest with the completion of an RMS report endorsed by their district/bureau/unit supervisor.*

B. *Officers/detectives shall properly complete the Affidavit Establishing Probable Cause (PC affidavit) form. Refer to General Police Order 2.3.04 Affidavit Establishing Probable Cause (PC affidavit) Section H for proper completion and routing of the PC affidavit form, ensuring that the "Statement of Facts" box is checked.*

C. *Officers assigned to investigative units are not required to route the misdemeanor charging process through the Record Section, but rather may opt to handle the charging process as is normally handled in their investigative unit, as long as all the filing requirements are met.*

II. *Record Section Supervisor Responsibilities:*

A. The Record Section Officer in Charge (OIC) or designee shall ensure that the booking card information is properly entered in the Division's misdemeanor arrest ledger book in the Record Section.

B. The Record Section OIC or designee shall take the Statement of Facts forms and approved field reports for the cases involved and consult with the Municipal Prosecutor's Office on-duty prosecutor for criminal charges for non-escalating misdemeanor crimes.

C. *The charge or release process for misdemeanors must be completed* ***within 24 hours*** *from the time of arrest.*

D. The Record Section OIC or designee will complete a County Information Form (CIF#1) for each arrested and charged person.

E. The Record Section OIC or designee will file the complaints at the Municipal Clerk of Courts Office.

F. In cases where criminal charges are not issued by the Municipal Prosecutor's Office the Record Section supervisor shall make a RMS entry of "Released No Formal Charges" (RNFC), notify the arresting officers' supervisor and the on-duty Corrections Supervisor.

G. The Record Section OIC or designee shall ensure that the Division's misdemeanor arrest ledger book in the Record Section is updated to note the charging status of the arrested person.

MM/jsb
Policy & Procedures Unit
Attachment

Case#: _____

IN THE CLEVELAND MUNICIPAL COURT

CUYAHOGA COUNTY, OHIO

IN RE:

_____

CIF#: _____

DOB/SSN: _____ / _____

Police Report #: _____

Arresting Agency: _____

) AFFIDAVIT ESTABLISHING
) PROBABLE CAUSE FOR
)
) ☐ WARRANTLESS ARREST
) R.C. 2935.08
)_____
) ☐ ARREST WARRANT
)
) ☐ STATEMENT OF FACTS

I, _____, being first duly sworn according
(Officer/Detective/Complainant)

to law, depose and say that the probable cause that the above-named person committed the offense **in the City of Cleveland** for which said person was arrested is as follows:

_____

_____

_____

_____

_____

☐ Additional Page(s)

Date/time of arrest: _____

The basis for this is in whole or in part based upon the following evidentiary sources and information: Police Report; Witness statement(s); and/or Investigative materials.

Sworn to and signed by_____
(Officer/Detective/Complainant)

Sworn to and signed before me_____
(Notary/Deputy Court Clerk) (Notary/Clerk stamp)

CLERK OF COURTS OFFICE USE ONLY

I, _____, a Deputy Clerk for the Cleveland Municipal Court, Office of the Clerk of Courts, have independently examined the above statement and have determined that there is a reasonable basis for believing that the statement is credible and that there is factual basis that there is probable cause that a violation of ORC/MC _____ has been committed and that _____has committed it.

Earle B. Turner,
Cleveland Municipal Clerk of Courts _____ by: _____
Date Deputy Clerk

JUDICIAL REVIEW OF INFORMATION

Upon review of the Statement of Facts and/or the complaint, I find:

☐ There **IS** probable cause at this time.

☐ **The defendant is to remain in custody.** This finding shall serve as a post-arrest warrant pursuant to R.C. 2935.08.

☐ **NO** probable cause at this time and the defendant is to be released from custody. No facts submitted.

_____ _____
Judge Date/Time

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 17, 2008		1 of 3	4.1.13

SUBJECT:	
INVESTIGATION OF HUMAN TRAFFICKING	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To provide guidance for the proper investigation of Human Trafficking.

POLICY: The Cleveland Division of Police shall investigate complaints of Human Trafficking and enforce all laws that may relate to the practice of Human Trafficking. When applicable, the Cleveland Division of Police shall notify and assist federal agencies in investigations that involve the violation of federal statutes regarding Human Trafficking.

DEFINITIONS: Section 108(3) of the Federal Victims of Trafficking and Violence Protection Act of 2000 defines a "severe" form of Human Trafficking as:

- Sex trafficking in which a commercial sex act is induced by force, fraud or coercion or in which the person is induced to perform such act is under the age of 18, or

- The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion, for the purpose of subjecting that person to involuntary servitude, peonage, debt bondage, or slavery.

The Northern Ohio Intelligence Working Group defines human trafficking as: Those activities in which individuals are transported through illicit means either into the United States or across state lines within the U.S. to work in various industries. These industries may include sex workers, prostitution, massage-parlors, night-club dancing, domestic service, cleaning service (often hotel), construction (generally home), manufacturing ("sweat shops"), migrant farming, food processing (often meat packing, canning), and others.

PROCEDURES:

I. Officers receiving complaints or assignments that may have elements of human trafficking shall gather all available information and make all reports and arrests as applicable. If arrests or crime reports are made, they shall be for crimes under city ordinances or state statutes (kidnapping, rape, prostitution…). The sector or unit supervisor shall make the determination if the elements of human trafficking are evident. Further assistance can be had 24 hours a day by calling the Trafficking Information and Referral Hotline at 1-888-373-7888 (This number also provides information for local victim referral services). The sector or unit supervisor shall contact the Officer-in-Charge (OIC) of the Intelligence Unit when the supervisor has determined that the circumstances fit the criteria of human trafficking. Non-crime reports shall also be referred to the OIC of the Intelligence Unit for follow-up.

II. Record Management System (RMS) reports that involve elements of human trafficking shall have Human Trafficking in the title (i.e. Kidnapping/Human Trafficking or Prostitution/Human Trafficking).

III. The OIC of the Intelligence Unit shall review all cases of possible human trafficking and recommend the proper course of investigation and notification of federal agencies as applicable.

IV. Indicators of Human Trafficking: The following is a non-exhaustive list of possible indicators of human trafficking activity as adapted from the FBI Directorate of Intelligence:

A. Reports of organized criminal groups, gangs, document forgers, brothel owners, corrupt police or immigration officials involved in human trafficking activities.

B. Reports or rumors of drop-house operators or safe houses providing temporary quarters for illegal aliens upon entry into the United States.

C. Reports of motel operators providing fee-based lodging and food services to trafficking operations.

D. Claims or reports of an influx of undocumented workers in farming/plant towns.

E. Claims or reports of employee replacement with migrant workers.

F. Wages of illegal aliens diverted/garnished by employers, overseers.

G. Businesses known to hire undocumented aliens as employees, (i.e. construction, sweatshops).

H. Ethnic-based businesses and organizations that provide low-wage employment to undocumented immigrants.

I. Evidence of individuals who were trafficking into the United States against their will or under false pretenses.

J. Evidence of debt bondage, victim isolation, forced labor (coercion, psychological pressure), physical abuse (injury), denial of document paper(s) and accesses, threats to family members.

K. Families reporting lost/missing contact with relatives who paid traffickers.

L. Chatter in ethnic enclaves of assistance provided to would-be refugees seeking sanctuary in the United States.

M. Evidence of well-equipped forgery workshops that are being used to create false travel documents; interest in, or acquisition of, identification replication software programs; presence of forced or altered documents.

N. Reports of bulk purchases of money orders.

O. Diversification of criminal activities; trafficking is combined with other organized crime, illegal commodities and services.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
May 5, 2008	June 3, 2014	1 of 3	4.1.14

SUBJECT:	
COMBINED ABDUCTION RESPONSE TEAM (CART)	
ASSOCIATED MANUAL:	RELATED ORDERS: 6.2.10, 6.2.17, 9.1.07, 9.1.08
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

Substantive changes are italicized

PURPOSE: To establish guidelines for use of the Combined Abduction Response Team (CART).

POLICY: The Cleveland Division of Police shall activate the CART when there is credible information to believe that a person has been abducted. This activation is not a substitute for an Amber Alert. The use of CART is an investigative response when an immediate response is crucial in the early hours of a suspected abduction.

Statistics and current investigative information strongly suggests that the first three hours are the most critical in terms of developing leads and processing the potential abduction sites. Therefore CART will begin the investigative processing as soon as possible.

DEFINITIONS:

CART Coordinator - the Deputy Chief of *Homeland* Special Operations.

Incident Commander - the commander of the district of incident occurrence.

PROCEDURES:

I. Call-up Criteria

A. The Incident Commander in consultation with the CART Coordinator will make the determination if there is enough credible information to warrant a CART response. The Incident Commander in consultation with the CART Coordinator will also determine the scope of the CART call-up.

B. A CART call-up shall be initiated when credible information determines that a person is involuntarily missing. Criteria to consider prior to initiating a CART call-up include:

1. A missing person who is a juvenile who is outside the "zone of safety" for the juvenile's age, developmental stage and/or physical condition. The "zone of safety" varies for each child. In the case of an infant, the "zone of safety" is limited to the immediate presence of an adult custodian or a safe area that an infant is placed. For an elementary school age child, the "zone of safety" may be the immediate neighborhood or the route between home and school and other activities.

2. A missing person who may be more susceptible to exploitation due to the person's mental capacity, developmental disability or emotional disturbance. This type of person may have greater difficulty in communicating with others about needs, identity, or address.

3. A missing person who is medication dependent.

4. A missing person where there are indications of a potentially life threatening situation or of other foul play or sexual abuse.

5. Any other circumstances that will cause a reasonable person to conclude that the missing person may be considered at-risk.

C. The scope of a CART call-up shall take into account the available resources as determined by the Incident Commander in consultation with the CART Coordinator and secondarily the divisional needs to deliver timely police services to the service population.

II. Call-up Procedures

A. The Communications Control Section (CCS) shall code the missing person assignment as a priority one and dispatch a two-officer car or two one-officer cars to the scene.

B. CCS shall contact and dispatch a sector supervisor to the scene.

C. The sector supervisor shall respond to the scene and confer with the zone car personnel to determine the level of threat or danger and notify and brief the district commander on the situation.

D. When appropriate, an Amber Alert shall be issued. A CART call-up can be activated in addition to an Amber Alert. Refer to General Police Order 9.1.07 for Amber Alert procedures.

E. After the Incident Commander has verified the necessary criteria and authorized the CART call-up in consultation with CART Coordinator, the Incident Commander shall contact CCS to request the CART call-up.

F. The team shall consist of the Incident Commander, the CART Coordinator and at least one member from the district of occurrence detective unit. The Commander of the Bureau of Special Services shall ensure that the appropriate Division of Police liaisons to outside agencies are made part of CART as warranted.

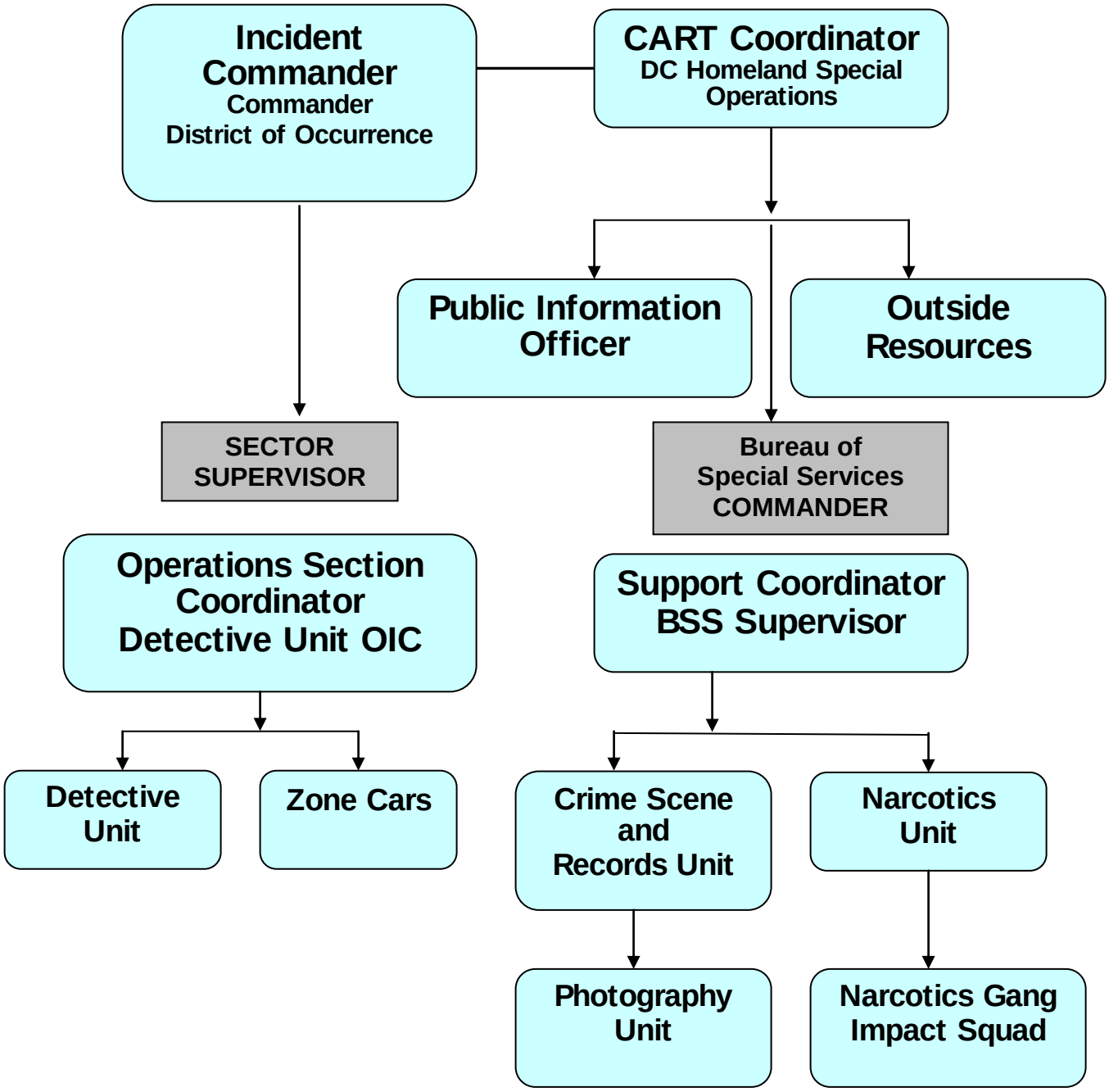
III. As appropriate, Incident Commanders shall utilize the "Simple Leads Management System" developed by the National Center for Missing and Exploited Children to track and manage leads and investigative resources. This computer resource is networked so that all involved investigative assets can access, update and review case information in real time.

IV. The CART Coordinator shall provide CCS with a monthly call-up list of CART contacts and contact information.

V. Refer to General Police Order 6.2.10 "Missing Person Investigations" for reporting procedures and follow-up responsibilities.

CDW/jeh
Policy & Procedures Unit
Attachment

COMBINED ABDUCTION RESPONSE TEAM
(CART)



GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	February 1, 2010	1 of 4	4.2.01

SUBJECT:	
CLANDESTINE LABORATORIES	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are in italics

PURPOSE: To establish guidelines to search a clandestine laboratory where volatile chemicals and/or illicit drugs are or may be *grown or* manufactured.

POLICY: Due to the potential hazard of bodily harm and property damage, the Cleveland Division of Police shall use extreme caution when a clandestine laboratory is discovered. Only qualified *Hazmat and Bomb Squad Technicians* shall handle suspected chemicals/volatile substances.

DEFINITIONS: *A clandestine laboratory is any location (particularly an enclosed space) that is used for the production of marijuana, methamphetamine, or other dangerous narcotic where the manufacture or growth of the narcotics is a hazard to human health. A clandestine laboratory also includes any building, site, or vehicle where explosives (including fireworks) or chemical/biological weapons are manufactured.*

A clandestine laboratory may be identified by the large presence of flasks, beakers, test tubes, filters, jars, funnels, rubber gloves, propane tanks, as well as drug recipes and cooking information, and strong chemical odors. In addition, officers are cautioned that ordinary household and consumer product items such as pots & pans, coffee pots, and 2-liter bottles may be used as vessels in the manufacture of narcotics. Chemicals to look for include pseudoephedrine (cold tablets and nasal decongestants), reagent chemicals (red phosphorus, iodine crystals, iodine tincture), solvents (acetone, denatured alcohol, ether, lighter fluid, methanol), and other chemicals such as antifreeze, lye, muriatic and sulfuric acids.

PROCEDURES:

I. Inadvertent Discovery of a Clandestine Laboratory - Officers shall use extreme caution and treat the scene as if it were a bomb scene. Officers shall ensure that:

A. No radio transmissions are initiated within 300 feet of any suspected hazardous/explosive/volatile substances.

B. No persons are to smoke *or cause an open flame or spark at or near the premises. Officers shall also be particularly mindful of the potential of creating static electricity either by contact with carpeted surfaces or the wearing of woolen articles of clothing such as sweaters or scarves*.

C. No light switches *(flashlights are O.K.)* or other *electrical* apparatus are turned on or activated in the area. *Only the Bomb Squad and Hazmat Technicians are qualified to do so.*

D. *The Communications Control Section (CCS) is notified to contact a supervisor to respond to the scene if one is not already there. If the officer's responding supervisor is assigned to a unit other than a district unit, a sector supervisor shall also be dispatched to the scene to receive a full briefing*.

E. The scene is evacuated *to a perimeter of 300 feet*, as if live explosives are involved. *Reassess need for evacuation upon arrival and consultation with Cleveland Division of Fire (CDF).*

F. *The supervisor in control of the scene shall contact the Bomb Squad OIC via CCS who in turn shall determine the level of response, if any, to the scene*.

G. *The on-scene supervisor shall request through CCS that the CDF dispatch appropriate apparatus to standby at the scene. The on-scene supervisor shall also request CCS to contact the Bomb Squad OIC who shall in turn determine the continuing level of response. The CDF supervisor shall be consulted and directives followed relative to any need for evacuation.*

H. *If the investigation reveals the existence of a viable Clandestine Lab, the on-scene supervisor shall request that the appropriate district Vice Unit OIC respond to the scene to handle the follow-up investigation and charging.*

II. *When a suspected Clandestine Laboratory is the subject of a tactical entry, with a search warrant (or when exigent circumstances exist, without a warrant), the OIC of the Narcotics or District Vice Unit shall:*

A. *Contact the SWAT Unit OIC who will arrange a tactical entry by a SWAT Team that is trained and equipped to handle a potential hazmat situation.*

For purposes of deconfliction, District Vice Unit OIC's shall contact the OIC of the Narcotics Unit at least 48 hours prior to executing a Clandestine Lab entry.

B. *Ensure that all the necessary arrangements are made:*

1. *Trash Pulls: Trash pulls on suspected Clandestine Laboratory sites shall be conducted in concert with the OIC of the Bomb Squad. The Bomb Squad OIC shall direct and maintain discretion to have bomb technicians assist in the proper handling of seized hazmat evidence.*

2. *To have the Bomb Squad attend the pre-entry briefing and respond to the scene with the entry detail. (The Bomb Squad shall standby at the scene while the Hazmat SWAT team clears the location of suspects. The Bomb Squad will then conduct the evidence search).*

3. *To have a Fire Rescue Squad with Hazmat Rescue capabilities on scene at entry time along with CDF firefighting equipment. When available, a SWAT Tactical Emergency Medical Paramedic will attend the briefing and liaison with CDF on scene.*

III. *The Bomb Squad shall respond to suspected Clandestine Labs.*

A. *The Bomb Squad shall be responsible for searching these sites after a warrant is obtained by the investigating Division entity. The Bomb Squad will handle, remove, preserve, or order evidence destroyed per established unit protocols.*

B. *The Bomb Squad shall remove any suspected hazardous Clandestine Lab materials that are found in plain view.*

C. *Where well articulated exigent circumstances exist indicating an immediate risk of serious physical harm to officers or the community, the Bomb Squad may conduct a search for hazardous materials without a search warrant.*

Example: Strong odors of caustic chemicals emanating from the suspect address and putting officers and citizens at risk and evacuation is either not recommended for safety reasons or would overwhelm the personnel resources available; armed suspect barricaded in an area where volatile/hazardous chemicals/substances are suspected to be present.

D. *The Bomb Squad shall arrange for the response of an approved contractor to respond for site cleanup and disposal of hazmat materials.*

IV. *Under no circumstances is a clandestine drug laboratory to be transported to the Crime Scene and Records Unit/ Forensic Laboratory.*

V. *The on-scene supervisor shall ensure that Children and Family Services is notified if it is believed that any children may have been exposed to the hazardous environment. If circumstances warrant, the supervisor shall ensure that an Endangering Children RMS report is completed.*

VI. *Clandestine Labs (other than those used exclusively to manufacture drugs or fireworks) suspected of being used in the manufacture of chemical, biological or explosive weapons shall require notification of the Intelligence Unit OIC.*

VII. *Investigative responsibilities of Clandestine Labs used for the manufacture of fireworks shall be the responsibility of the District Vice Units.*

VIII. *RMS and investigative reports involving drug manufacturing/growing Clandestine Labs shall be forwarded to the Narcotics Unit OIC within 7 days of the incident. The Narcotics OIC shall ensure that all notifications are made, including the El Paso Intelligence Center (EPIC) and the Ohio Attorney General's Office's Bureau of Criminal Identification and Investigation (BCI).*

A. *All RMS reports involving an actual or suspected clandestine lab shall contain "Clandestine Lab" in the RMS title. Example: VSDL/Clandestine Lab/Arrest/Contraband seized.*

B. *At the direction of the Chief of Police, Deputy Chief of Special Operations or the Commander of Special Services the Narcotics Unit may assume all or part of a Clandestine Lab investigation.*

MM/TAH/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 1, 2002	NOVEMBER 29, 2017	1 of 4	4.2.02

SUBJECT:	
VICE ENFORCEMENT PROCEDURES	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

This General Police Order has been revised in its entirety

PURPOSE: To establish guidelines for members to enforce laws and ordinances for the crimes of prostitution, gambling, liquor, or vice activity and to coordinate available Division resources. Vice enforcement activities are intended to support day-to-day operations of the District's Patrol Sections.

POLICY: The Cleveland Division of Police shall vigorously enforce laws and ordinances that deal with prostitution, gambling, liquor, and vice activity. This policy is to ensure that vice operations (e.g., decoy, surveillance, drugs, undercover) are given safe and effective operational guidelines. Units that primarily handle vice related operations shall also adhere to their respective unit standard operating procedure manuals.

PROCEDURES:

I. General Guidelines

A. The use of members in a covert or undercover role in an investigation shall be limited to those instances where the use of other investigative tools (e.g., confidential informants, surveillance, and citizen information) is <u>not</u> practical or would compromise the integrity of the investigation.

B. Any member may terminate a vice operation if he or she acquires information that would compromise the safety of any member involved in a vice operation or any uninvolved civilian. The overriding concern in any vice operation is the safety of involved members and the public.

II. Patrol Officers Responsibilities

A. Members assigned to the Patrol Section shall:

1. Enforce all laws, ordinances, and regulations for the control or suppression of liquor, gambling, prostitution, and regulatory violations.

2. Complete all necessary paperwork (e.g., citations, Incident Report) related to their vice activity enforcement.

III. Vice Operations Responsibilities

A. Members assigned to vice operations shall:

1. Monitor vice conditions throughout their assigned district and keep the district commanders informed of situations needing attention.

2. Improve the enforcement effort by participating in public information programs and personnel training.

3. Notify the Intelligence Unit of any organized activity.

4. Actively engage in vice enforcement in their district.

5. Take immediate enforcement action on vice violations without involving district personnel when a delay would jeopardize the successful prosecution of the violation.

6. Not consume controlled substances as a part of the undercover role.

a. If a situation arises where the undercover member is being forced to use controlled substances, they shall refuse.

b. If the suspect persists, the member(s) shall extract themselves from the situation and terminate contact.

7. Avoid drinking alcohol when undercover.

a. In such situations and whenever possible, members will consume nonalcoholic beverages.

b. If the need arises, a member may drink alcohol but shall refrain from drinking in excess. Excess is defined as that amount

which is higher than the legal limit to operate a motor vehicle.

1. Immediately after the operation, the member shall report to his or her supervisor that alcohol was consumed.

2. If a member has consumed alcohol, he or she shall take *no police action* after consuming alcohol and the member shall not resume involvement in any on-duty police activity until the next tour of duty, except as exigent circumstances may apply.

3. A member who has consumed alcohol during their tour of duty shall not operate a motor vehicle for the duration of their tour. At the conclusion of their tour of duty, such members shall adhere to all laws and ordinances as they apply to the consumption of alcohol and the operation of a motor vehicle.

8. Members shall not engage in any sexual activity as defined in the Ohio Revised Code, expose their genitals, touch another person's erogenous zones, or commit any related offenses while in the performance of their duties.

9. Members shall immediately disengage from any unsolicited touching of a sexual nature by a suspect. Members shall document the circumstances of the unsolicited touching by submitting a Form-1 or other report as appropriate.

10. When in an undercover capacity, members shall avoid affecting any arrests. If a situation arises that an undercover member must take police action, they shall extract themselves as soon as cover members arrive and take control.

IV. Supervisor Responsibilities

A. Supervisors assigned to a vice operation shall:

1. Ensure that District Patrol Section personnel are notified as needed about vice operations occurring in the district in an effort to minimize uniformed members from confronting or unintentionally identifying

undercover members. In very limited circumstances, a commanding officer may permit a vice operation to occur without notifying the district.

2. Monitor vice conditions throughout their assigned district and keep the district commander informed of vice situations that may need attention.

3. Directly supervise all vice operations under their command.

CDW/DM/DRJ/pmc
Policy Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
AUGUST 24, 2006	DECEMBER 31, 2007	1 of 2	4.2.03

SUBJECT:	
FOLLOW-UP FOR VIOLATION OF STATE DRUG LAW ARRESTS	
ASSOCIATED MANUAL:	RELATED ORDERS:
NARCOTICS UNIT, DETECTIVE	2.3.03, 2.3.04, 4.1.06, 4.2.04
CHIEF OF POLICE:	
Michael McGrath, Chief	

Changes in Italic

PURPOSE: To provide guidelines for handling narcotics evidence for VSDL and to ensure the timely charging/releasing of felony VSDL arrestees.

POLICY: The Division of Police shall conduct a prompt analysis of confiscated suspected narcotics and charge and/or release suspects arrested for VSDL.

PROCEDURES:

I. Officers making arrests for VSDL shall enter the suspected narcotics into the district/unit Drug Evidence Property Book. The narcotics evidence shall be secured in the district/unit evidence locker. It shall be transported to the Narcotics Unit by 1100 hours, Monday through Friday. Should a large seizure be made that cannot be secured at the district/unit, the OIC of the Narcotics Unit shall be notified.

II. RMS reports shall list the facts and circumstances that provided probable cause. The report must also specifically link the offender to the suspected narcotics. This is especially important in cases with multiple arrests. Reviewing supervisors shall ensure that both probable cause and the evidential link are clearly explained in the report prior to approving it. Approved reports shall be faxed to the Narcotics Unit (ext. 5477).

III. Officers who make felony drug arrests are required to complete a Statement of Facts Form for each arrestee. The form shall be completed as follows:

A. Print the name of the arrestee on the line in the upper left corner marked "defendant".

B. Print your first and last name along with your badge number.

C. State all facts and circumstances that provided probable cause for the arrest.

D. Do not recite the law as written.

E. Do not sign the form. Attach it to the Booking Information Form.

IV. The district/unit OIC shall ensure the delivery of all narcotics evidence to the Narcotics Unit within three business days. The Narcotics Unit shall deliver the narcotics evidence to the lab by the next business day.

MM/TAH/JCO/mg
Policy and Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
APRIL 13, 2006	NOVEMBER 26, 2007	1 of 3	4.2.04

SUBJECT:	
FIELD EVIDENCE BAGS TO PACKAGE AND PRESERVE CONFISCATED NARCOTICS	
ASSOCIATED MANUAL:	RELATED ORDERS: 4.2.03
CHIEF OF POLICE: *Michael McGrath, Chief*	

Changes in italics

PURPOSE: To establish guidelines for the control, storage and use of Field Evidence Bags guidelines to secure, package and preserve controlled substances.

POLICY: The Cleveland Division of Police shall control the distribution of Field Evidence Bags and ensure that controlled substances seized as contraband and evidence are packaged and preserved in Field Evidence Bags.

PROCEDURES:

I. Control of Field Evidence Bags:

A. District administrative supervisors and the Officer-in-Charge (OIC) of the Narcotics Unit shall create a Field Evidence Bag Control Binder for the sole purpose of controlling the distribution of Field Evidence Bags.

B. All Field Evidence Bags in the possession of a district or Narcotics Unit shall be logged into this binder.

C. The Field Evidence Bags Control Binder shall contain spaces for bag number, date issued, issued to, and issuing supervisor.

D. District administrative supervisors and the OIC of the Narcotics Unit shall make arrangements to secure both the bags and binder until the bags are issued.

E. Officers shall sign for Field Evidence Bags in the Field Evidence Bag Binder with both their name **and** badge number. The administrative sergeants and the OIC of the Narcotics Unit are responsible to insure compliance.

II. Controlled substances seized by field personnel

A. Officers shall package suspected controlled substances in Field Evidence Bags.

B. Drug paraphernalia not subject to scientific examination shall continue to be forwarded in the "Property Held in Evidence for Owner" envelope to the Property Unit.

C. The "narrative section" of the Record Management System (RMS) report shall contain the number of the Field Evidence Bag.

*1. Officers shall record the bag number into their RMS reports **exactly** as shown on the Field Evidence Bag, which includes any and all zeros as printed on the bag. Example of a bag number: 000003126 is entered into the RMS report as: "Bag# 000003126"*

2. *The OIC shall ensure the number on the RMS report **exactly** matches the number on the bag **before** signing the Field Evidence Bag.*

D. Officers shall complete information required on the Field Evidence Bag.

*1. Members shall ensure that the defendant's full **first** and **last name** is recorded on the Field Evidence Bag, along with the subject number as noted on the RMS report, even if the defendant is the only subject.*

*2. When there is more than one subject, and more writing space is needed, members may use the area noted as "REMARKS" on the evidence bag for entering more names. Always use the subject's full **first** and **last names,** along with the subject numbers.*

3. If there are still additional subjects and there is not enough room to list them, the term "et al" shall be used to refer to all other subjects not listed on the bag.

E. In order to maintain the "chain of evidence", each Property Book entry of a confiscated controlled substance shall include the sequential number of the Field Evidence Bag in which the substance was placed.

F. Fields on the Field Evidence Bag shall be completed in blue or black ink. **Use red ink with juvenile arrests**.

G. Sealed bags shall be stored in a secure district, bureau, or unit evidence locker and shall be forwarded with the prescribed Division procedures.

III. If the Field Evidence Bag appears to have been opened or tampered with, the continuity sequential number on the bag does not match the number in the Property Book, the return weight of the bag does not correspond with the original weight, or any other irregularity in the chain of custody exists, the Field Evidence Bag will not be accepted.

A. The superior officer who receives a Field Evidence Bag that has been tampered with shall conduct a complete investigation and forward the report to the Internal Affairs Unit.

B. The *transporting* officer shall complete a Form-1 and, along with the Field Evidence Bag containing the controlled substance, deliver it to Technical Section personnel.

C. If an officer is returning drug evidence from court to the Technical Section after hours, and the tamper evident court bag and/or Field Evidence Bag has been opened or damaged, the evidence shall be delivered to a Narcotics Unit supervisor.

1. The Narcotics Unit supervisor shall place the evidence and all original damaged packaging into a new tamper evident court bag for return to the Technical Section. ***A new Field Evidence Bag shall not be used.***

2. The Narcotics Unit supervisor shall deliver the Form-1 from the transporting officers to the Technical Section OIC for follow-up investigation.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	**October 14, 2009**	1 of 2	4.2.05

SUBJECT:	
REMOVING DRUG EVIDENCE FROM THE FORENSIC UNIT	
ASSOCIATED MANUAL:	RELATED ORDERS:
FORENSIC UNIT, INSPECTION UNIT, INTERNAL AFFAIRS, INTELLIGENCE UNIT	
CHIEF OF POLICE:	
Michael McGrath, Chief	

Substantive changes are in italics

PURPOSE: To provide accountability of controlled substances removed from the Forensic Unit.

POLICY: The Cleveland Division of Police shall regulate the removal of drug evidence from the Forensic Unit and maintain accountability.

PROCEDURES:

I. Officers shall receive authorization to remove drug evidence from the Forensic Unit for court related purposes if the following apply:

A. The drug evidence is for a pending pretrial hearing or an actual trial.

B. The city or county prosecutor assigned to the case gives the officer a verbal or written request to present the evidence at such hearing or trial.

C. The drugs are evidence.

D. There is a written request on the officer's subpoena that such evidence is needed at the hearing or trial.

II. In instances where an officer is no longer needed in court but drug evidence must remain in the courtroom, the officer shall provide the Forensic Unit with the name and contact information of the prosecutor who has assumed custody of the drugs.

III. *The Forensic Unit shall, as needed and as approved by court order, maintain quantities of former drug evidence for use in investigations conducted by the Bureau of Special Services. The drug evidence used for this purpose shall be those drugs that were scheduled for destruction as per court order*.

A. *Only a Narcotics Unit supervisor with the written authorization of the Commander of the Bureau of Special Services may sign out drugs for use in an investigative operation.*

B. *The drugs used for this purpose shall be packaged by the Forensic Unit in a manner prescribed by the investigating unit. The packaging may not be modified or altered after it is removed from the Forensic Unit*.

C. *If the drugs become evidence as a result of their use in an investigative operation, the drugs shall be considered a new seizure and normal procedures shall apply for entering the drugs into evidence*.

D. *If an investigative operation does not result in the drugs becoming evidence, the drugs shall be retuned to the Forensic Unit within 72 hours of the drugs having been initially signed out of the Forensic Unit*.

E. *The Forensic Unit shall in all cases inspect the returning drugs in a manner prescribed by the Forensic Unit. Any alterations of the original packaging, or discrepancies in the contents or recorded quantities shall be noted and forwarded to the Integrity Control Section for further investigation*.

F. *If at any time the drugs have not been returned to the Forensic Unit within 72 hours of having been signed out of the Forensic Unit, the Narcotics Unit supervisor shall forward a Form-1 through the chain of command to the Deputy Chief of Special Operations (with a copy being forwarded to the Forensic Unit) explaining the cause of the delay and/or requesting an extension of the time limit due to the circumstances of the ongoing investigative operation*.

MM/TAH/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	4.2.06

SUBJECT:	
LIQUOR LAW ENFORCEMENT	
ASSOCIATED MANUAL: DETECTIVE BUREAU	RELATED ORDERS: 3.4.06
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To provide information on liquor control laws for the Cleveland Division of Police.

POLICY: The Division shall enforce liquor control laws.

PROCEDURES:

I. Officers shall arrest and/or issue a Minor Misdemeanor citation, make a Record Management System (RMS) report and confiscate evidence for:

A. Open Container Prohibited – 617.07-(M4)

B. Open Container of Beer in a Public Place 617.07(b)(3). This prohibits beer consumption in a park.

C. Use or Sale of Intoxicating Liquor in a Park 559.46(a). This prohibits taking into or upon any park any intoxicating liquor, either for sale to others, for their own use, or for the use of others. No person shall sell, give away, or dispose of any intoxicating liquor in or upon any park. This violation is an unclassified misdemeanor and enforced by means of a minor misdemeanor citation.

D. Officers shall issue a citation in lieu of an arrest for a minor misdemeanor violation pursuant to ORC 2935.26 outlined in GPO 3.4.06 under procedures for Issuance of Citations or Warrant Summons.

II. Officers shall arrest, make an RMS report and consult the prosecutor for:

A. Liquor Consumption in a Motor Vehicle prohibits the consumption of intoxicating liquor or beer in a motor vehicle - 617.04(a) –M4.

B. 617.12(a) Consumption of Intoxicating Liquor in Parks and Recreational Facilities prohibits the consumption of intoxicating liquor in any park, parkway, playground, ballfield, tennis court, skating rink, recreation center or model airplane field owned and controlled by the city, unless the sponsors of the event obtain a permit from the Director of Parks, Recreation and Properties 617.12(a) and is a (M1).

III. Evidence handling intact and/or open containers:

A. Officers shall seal bottles with leak-proof caps by placing gummed tape over the replaced cap and recording their initials and badge number on the seal.

B. For a container without a leak-proof cap, a sample (without ice), shall be placed in a clean urine specimen jar. Officers shall seal it with gummed tape empty the original container and confiscate it for evidence.

C. Officers shall mark, tag, and enter evidence in the District/Unit Property Book.

D. Intoxicating liquor, beer and related evidence shall be placed in the storage area until forwarded to the Property Unit.

IV. When there is a criminal charge or civil-only cases and the containers are intact, evidence shall be forwarded to the Property Unit.

V. The arresting officer may request a Forensic Laboratory analysis per the prosecutor if the evidence is required for presentation in a pending trial.

A. Arresting officers shall make requests for substance analysis via telephone to the Forensic Laboratory Unit.

B. Requests shall include the name of the prosecutor who ordered the analysis, the name of the suspect, and the report number.

EFL/TAH/LM/snh
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	December 18, 2014	1 of 1	5.1.01

SUBJECT:	
CURFEW CITATIONS	
ASSOCIATED MANUAL:	RELATED ORDERS:
DISTRICT	3.4.06
CHIEF OF POLICE:	
Calvin D. Williams, Chief	

This General Police Order has been revised in its entirety

PURPOSE: To ensure accurate completion of minor misdemeanor citations issued to adult violators for minor's curfew law and day curfew laws.

POLICY: The Division of Police shall enforce minor's night curfew and day curfew laws to ensure the safety of the community and the juveniles within it.

PROCEDURES:

I. Members shall issue a minor misdemeanor citation (MMC) to the juvenile's parent or guardian and maintain a copy in the district files.

II. Members needing assistance identifying the juvenile's parent or guardian may use the Communications Control Section (CCS) or the database at the juvenile's school.

III. When enforcing curfew violations, members shall:

A. Transport the juvenile to their residence, the residence of a family member of the juvenile, or the juvenile's school, if during the school day.

B. Issue the parent or guardian the citation, no matter where the juvenile was returned. If the parent or guardian cannot be personally served, a summons shall be issued to the parent or guardian. The preferred method for night time curfew is for officers to personally serve the parent or guardian the citation.

C. Note the name of the adult relative the juvenile was released to on the MMC if the juvenile is not released to the juvenile's parent or guardian.

CDW/jeh
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
JUNE 14, 2005	DECEMBER 31, 2007	1 of 4	5.1.02

SUBJECT:	
JUVENILE PRISONER BOOKING AND HOUSING	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Revisions are printed in italics

PURPOSE: To establish Cleveland Division of Police guidelines for juveniles taken into custody for violations of law.

POLICY: The Division of Police shall follow the procedures set forth by the Cuyahoga County Juvenile Court and the State of Ohio.

PROCEDURES:

I. Officers shall not transport juveniles in Division of Police custody with adult suspects.

II. Booking:

A. The arresting officer shall complete a Juvenile Fact Sheet and Cleveland Division of Police Booking Information Form (Appendix A).

B. Juveniles are not entitled to a telephone call. **The arresting officer shall notify the parents and/or guardian, in person or by phone, of the reason and circumstances of the arrest.** If attempts at notification are unsuccessful, the arresting officer shall prepare a Form-1 and submit it to the Officer-in-Charge (OIC) of the detention facility. The OIC shall ensure timely notification.

C. The arresting officer shall convey juveniles needing processing to the *Division of Correction* Central Prison Unit (CPU) for booking and processing. *The officer shall enter all required information, including the juvenile's name, age, date of birth, gender, race, offense, and the date and time of entry to and exit from the CPU in the "Juvenile Holding Log" located in a binder, marked as such, adjacent to the juvenile holding room in the CPU. Appendix B.*

III. When a juvenile is taken into custody on a verified warrant the arresting officer shall contact the Juvenile Detention Center.

IV. Juvenile Misdemeanor Offenses:

A. For **Non-**Domestic Violence offenses, custody of juveniles shall be relinquished to an identified, responsible, adult relative or guardian.

B. For Domestic Violence offenses, custody of juveniles shall be relinquished to an identified, responsible, adult relative or guardian if **all** the below requirements apply.

1. There is no reason for the arresting officer to believe that the arrested juvenile will harm the victim or other responsible adult relative or guardian taking custody of the juvenile.

2. The adult taking custody can be positively identified.

3. The adult taking custody promises to produce the juvenile in court when requested to do so.

C. *If neither A nor B apply, the officer shall contact the Juvenile Detention Center.*

V. Juveniles Taken into Custody:

A. Officers shall book *all* juveniles at the Central Prison Unit.

B. If the crime involves a weapon or violence, the officers shall contact the Juvenile Detention Center.

C. If the crime does **not** involve a weapon or violence, **and** all reasonable efforts are exhausted to release the juvenile to the custody of an identified responsible adult relative or guardian, officers shall contact the Juvenile Detention Center.

VI. Contacting the Juvenile Detention Center:

A. The arresting officer shall contact the Juvenile Detention Center (JDC) Detention Screening Instrument (DSI). The DSI will secure demographic

information regarding the juvenile and the arresting officer.

B. The arresting officer shall fax the Record Management System report, Juvenile Fact Sheet and other relevant material to the juvenile prosecutor's office. A prosecutor will review the fax, determine the appropriate charge and notify the DSI after receiving the fax.

C. The DSI will notify the arresting officer and the prosecutor of their decision.

1. If admission is appropriate, the prosecutor will prepare the complaint and fact sheet and will arrange to have the complaint signed by the police, attest to the signature, and forward six copies of the complaint to the DSI.

2. When the JDC will not accept, the officers shall relinquish custody of the juvenile to an identified, responsible, adult relative or guardian.

VII. Conveying juveniles to the Juvenile Detention Center:

A. Police officers shall convey juvenile suspects to the Juvenile Detention Center with the Booking Information Form, the Juvenile Fact Sheet and a copy of the incident report.

B. The conveying officer shall obtain a summons and a copy of the complaint for delivery to the juvenile's parent or guardian.

1. If the juvenile's parent or guardian resides in the officer's district, the officer shall make a reasonable attempt to deliver the summons. If the officer cannot locate the parent or guardian, the summons shall be left at the parent or guardian's address. If the address does not exist, the officer shall contact the Juvenile Detention Center and request a correct address.

2. If the parent or guardian lives outside the district of arrest, but in the City of Cleveland, the arresting officers shall contact the OIC of the district where the parent or guardian resides and fax a copy of the summons to that OIC. That OIC shall ensure delivery of the summons to the juvenile's address. The district serving the summons shall notify the arresting district once it has been served.

3. If the parent or guardian of the juvenile resides outside of Cleveland, the officer shall forward the summons to their OIC. The OIC shall contact the law enforcement agency with jurisdiction over the parents or guardian's residence and request that they attempt to deliver a fax copy of the summons. The OIC shall fax the summons to that agency.

MM/TAH/JCO/mg
Policy & Procedures Unit
Appendices A, B

CLEVELAND DIVISION OF POLICE
Booking Information Form

REPORT NUMBER: _____

Arrest #: _____ Booking #: _____ Property Bag #: _____

Check One: ☐ Adult ☐ Juvenile Orig. Agcy: _____ Chg. Agcy: _____

Arrest Date: _____ Time: _____ Arrest Type: _____

Arrested by: # _____ # _____ Agency: _____ Car#: _____

Last Name: _____ First Name: _____ MI: _____

Arrest Location: _____ Zone: _____

Arrested with: _____

Check One: ☐ Felony ☐ Misdemeanor ☐ Felony & Misdemeanor

Arrest Result of Warrant (check one): ☐ Yes ☐ No

ARRESTEE INFORMATION

Address: _____ City: _____ State: _____ Zip: _____

Home Phone: ( ) _____ Work: ( ) _____ Race: _____ Gender: _____

DOB: _____ Height: _____ Weight: _____ Hair: _____ Eyes: _____ Build: _____

Complexion: _____ DL#/ST: _____ SSN: _____ Age: _____

Basis for Caution: _____ Resisted Arrest (check one): ☐ Yes ☐ No

Occupation: _____ School (Juvenile): _____

Marital Status: _____ POB: _____ Gang Member of: _____

Employer Information:

Name: _____ Address: _____

City: _____ State: _____ Zip: _____ Position: _____

Alias Information:

Name: _____ Type: _____ DOB: _____ SSN: _____

Known Associates: _____

Emergency Contact:

Name: _____ Relationship: _____ Phone: ( ) _____

Address: _____ City: _____ State: _____ Zip: _____

Other Agency:

Brought in by 1#: _____ If not CPD #: _____ Agency: _____

Brought in by 2#: _____ If not CPD #: _____ Agency: _____

Vehicle Information:

Lot#: _____ VIU: _____ Plate: _____ Make: _____ Model: _____

Offense #1: _____ Code: _____ Date of Offense: _____

Relationship to Victim: _____

Warrant Information: _____

Additional Information: _____

Offense #2: _____ Code: _____ Date of Offense: _____

Relationship to Victim: _____

Warrant Information: _____

Additional Information: _____

Hold For: _____

SPOUSE / NEXT OF KIN / JUVENILE PARENT NOTIFICATIONS:

Name: _____ Address: _____ City: _____

State: _____ Phone #: ( ) _____ Relationship: _____

Notified (Juvenile): ☐Yes ☐No Date: _____ Time: _____ By: _____ # _____

Foreign National: Did arresting officer notify Foreign Consulate/Embassy? ☐ Yes ☐ No

Date: _____ Time: _____ By: _____ # _____ Embassy: _____

PRISONER MEDICAL INFORMATION:

MEDICAL CONDITION	Y N R U P.O.	Y N R U Jailer	COMMENTS P.O.	COMMENTS Jailer
Recent head injury? When? Was it treated?				
Conditions: Heart, Epilepsy, Diabetes, Asthma?				
Contagious diseases: Tuberculosis, Hepatitis, AIDS?				
Are you presently under medical or psychiatric care?				
What are you under medical or psychiatric care for?				
Personal physician, clinic or hospital?				
Are you presently taking any medication? What?				
Are you allergic to any medication? What?				
Are you on a special diet prescribed by a doctor?				
Female, are you pregnant? In what month?				
Do you have a medical condition we should be aware of?				
Do you have a Medical Assistance card? Number?				
Do you have medical insurance? Company?				

OFFICER / JAILER OBSERVATIONS

Any obvious physical or mental handicaps?				
Appears under the influence of alcohol and/or drugs?				
Combative, aggressive, emotionally upset?				
Behavior suggests risk of suicide?				
Prior history of suicide attempts?				
Injuries, trauma, bleeding, swelling and/or bruises?				
In obvious need of medical care?				
Requesting medical care?				
Refused medical care?				
Rash, lice, scabies, jaundice or other skin disease?				

CLEVELAND DIVISION OF POLICE

JUVENILE HOLDING LOG

NAME	AGE	DOB	SEX	RACE	OFFENSE	DATE	TIME IN	TIME OUT

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
December 8, 2004	July 9, 2014	1 of 1	5.1.03

SUBJECT:	
CUYAHOGA COUNTY JUVENILE DETENTION CENTER (CCJDC) ADMISSION	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

This General Police Order is rescinded.

(This page left intentionally blank)

CDW/jeh
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 1	6.1.01

SUBJECT:	
CRISIS INTERVENTION REPORT	
ASSOCIATED MANUAL:	RELATED ORDERS: 3.2.06
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

RESCINDED EFF. 01/01/18
SEE NEW GPOs 5.11.01-5.11.03

PURPOSE: To set guidelines to make a Record Management System (RMS) report for a person who is taken into temporary custody to provide for their safety or the safety of others.

POLICY: An incident may require police action although there is no violation of the law and the Cleveland Division of Police shall document such action in a Crisis Intervention Report.

DEFINITION:

Temporary custody is the police activity required to convey a person who is in crisis for a psychiatric evaluation and/or hospital commitment.

Crisis is a situation in which an individual exhibits abnormal mental or physical behavior that threatens the safety of themselves or others but is not a violation of the law.

PROCEDURES: Officers who handle the assignment shall make a Record Management System (RMS) Crisis Intervention Report. Probate warrants are court orders and their execution may create a situation that requires a Crisis Intervention Report.

I. The individual who causes the police action is the victim for report purposes.

II. The officers who make the report are the reporting persons.

III. The narrative shall contain incident facts and the police units present, i.e. Special Weapons and Tactics Unit, Crisis Negotiation Team.

IV. In the contact section, if applicable, note the hospital the victim is taken to and the name of the treating physician.

EFL/TAH/LM/pmz
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 3	6.1.02

SUBJECT:	
NEXT OF KIN NOTIFICATION	
ASSOCIATED MANUAL:	RELATED ORDERS: 6.2.03
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To establish next of kin notification guidelines for officers in death or hospital confinement situations.

POLICY: A death or hospital confinement requires Cleveland Division of Police members to notify next of kin with compassion and understanding. Next of kin shall be promptly notified in a death regardless of the cause or if hospital confinement is a result of sudden illness, physical injury, or psychiatric emergency.

PROCEDURES:

I. Notifications:

A. A death or hospital confinement requires prompt next of kin notification to an adult relative in person. Notification shall never be made to a juvenile or by telephone.

B. Officers who conduct the original investigation shall make the notification. A supervisor may delegate the responsibility to another member, except if the Deadly Force Investigation Team will make notification.

C. Officers shall attempt to notify next of kin during their tour of duty.

1. If the next of kin resides out of town, the officer shall telephone the resident police or sheriff's department and request personal notification with a return call to the unit/district to verify completion.

2. If officers cannot make notification prior to the completion of their tour of duty, they shall notify their supervisor, put victim's name on the Hospital List at the Report Center, and note this in their duty report.

D. When a Record Management System (RMS) report is required by the incident which necessitates next of kin notification the following information shall be included in the narrative section and given to the officer's supervisor:

1. Results of the notification, name, age, address, and relationship of the person notified to the victim.

2. The name and title or rank of the person contacted at the Coroner's Office or Report Center.

E. Supervisors shall note details of notifications in their duty reports. They shall include name, age, address, and relationship of the person notified to the victim. If attempts for notification are unsuccessful, the supervisor shall indicate the arrangements made for notification.

II. Death notifications:

A. In Death Notifications, the reporting officer shall advise the Coroner's Office of the following when applicable:

1. Name and relationship of the person successfully notified.

2. That a request has been placed for another department to make notification.

3. That notification could not be made during the officer's tour of duty.

B. Once it has been determined that a decedent who lived alone is a Coroner's case, the investigating officer shall attempt to learn the identity of next of kin from any source **in clear view**. Searching the decedent's living quarters without the coroner's consent is prohibited.

C. If such information is not readily available and the decedent was the tenant or occupant of a home or apartment owned by someone else, the officer shall contact the building authority to acquire the information.

D. If attempts to learn the identity of the next of kin are unsuccessful, the investigating officer shall notify the Coroner's Office.

III. Hospital Confinement

The reporting officer shall add the name of the confined to the Hospital List at the Report Center if:

A. Next of kin is unknown or attempts to make notification are unsuccessful.

B. Next of kin resides out of town and another agency is requested to make notification.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 01, 2002	JUNE 30, 2008	1 of 1	6.1.03

SUBJECT:	
STOP CLEVELAND AUTO THEFT (SCAT)	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

This General Police Order is rescinded.

(This page left intentionally blank)

MM//TAH/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 3	6.1.04

SUBJECT:	
LAW ENFORCEMENT AGENCY DUTIES / CRIME VICTIM COMPENSATION	
ASSOCIATED MANUALS:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To inform members of the Cleveland Division of Police of the Victims of Crime Compensation Act.

POLICY: Division members, injured on or off duty, may be eligible for certain out-of-pocket expenses caused by a physical injury, emotion injury or death that results from violent criminal acts.

PROCEDURES:

I. Eligibility of police personnel and/or their dependents:

A. An off-duty officer injured by a criminal act and forced to use sick leave may be compensated for the sick leave used.

B. An off-duty officer injured by a criminal act in the performance of official duties may be compensated for lost income if the officer's injuries result in an inability to work secondary employment, overtime, or special off-duty assignments.

C. Dependents of an officer killed in action, on or off-duty, may be compensated for anticipated future economic loss and for a portion of funeral and burial expenses.

D. Medical expenses not covered by health insurance or worker's compensation may be compensated. These expenses may include the insurance deductible, documented mileage to and from medical facilities, follow up visits to a doctor for physical and psychological care, bandages, medication or other medical supplies, and prescriptions.

E. Counseling for a victim's family member, up to $2,500.00 each, may be covered.

F. Funeral expenses up to $5,000.00 each instance may be covered.

G. Income and services to dependents may be covered due to the victim's death.

H. Automobile accidents are covered if an officer is injured during pursuit of a suspect, who has committed a felony or if an officer is intentionally run down.

II. Not covered:

A. Property loss and accidental injuries, (i.e., falling downstairs or tripping while investigating a suspicious situation).

B. Traffic accidents even if the offending driver was intoxicated.

C. Stolen, damaged, or lost property, or pain and suffering.

D. Costs payable by other sources.

III. To file an eligibility claim:

A. Compensation may not exceed $50,000.00 and The Ohio Court of Claims shall determine compensation on applications. If there is disagreement with the Court's decision, there is an appeal process.

B. Filing shall occur within one year of injury or death, or within two years for incidents with extenuating circumstances.

C. A claim is filed with the Court of Claims in Columbus, or filed with the Cuyahoga County Clerk of Courts.

D. To request information or assistance contact:

1. Crime Victims Compensation
   Cleveland Office of Ohio Attorney General
   65 East State Street, 8th floor
   Columbus, Ohio 43215
   (614) 466-5610

2. The Ohio Victim's Hotline and Specific Case Information toll free number is 1-800-582-2877; or 1-877-584-2846 or 1-877-5VICTIM or at www.ag.state.oh.us.

IV. Informational brochures shall be distributed to each bureau and district through the Mail Center. Additional copies are available at the Supply Unit. Applications may be obtained from the Medical Unit or the Victim/Witness Office.

EFL/TAH/LM/aaf
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 1	6.1.05

SUBJECT:	
ABANDONED BABY (72 HOURS OR LESS OF AGE)	
ASSOCIATED MANUAL:	RELATED ORDERS: 6.2.08
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To provide compliance with Ohio House Bill 660 that permits a parent to voluntarily deliver a child not more than 72 hours of age to an emergency medical service worker, peace officer or hospital employee.

POLICY: An officer of the Cleveland Division of Police shall accept possession of a child 72 hours or less of age and generate a Record Management System (RMS) report entitled Abandoned Baby.

PROCEDURES:

An officer who takes possession of a child shall take the following action:

I. Perform any act necessary to protect the child's health or safety.

II. Notify 696-kids that a child has been taken into possession.

III. If possible, give the parent who relinquishes the child the medical information forms concerning the child's parents although there is no requirement for the parent to complete the forms. Also provide the pamphlet with services available to assist parents and newborns. Both are available at the Supply Unit.

IV. Attempt to identify or pursue the person who delivered the child, if the child has suffered a physical or mental wound, injury, disability, or a condition that reasonably indicates abuse or neglect.

V. Generate an RMS report entitled Abandoned Baby.

EFL/TAH/LM/pmz
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	6.2.01

SUBJECT:	
STOLEN/LOST LICENSE PLATES OR VALIDATION STICKERS	
ASSOCIATED MANUAL: PROPERTY UNIT	RELATED ORDERS: 10.3.01
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To establish guidelines for the investigation of lost or stolen license plates and validation stickers.

POLICY: The Cleveland Division of Police, through the Communication Control Section (CCS), shall take reports of theft or loss of license plates and/or validation stickers by telephone. A Zone Car or Special Response (SR) Car shall be dispatched only under certain conditions.

PROCEDURES:

I. CCS shall dispatch a Zone or SR Car in the following circumstances:

A. There is reason to believe the complaint is making a fraudulent report.

B. There is reason to believe the complainant is intoxicated.

C. The plates or sticker were stolen during an act of violence.

D. Circumstances indicate that there is physical evidence at the scene.

E. They are directed to do so by a supervisor.

II. Stolen and/or lost license plate(s) – Record Management System (RMS) reports.

A. The title of the RMS report is “Theft (LP)” or Property Lost/License Plate(s)”.

B. Describe the vehicle from which the plates were taken or lost and which plates were taken (front, rear or both).

C. Report type of plate.

D. If a validation sticker was attached to the plate (See III).

E. Advise complainants to obtain replacement plate(s) from the license bureau as soon as possible.

III. Stolen and/or lost validation sticker: The title of the RMS report is "Petty Theft (VS)" or "Property Lost/Validation Sticker", and shall include:

A. The validation sticker number if possible.

B. If the owner's registration or listing indicates a control number (mailed in the registration) in place of a validation sticker number (Deputy Clerk registration) the report shall indicate that the validation sticker is unknown, and the control number shall <u>not</u> be recorded.

C. Advise complainant to the license bureau to obtain a replacement sticker as soon as possible.

IV. Recovery of stolen, lost, or displaced license plates

A. Check license plates through LEADS, and follow the procedures outlined in GPO 10.3.01, Property Management.

B. Contact the listed owner to determine if replacement plates were issued. If so, forward the recovered plates to the Property Unit.

C. Complete RMS recovery reports.

EFL/TAH/LM/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	MARCH 24, 2008	1 of 3	6.2.02

SUBJECT:	
FIREARM SEIZED, CONFISCATED, FOUND: REPORTING AND HANDLING	
ASSOCIATED MANUAL:	RELATED ORDERS: 6.2.05
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are in italics

PURPOSE: To establish a uniform method for handling seized, confiscated or found firearms.

POLICY: Firearms in the Division's custody shall be handled *in manner such as to preserve their evidentiary and intrinsic value. Intrinsic value refers in part to the firearm's collectable or sentimental value.*

PROCEDURES:

I. Marking firearms as evidence:

In order to preserve a firearm's evidentiary and intrinsic value, officers shall not permanently mark firearms. Gun Bags shall be used to maintain the chain of custody. The process of tagging and recording a firearm is meant to ensure that the evidentiary value of the firearm is not compromised.

II. Reporting:

A. An officer taking possession of a firearm shall complete the "Firearms Seized, Confiscated, Found" section of the Record Management System (RMS) report.

B. Firearm Checks

1. The seizing officer shall complete a computer check and a Crime Scene and Records Unit check of the weapon.

2. If a firearm check reveals that the weapon was stolen in Cleveland, the seizing officer shall make an RMS recovery report. If the NCIC check reveals the weapon was lost or stolen in another city, the seizing

officer shall note this in the RMS report, and shall request further investigation by district detectives.

3. *All seized firearms require the completion of a Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Tracing Center Trace Request form. The completed form shall be faxed to ATF National Tracing Center at 1-800-578-7223. The fax number can also be found in the upper right corner of the form.*

4. *The faxing of this form shall be noted on the RMS report. A copy of the National Tracing Center Trace Request form shall be attached to the RMS report.*

III. Handling:

A. Officers responding to the scene of a homicide or serious assault involving a firearm shall secure the scene for the Homicide Unit and shall not handle the firearm, except as necessary to ensure their safety, the safety of others or the evidentiary value of the firearm.

B. Firearms found independent of a crime scene shall be subject to the same procedures as those seized or confiscated.

C. All firearms shall be transported unloaded. If an officer takes possession of a firearm that is jammed or damaged and cannot be unloaded, or if the officer is unsure if the firearm is loaded, the officer shall:

1. Tape the hammer closed and place tape around the trigger guard.

2. Mark the Gun Bag tag with large red letters indicating that the firearm is or may be loaded.

D. Loaded or possibly loaded firearms shall be carefully conveyed to the Forensic Unit for inspection, unloading and processing. The Forensic Unit shall convey the weapon to the Property Unit.

If the Forensic Unit is closed, the weapon shall be kept at the district/unit, separate from other property and evidence, until it can be transported to the Forensic Unit. At the district/unit, the Officer-in-Charge (OIC) shall be responsible for the safekeeping of the weapon.

E. The bag portion of the Gun Bag shall serve as the receptacle for live or spent cartridges found in the firearm, magazines or other related parts of the firearm. The bag portion with its contents shall be closed and tied. The closed bag, with the completed tag and attached RMS report, shall be tied to the trigger guard with a single knot.

F. Firearms shall never be inserted into the bag.

G. The officer who takes possession of the firearm shall attach a copy of the RMS report to the Gun Bag, and make the necessary property book entry.

H. Cartridge casings and/or spent pellets found outside of the firearm shall be forwarded to the *Forensic Unit in a Property/Evidence Envelope. Live ammunition located outside the firearm should be forwarded to the Property Unit.*

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	October 7, 2011	1 of 6	6.2.03

SUBJECT:	
DEAD BODY INVESTIGATIONS	
ASSOCIATED MANUAL: WARRANT UNIT	RELATED ORDERS: 1.3.01, 4.1.03, 6.1.02
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive Revisions in Italic

PURPOSE: To provide guidelines for initial dead body investigations.

POLICY: Members of the Cleveland Division of Police shall treat the deceased with dignity *and maintain a professional demeanor at all times taking into account the sensitivities of the public and the deceased's survivors. Evidence related to a dead body investigation shall be handled in a manner that maximizes the preservation and integrity of the evidence. The on-scene supervisor shall weigh all the circumstances surrounding the death and determine if the death is a probable suicide, accidental death, homicide, or suspected violence*.

PROCEDURES:

I. Responding Officer Responsibilities:

A. *Request a supervisor to respond the scene*.

B. Check for signs of life without unduly disturbing the body. Emergency Medical Service (EMS) personnel shall immediately assume custody *unless an officer can conclusively determine that a person is deceased and EMS is not needed*. If EMS is not present *and is required*, officers on the scene shall request that the Communication Control Section (CCS) ask EMS to respond.

C. If there are *conclusively* no signs of life, telephone the *Cuyahoga County Office of the Medical Examiner* to advise them of the death. Provide the *Medical Examiner's Office* the information as requested.

D. Follow the instructions *of the Medical Examiner's Office*. The *Medical Examiner's Office* shall make the determination as to whether or not to assume custody of the body.

E. If the death appears to be the result of a homicide or suspected violence, officers shall:

1. *Treat the scene as a crime scene and follow the guidelines established in General Police Order 4.1.01 Use of Crime Scene Entry Log and General Police Order 4.1.03 Crime Scene Preservation and processing*.

2. Detain *and separate* all witnesses and suspects for questioning by the Homicide Unit.

3. Not allow the body to be moved until Homicide Unit personnel permit.

F. If firearms are discovered at the scene, officers shall:

1. Not disturb the firearm until the *Crime Scene and Records Unit (CRSU)* photographs it.

2. Record the firearm's exact location and condition.

3. *If the need to preserve firearm evidence (protection from the environment [rain] or man-made conditions [traffic, hostile crowd]) requires that the firearm be moved, use latex or latex-like gloves to manipulate the firearm. This serves to protect the recovery of any "touch" DNA that may be found on the firearm. The gloves shall not be re-used to touch any other piece of evidentiary evidence*.

4. *If approved by CRSU to do so, unload the firearm and note the number of live rounds and spent rounds, condition of the hammer (cocked or not cocked) and the location of spent shell casings.*

5. *Officers shall take due care walking through an area expected to contain shell casings so as not to kick the items to a different location. Handling of shell casings shall also be accomplished using latex or latex-like gloves to prevent DNA contamination of evidence.*

6. If the firearm is jammed or damaged and cannot be unloaded or if the officers are unable to unload it:

   a) Tape the hammer closed and place tape around the trigger guard.

b) Mark the Gun Bag Tag with large red letters to indicate that the firearm is or may be loaded.

7. Carefully convey loaded or possibly loaded firearms to the Forensic Unit for inspection, unloading and processing. If the Forensic Unit is closed, the weapon shall be kept at the district/unit, separate from other property and evidence, until transport.

8. *If the death appears to be the result of a suicide caused by a firearm, ensure that the unloaded firearm is turned over to the Medical Examiner's Office*.

G. Contact the Warrant Unit to check for warrants on the deceased.

1. If a warrant is discovered *and the dead body is a Medical Examiner's case*, the on-scene supervisor shall notify the *Medical Examiner's Office of the warrant*. *The Medical Examiner's Office will then be responsible for taking fingerprints of the deceased*.

2. *If a warrant is discovered and the dead body is not a Medical Examiner's case, the on-scene supervisor shall notify CSRU to follow up and secure the fingerprints of the deceased*.

H. Advise the next of kin that they may contact a funeral home if the *Medical Examiner's Office* relinquishes custody **and** the attending physician agrees to sign the death certificate.

I. Take all keys found *in plain view* on the scene, medication, firearms, and property found on the body to the *Medical Examiner's Office*. If it is necessary to remove other property or evidence from the scene, take the property or evidence to the *Medical Examiner's Office*.

J. Do not allow any other property to be removed from the scene without the consent of the *Medical Examiner's Office*.

K. Do not give property from the scene to anyone without the consent of the *Medical Examiner's Office*.

L. Do not permit members of the *Medical Examiner's Office* contract ambulance service to search the scene.

M. Secure the premises, ensure that the contract ambulance service affixes the *Medical Examiner's Office* adhesive seal on the door and door frame and instruct all parties that the premises are sealed on behalf of the *Medical Examiner's Office* and that **no one** may enter without the permission of the *Medical Examiner's Office*.

N. Next of kin notification:

1. *Officers shall not search a scene for next of kin information where there is an expectation of privacy at that location*. If no information is readily available, officers shall contact a neighbor, building manager, or other person/entity for next of kin information.

2. Death notifications shall be made in person.

3. If the next of kin resides outside of Cuyahoga County, *contact CCS to request* that the local police agency make a personal notification.

O. If the death is a *Medical Examiner's Office* case, notify the *Medical Examiner's Office* desk attendant when the next of kin are notified. Provide to the *Medical Examiner's Office* the name of the person notified and the relationship to the deceased.

P. If the *Medical Examiner's Office* takes custody of the body:

1. The *Medical Examiner's Office* shall dispatch an ambulance to retrieve the body.

2. If the body transport service does not arrive within 45 minutes or if there are less than two attendants on the responding unit, the responding officers shall complete a Form-1 specifying the deficiency and forward it to the *Deputy Chief* of Field Operations.

II. Supervisory officers:

A. Shall respond to the scene of a dead body investigation.

B. Supervisory officers shall ensure that EMS is not unnecessarily used to transport bodies. However, if family or public sensitivity is likely to be aroused and criminality is not otherwise suspected, EMS may be requested to remove the body immediately.

C. *If the deceased has an outstanding warrant, refer to the Section [I(F)] above for proper protocol*.

D. *Take photographs of any involved firearm if CSRU is unavailable or is delayed and the firearm needs to be secured expeditiously; and ensure that the photographs are marked, tagged, and entered into evidence.*

III. Record Management Incident (RMS) report:

A. An RMS report is required when the Division responds to a dead body situation.

1. Zone car personnel shall complete an RMS report on non-traffic fatalities.

2. An OH-1, with supplement reports, shall be used to report traffic fatalities.

B. Officers shall include the following information in the narrative section of the RMS report:

1. Circumstances surrounding the discovery of the body or the death.

2. Apparent *or suspected* cause of death, *if reasonably determined*.

3. History of illness (*mental or physical*), despondence, or suicide attempts.

4. Name, address, phone number, and relationship of the next of kin notified.

5. Method of notification and the name and badge of the officer who notified the next of kin.

6. Name of the *Medical Examiner's* Office personnel notified of the next of kin notification.

7. Time that the *Medical Examiner's* Office was notified.

8. Results of the warrant check.

C. If applicable, officers shall include the following information in the narrative of the RMS report:

1. Description of the crime scene, including the location of the body.

2. Name of the transport service by which the deceased was conveyed.

3. Arrival time of the transport service.

4. Names of transport personnel.

5. Description of property removed from the scene (*as approved by the Medical Examiner's Office*), the names of those to whom the property was given, and where it is being taken.

6. The name of the doctor pronouncing the death and time the victim was pronounced dead.

7. Presence of physical evidence that may indicate suicide.

8. Name of the person *in the Record Section* who placed the name of the deceased on the Hospital List.

9. Statement that the premise was secured and that the keys were given to the *Medical Examiner's* Office.

10. Other investigating officers and units present.

11. Forms issued.

12. Other notifications.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 3	6.2.04

SUBJECT:	
GRAND THEFT MOTOR VEHICLE AND UNAUTHORIZED USE INVESTIGATIONS	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To establish guidelines to report and investigate Grand Theft Motor Vehicle (GTMV) and Unauthorized Use of Motor Vehicle offenses.

POLICY: After an investigation, officers shall confer with a supervisor to determine which crime, if any has occurred. Locate for Owner or Property Lost reports shall no longer be made in connection with missing autos.

PROCEDURES:

I. To make a GTMV or Unauthorized Use of a Motor Vehicle report officers shall obtain all information needed to complete a Record Management System report. This report shall contain the following:

A. For missing auto incidents not received from dispatch (on-view, lobby, etc.) check with VIU, channel seven, to determine if the vehicle has been impounded or repossessed. If impounded, advise the complainant how to obtain a release. If repossessed, advise the complainant and no report will be taken.

B. The Vehicle Identification Number (VIN).

C. License plate and validation sticker, if applicable.

D. A complete description of the vehicle, including any outstanding features, accessories, or damage which would make the vehicle unique among others of the same make and model.

E. Witnesses and interviews.

F. Suspects and suspect vehicles.

G. Stolen property (property valued at $5,000.00 or more, excluding accessories, shall require the "hold for processing" block to be checked and a notation at the beginning of the narrative stating, "hold for processing/valuable cargo").

H. Damaged property.

II. When a semi-tractor with a trailer attached is stolen, each will be entered on a separate stolen vehicle section of the RMS report. If the semi-tractor engine type, size, make, and serial number, or the transmission make, serial number, and number of gears are available at the time the report is made, they shall be obtained and entered in the stolen property section of the RMS report.

III. When a vehicle with a boat trailer attached is stolen, the trailer will be entered on a separate stolen vehicle section of the RMS report. If a boat is also stolen it shall be entered on a separate section of the RMS report.

A. Verify the information provided by the complainant is accurate by:

1. Proper identification of the complainant and verification of ownership documents for the vehicle.

2. Computer checks of the complainant and/or the owner's name and Social Security number, license plate, V.I.N.

B. Confer with a sector supervisor to determine the proper RMS report title.

C. When a GTMV or Unauthorized Use of a Motor Vehicle report is made, officers shall complete, and the complainant shall sign, the Division Unauthorized Use/Stolen Vehicle Statement (Appendix). A report shall not be made unless the statement is signed.

D. The officer completing the RMS report shall forward the top portion of the statement to the Auto Theft Unit via Division mail. The bottom portion containing the advisement shall be provided to the complainant.

E. Assigned field units shall search the area for the vehicle or evidence connected with the theft.

F. The reporting officer shall request the Communications Control Section (CCS) to make an all channels broadcast to include the vehicle information

(year, make, model, color, license, and other known information), any suspect information, and/or the direction of travel.

G. The RMS report completed by the officer shall immediately be faxed to the Report Intake Unit by the OIC.

IV. Complainant lacks ownership papers:

A. When the person qualified to report a stolen motor vehicle does not have the documentation to verify to VIN and/or license plate number, the officer shall consult with a sector supervisor to determine whether a GTMV or Unauthorized Use of a Motor Vehicle (Incomplete) RMS report shall be made.

B. If a GTMV or Unauthorized Use of a Motor Vehicle (Incomplete) RMS report shall be made, the officer shall inform the complainant of the following:

1. The information contained in the report is incomplete and will not be entered until the owner provides the necessary information to complete the report. The officer shall provide the complainant with the RMS number and advise them to provide it when they call to complete the report. The Unauthorized Use/Stolen Vehicle Statement must still be signed by the complainant and forwarded to the Auto Theft Unit.

2. The complainant will call (216) 621-1234 with the information necessary to complete the report. The original RMS number shall be used to complete the report. CCS personnel are responsible to complete incomplete GTMV and Unauthorized Use of a Motor Vehicle reports.

CLEVELAND DIVISION OF POLICE

UNAUTHORIZED USE/STOLEN VEHICLE STATEMENT

COMPLAINANT INFORMATION

OWNER/LEASE	NON-OWNER	RMS #:	
NAME:		DOB:	SSN:
ADDRESS:			
HOME PHONE: ( )		WORK/PAGER/CELL: ( )	
IF NOT OWNER, RELATIONSHIP TO:			

VEHICLE INFORMATION

MAKE:	MODEL:	YEAR:	COLOR(S):
LICENSE #:	STATE:	VIN:	
LEADS CHECK BY DISPATCHER:		TERMINAL #:	

I HEREBY CERTIFY THAT THE ABOVE DESCRIBED MOTOR VEHICLE (CHECK ONE):

____ WAS TAKEN FROM MY CUSTODY OR PLACE OF STORAGE WITHOUT MY KNOWLEDGE OR PERMISSION. AT THIS TIME I HAVE NO IDEA WHO HAS CUSTODY OF, OR IS OPERATING THIS VEHICLE.

____ IS BEING USED BEYOND THE SCOPE OF THE EXPRESS OR IMPLIED CONSENT OF THE OWNER OR PERSON AUTHORIZED TO GIVE CONSENT.

ANYONE WHO HAS CUSTODY OF, OR IS OPERATING THIS VEHICLE, IS DOING SO WITHOUT MY PERMISSION OR BEYOND EXPRESS OR IMPLIED CONSENT. IT IS MY INTENTION TO PROSECUTE THE PERSON(S) WHO HAVE CUSTODY OF, OR ARE USING THE VEHICLE, WHEN APPREHENDED AND IDENTIFIED AS SUCH.

SIGNATURE: _____DATE: _____

VERIFYING OFFICER: _____BADGE: _____

HOW VERIFIED: D.L.: _____ OTHER I.D.: ____ COMPUTER____ TITLE/REG: ____

(TEAR OFF AND GIVE TO COMPLAINANT)

If a GTMV report was made, and you locate your stolen vehicle, you should not enter it, and should immediately call (216) 621-1234 so a field unit can be dispatched to make a recovery report.

If an Unauthorized Use of Vehicle report was made you can call the Auto Theft Unit at (216) 623-5492 for further information in connection with prosecution. If you locate your vehicle you should avoid entering it, and should immediately call (216) 621-1234 so a field unit can be dispatched to make a recovery report.

If you locate your vehicle and decide to drive the vehicle from the scene prior to police arrival, there is the potential for a felony stop being made, and should that situation arise, cooperate completely with officers directions. You should call (216) 621-1234 as soon as possible so a field unit can be dispatched to make a recovery report. **UNTIL A RECOVERY REPORT IS MADE YOUR VEHICLE IS ENTERED IN THE COMPUTER SYSTEM AS BEING STOLEN AND YOU RISK BEING STOPPED BY THE POLICE SHOULD YOU DRIVE IT.**

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	6.2.05

SUBJECT:	
CARRYING A CONCEALED WEAPON (CCW) ARREST	
ASSOCIATED MANUAL: DETECTIVE, FUGITIVE UNIT	RELATED ORDERS: 4.1.07, 6.2.02
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To establish booking and follow-up guidelines for persons arrested for the offense of Carrying a Concealed Weapon (CCW).

POLICY: The Cleveland Division of Police shall vigorously enforce CCW laws and in these arrests the sector supervisor shall determine if the CCW offense is a felony or misdemeanor.

PROCEDURES:

I. Booking procedures:

If the CCW offense is a felony, the Fugitive Unit shall handle the investigation, consult the prosecutor, charge the suspect and complete post charging supplemental reports. If the offense is a misdemeanor the arresting officer shall consult the prosecutor prior to the next court date to obtain charges on the suspect.

II. Follow-up procedures, felony CCW with no other offenses:

The Fugitive Unit shall conduct the investigation and charge the suspect.

III. Follow-up procedures, felony CCW with other felony offenses:

Cases involving other felony charges, in addition to the CCW charge, shall be handled by the assigned district detectives. They shall handle the investigation, consult the prosecutor and charge the suspect (including any misdemeanor offenses related to the arrest).

IV. Follow-up procedures, felony CCW with misdemeanor offenses:

In cases involving misdemeanor charges in addition to the felony CCW charge, the arresting officer shall consult the prosecutor and obtain papers on the misdemeanor(s). The Fugitive Unit shall handle the felony CCW charge and shall complete the investigation and charge the suspect (including any misdemeanor offenses related to the arrest).

V. Follow-up procedures, stolen firearms:

Firearms seized and found stolen shall be the Fugitive's Unit responsibility, except those weapons involved in a criminal investigation conducted by a detective unit (Bureau, Vice, Strike Force, etc). If notified a weapon is stolen, the Fugitive Unit shall inform the district detective unit in which the crime investigation originated who is responsible for follow-up.

VI. CCW reporting procedures:

All CCW arrests require Record Management System (RMS) reports. Indicate felony or misdemeanor on the report by entering (FEL) or (MIS) in parenthesis after CCW in the offense section.

VII. CCW evidence procedures:

A. **The firearm and all arrested suspects shall be fingerprinted when a firearm is seized from a vehicle with more than one suspect.** To preserve print evidence and to avoid an officer adding prints to a firearm, the Crime Scene and Record Unit recommends that latex gloves be worn to handle the weapon. Place the firearm in an envelope or large paper bag with the completed gun bag and two copies of the RMS report attached to the outside. Enter the weapon into the district's property book and convey it to the Technical Section Monday through Friday in the A.M.

B. A firearm observed in the possession of one suspect in the vehicle shall be forwarded to the Property Unit with the next property transfer. The firearm shall be properly tagged for identification with two copies of the RMS report attached to it.

EFL/TAH/LM/pmz
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 3	6.2.06

SUBJECT:	
REPORTING ABUSE OR NEGLECT OF MENTALLY RETARDED OR DEVELOPMENTALLY DISABLED ADULTS	
ASSOCIATED MANUAL: RECORD FILE	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To provide compliance, by the Cleveland Division of Police, with Ohio Revised Code (ORC) 5123.61, Duty of Certain Persons To Report Believed Abuse of Mentally Retarded or Developmentally Disabled Adult; Registry Office; Immunity.

POLICY: The Division shall receive, investigate and appropriately act on all complaints of abuse or neglect of mentally retarded or developmentally disabled adults.

DEFINITIONS:

Mentally Retarded: A significant sub-average, general intellectual functioning which exists concurrent with deficiencies in adaptive behavior, manifest at the developmental period.

Developmentally Disabled: A disability that originates in a person before age 18, continues or can be expected to continue indefinitely, and constitutes a substantial handicap to the person's ability to function normally in society, and is attributed to one of the following:

1. Mental retardation, cerebral palsy, epilepsy or autism;

2. Any other condition related to mental retardation because it results in impairment of general intellectual functioning or adaptive behavior similar to that of mentally retarded persons or a condition that requires similar treatment and services;

3. Dyslexia that results from a disability described above.

Substantial Handicap: A handicap that results in a significant deficit in two or more areas of adaptive behavior. An individual is developmentally disabled when deficits in two or more areas of adaptive behavior are commensurate with those of an individual diagnosed as mentally retarded.

Abuse: Injury, unreasonable confinement, intimidation, or cruel punishment that results in physical harm, pain, or mental anguish for an adult inflicted by one's self or others.

Neglect: An adult's failure to provide themselves the goods or services needed to avoid physical harm, mental anguish, or mental illness, or, the failure of a caretaker to provide such goods or services.

Cuyahoga County Board of Mental Retardation (CCBMR): The department responsible to investigate reports of abuse or neglect of mentally retarded or developmentally disabled adults. The business hours telephone number is 216-241-8230 and 216-694-7077 at other times.

I. Emergency Removal:

Mentally Retarded and Developmentally Disabled adults shall not be removed from those who have custody of them unless in the judgment of the reporting physician and the officer, removal is necessary to safeguard the adult. This does not infringe on an officer's duty to take proper police action in emergency or life-threatening situations. If emergency action is required, the officer shall contact the CCBMR.

II. Reporting Incidents of Endangered Mentally Retarded or Developmentally Disabled:

A. Officers who have reasonable cause to believe that a mentally retarded or developmentally disabled adult is being abused or neglected shall immediately make a Record Management System (RMS) report.

B. Such reports shall include:

1. Name, address, age, date of birth, social security number and phone number of the victim, if known.

2. Name, address and phone number of the caretaker or nearest family member.

3. Basis of the officer's belief that the mentally retarded or developmentally disabled adult has been abused or neglected.

4. Nature and extent of the alleged abuse or neglect.

5. Potentially dangerous situations that may pose a threat to the CCBMR personnel investigating the case.

6. Names of the CCBMR personnel notified and the notification time.

7. Other notifications (agencies, hospitals, relatives, etc.).

III. Confidentiality:

Reports under ORC 5123.61 are not public record. These reports are only available to the court and entities investigating the incident.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 3	6.2.07

SUBJECT:	
REPORTING ELDER ABUSE, EXPLOITATION OR NEGLECT	
ASSOCIATED MANUAL: RECORD FILE	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To provide compliance, by the Cleveland Division of Police, with the Ohio Revised Code (ORC) 5101.61, Duty to Report Suspected Abuse of Adult.

POLICY: The Division is committed to making the City of Cleveland a safe and desirable place to grow old. It shall receive, investigate and appropriately act on all complaints of elder abuse, exploitation or neglect.

DEFINITIONS:

Elderly Adult: Any person, sixty years of age or more, handicapped by any infirmity of aging or a physical or mental impairment which prevents them from providing for their own care or protection and who resides in an independent living arrangement.

Independent Living Arrangement: A residence of an adult's own choosing, including but not limited to, a private home, apartment, trailer or rooming house. It does not include institutions or facilities licensed by the State of Ohio or facilities in which the adult resides as a result of voluntary, civil or criminal commitment.

Abuse: Infliction upon an adult by oneself or others of injury, unreasonable confinement, intimidation or cruel punishment that results in physical harm, pain, or mental anguish.

Exploitation: The unlawful or improper act of a caretaker to use an adult or an adult's resources for monetary or personal benefit, profit, or gain.

Neglect: The failure of an adult to provide for themselves the goods or services necessary to avoid physical harm, mental anguish, or mental illness or the failure of a caretaker to provide such goods or services.

Caretaker: A person who, by contract, voluntarily assumes responsibility for the care of an adult through receipt of payment for care, as the result of a family relationship, or by a court of competent jurisdiction order.

Adult Protective Services (APS): Component of the Department of Human Services responsible, under statute, to investigate reports of elderly abuse. APS is available for consultation 24 hours a day. Their phone number is 216-420-6700. Personnel from 696-KIDS may answer the telephone and can forward the call to APS.

PROCEDURES:

I. Reporting incidents of endangered elderly:

A. Officers who have reasonable cause to believe an elderly adult is being abused, exploited or neglected shall immediately contact APS and make a Record Management System (RMS) report. The "notifications" section under "victim information" must indicate contact with APS.

B. All such reports shall include:

1. Title to include elderly, i.e. assault (elderly).

2. Victim's name, address, age, date of birth, social security number and phone number.

3. Name, address and phone number of the caretaker, nearest family member or close friend.

4. Basis of the belief that the elderly adult has been abused, exploited or neglected.

5. Nature and extent of alleged abuse, exploitation or neglect.

6. Potential danger to APS personnel investigating the case.

7. The names of APS personnel notified and the time of the notification.

8. Other notifications (agencies, hospitals, relatives, etc.).

II. Confidentiality:

A. **Reports under ORC 5101.61 are not public record.** These reports are only available to victims, their counsel or APS authorized representatives.

III. **NOTE:** ORC 2903.13, Assault committed by a caretaker against a functionally impaired person under their care is a felony offense. ORC 2903.16, Failure to provide for a functionally impaired person is also a felony offense when the elder suffers serious physical harm.

EFL/TAH/LM/pmz
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 01, 2002	August 2, 2013	1 of 3	6.2.08

SUBJECT:	
ENDANGERING CHILDREN	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are in italic

PURPOSE: *To establish guidelines for handling reports of child endangerment and to provide for procedures in the investigation and successful prosecution of such cases*.

POLICY: The Cleveland Division of Police, in cooperation with the Cuyahoga County Department of Children and Family Services (DCFS), shall actively investigate allegations of child abuse and, if circumstances warrant, pursue criminal prosecution.

PROCEDURES:

I. *Officers responding to an assignment of alleged child abuse or neglect shall determine if a violation of Ohio Revised Code (ORC) 2919.22 Endangering Children or Cleveland Codified Ordinance (CCO) 609.04 Endangering Children has occurred. If so, officers' actions shall include, but not be limited to*:

A. Creating a Record Management System (RMS) report. RMS reports shall be completed with information from a DCFS social worker. The victim need not be present.

B. Officers shall indicate in the Notifications section, under victim information, that DCFS was notified. The name of the DCFS person notified at 696-KIDS and the "DCFS caller-ID number" shall be included in the Notifications section of the RMS report.

C. A child may be taken from the custody of the caretaker **only** with the authorization of a DCFS social worker. Immediate removal required to protect the child from further abuse or neglect, does **not** require authorization of a DCFS social worker.

II. If the child has sustained physical injuries that require medical treatment or the

caretaker has failed to provide medical treatment for the child, the investigating officer shall create an RMS report, notify DCFS, and fax the report immediately to Sex Crimes/Child Abuse Unit for a follow-up investigation.

III. All Endangering Children reports shall be faxed to the Sex Crimes/Child Abuse Unit for a follow-up investigation.

A. *When the elements within the RMS report indicate the case is a felony, the case shall be assigned to a detective for follow-up*.

B. *If the elements for a felony charge are not present, the Officer-in-Charge (OIC) of the Sex Crimes/Child Abuse Unit shall make a Computerized Criminal History (CCH) check of the arrested person or named suspect*.

C. *If the arrested person or named suspect has a prior conviction of a crime against a family or household member or a prior conviction of Endangering Children, the report will be assigned to a detective for a follow-up investigation*.

D. *If the person arrested for Endangering Children does not have a prior conviction history as described immediately above then the case is a misdemeanor and the provisions in General Police Order 4.1.12 will be followed. The OIC of the Sex Crimes/Child Abuse Unit shall have the booking card removed from the Bureau of Special Investigations General Office and the felony blotter, and deliver the booking card to the supervisor in the Record Section*.

E. *The supervisor in the Record Section shall consult with the Municipal Prosecutor's Office for criminal charges*.

F. If an officer arrests a person for *Operating a Vehicle Under the Influence (OVI)* and a child or children are passengers in the vehicle, the issuing officer shall consult with the prosecutor to obtain papers for the Endangering Children charge under ORC 2919.22(C1). Citations serve as the charging instrument for the OVI charge. Officers shall notify DCFS via 696-KIDS. Officers shall create an RMS report.

IV. When investigating incidents of unsanitary conditions in the home, officers shall document the conditions, with photos and a written description, in the narrative portion of the RMS report. The Crime Scene & Records Unit shall take photos if possible.

A. In Domestic Violence incidents, Endangering Children shall be in the title of the RMS report if:

1. The primary victim of the violence is a child (under 18 years of age), **and**

2. One or more of the elements of ORC 2919.22 are present.

V. Officers shall assist social workers in the safe removal of children when:

A. A DCFS social worker, acting in an official capacity, chooses to take immediate custody of a child, as authorized by Section 2151.31 or Rule 6 of Ohio Rules of Juvenile Procedures, **and**

B. The social worker meets resistance from a parent or caretaker.

1. The person or persons obstructing the DCFS social worker shall be arrested or made a named suspect under ORC 2921.31, Obstructing Official Business, a misdemeanor of the second degree.

2. The arresting/reporting officer shall consult the prosecutor and complete a "clean-up" report.

VI. Upon request, sector supervisors shall respond to the scene of child abuse or neglect complaints and ensure that appropriate action is taken.

VII. Sector supervisors shall review Duty Reports and RMS reports to ensure appropriate action is taken in the disposition of the child abuse or neglect complaint.

VIII. The Sex Crimes/Child Abuse Unit may be reached directly from 0800 to 2200 hours and from 2200 to 0800 hours through the Communications Control Section.

MM/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	August 22, 2011	1 of 11	6.2.09

SUBJECT:	
SEXUAL ASSAULT INVESTIGATIONS	
ASSOCIATED MANUAL:	RELATED ORDERS:
Sex Crimes Unit, Communications Control Section	4.1.01, 4.1.03, 4.1.13, 6.2.08
CHIEF OF POLICE:	
Michael McGrath, Chief	

Substantive changes are in italics

PURPOSE: *To provide members of the Division of Police guidelines for responding to reports of sexual assault, assisting victims, collaborating with local health and service agencies, and conducting interviews with victims, witnesses, and suspects*.

POLICY: The Cleveland Division of Police shall accept all reports of sexual assault. Furthermore, being that victims of sexual assault often suffer an emotional trauma that is distinctive to that particular type of crime, officers shall demonstrate a heightened degree of sensitivity to such victims so as to promote the victim's emotional well-being and aid in the subsequent investigation and prosecution of the crime.

A victim's distress may create an unwillingness or psychological inability to assist in the investigation. Officers and investigators play a significant role in both the victim's willingness to cooperate in the investigation and ability to cope with the emotional and psychological after effects of the crime. Therefore, it is especially important that these cases be handled from a nonjudgmental perspective so as not to communicate in any way to a victim that the victim is to blame for the crime.

The Division of Police also recognizes that trace evidence is one of the most important factors to a successful sexual assault investigation and prosecution. Therefore, a timely and uniform standard of collecting, submitting, and preserving sexual assault evidence shall be considered a high priority.

DEFINITIONS:

Sexual assault - is any sexual conduct or sexual contact in violation of Chapter 2907 Sex Offenses of the Ohio Revised Code.

Sexual conduct - is vaginal intercourse between a male and female; anal intercourse, fellatio, and cunnilingus between persons regardless of sex; and, without privilege to do so, the insertion, however slight, of any part of the body or any instrument, apparatus, or other object into the vaginal or anal opening of another. Penetration, however slight, is sufficient to complete vaginal or anal intercourse. (Reference - Ohio Revised Code 2907.01 Sex Offenses General Definitions)

Sexual contact - is any touching of an erogenous zone of another, including without limitation the thigh, genitals, buttock, pubic region, or, if the person is a female, a breast, for the purpose of sexually arousing or gratifying either person. (Reference - Ohio Revised Code 2907.01 Sex Offenses General Definitions)

Trace evidence - evidence that is often invisible to the human eye. It may be found on condoms, tampons, feminine pads, washcloths, clothing, bedding, or criminal tools and may be comprised in part by body fluids, hairs, fibers, and fingerprints.

Victim Advocate - is a generic term that applies to a wide range of service providers, rape crisis counselors, social workers, victim witness providers within a prosecutor's office, and law enforcement officers, including departmental victim assistants.

PROCEDURES:

I. *Communications Control Section (CCS) Responsibilities*

A. *Call takers shall know that due to the trauma of a sexual assault, a victim reaching out for assistance may be in crisis. The victim's behaviors may actually be symptomatic of this condition and can range from hysteria, crying and rage to laughter, calmness, and unresponsiveness. There is no one typical reaction, so it is important to refrain from judging or disregarding any victim.*

B. *When a caller reports a sexual assault, CCS personnel shall follow standard emergency response to include evaluating and properly prioritizing the call, securing medical assistance, inquiring about a suspect's current location, and obtaining detailed information to identify the suspect. Information about the relationship with the victim, weapon use, and history of violence shall also be obtained.*

C. *To ensure critical evidence is not lost, communications personnel shall*:

1. *Ask whether the victim has bathed, douched, urinated, or made other physical changes and advise against doing so*.

2. *Ask the victim to use a clean jar to collect the urine should the victim have to urinate*.

3. *Let the victim know that other evidence may still be identified and recovered so the crime should still be reported even if the victim has bathed or made other physical changes*.

4. *Preserve the communications for the later investigation*.

5. *Explain to the caller that these questions will not delay an officer's response to the caller's location*.

II. *First Responding Officer Responsibilities*

A. First responding officers shall accept all reports of sexual assaults *regardless of the lapse of time between the last occurrence and the date of reporting*. *It is not unusual for victims to wait hours, days, or even years to report a sexual assault*. *Officers may ask for a reason for the delay as it may relate to the investigation (e.g. victim did not feel safe or comfortable to report it earlier because victim was a minor, was employee at business/student at the school/member at church at the time of occurrence ...), but officers shall not use the delay to color their handling of the victim's report*.

B. First responding officers shall accept information of sexual assaults reported by third parties such as a Cuyahoga County Department of Children and Family Services social worker, school principal, day care center manager, nursing home or other group home manager. If there is insufficient information for an RMS report, officers shall make an informational Form-1 and forward same through the chain of command to the Sex Crimes Unit for further investigation.

C. First responding officers shall ensure that the victim's immediate medical needs are addressed. Any refusal of medical care must be documented in any subsequent report.

D. *If there is no immediate need to remove the victim from the crime scene for medical care, officers shall stay on the scene with the victim to gather as*

much information about the crime scene as possible and protect same if necessary.

E. *Officers shall strive to demonstrate understanding, patience, and respect for the victim's dignity and attempt to establish trust and rapport in order to address the victim's immediate trauma and to maximize a successful investigation and prosecution.*

F. *Officers shall offer to the victim the opportunity to speak to an officer of the same gender as the victim. Supervisors shall make every effort to ensure that the victim's request is honored.*

G. *Officers shall refrain from asking leading questions to prevent responses that may not be indicative of the details of the sexual assault.*

H. *Officers shall avoid using police, medical, or legal jargon, but instead use simple terminology appropriate to the victim's age, intelligence, and sophistication.*

I. *Officers shall note that victims of sexual assault are often traumatized causing a state of mind where the victims' recollections are fragmented and the descriptions of the incident leaves gaps and seeming contradictions in their statements. Officers shall record all victim statements accurately "as is" thus permitting later investigators to build on the initial victim's statements.*

J. *Officers shall obtain the names and contact information of other persons to whom the victim talked to before, during or after the assault. This information may become vital to the follow up investigation.*

K. *When interviewing the victim, officers shall ensure that when gathering information of an intimate sexual nature from the victim that those matters are addressed in as private a setting as possible.*

L. *Officers shall take special care when interviewing elderly persons who may be victims of sexual assault. Elderly victims may admit to being a victim of a burglary but may not admit to an accompanying sexual assault. Some elderly victims may not be able to find the words or phrases to describe the acts that took place.*

M. *Officers shall note in their report if the victim is suspected to have been under the influence of drugs or alcohol (voluntary or involuntary) during the time of the assault and during the time of reporting. In either instance, officers shall make the requisite report with as much detail as the victim can remember as long as the primary elements of the crime are present.*

N. *Officers shall explain to the victim that the officers are taking only the initial report and that the victim can expect to repeat the details of the sexual assault again to a follow-up investigating officer.*

O. *In order to encourage the victim to provide vital investigative details necessary for the initial report, officers may explain to the victim that case law [Bloch v. Ribar, 156 F.3d 673 (6th Cir. 1998)] protects the victim's privacy as it relates to the police reporting of intimate details of the sexual assault.*

P. *When investigating non-stranger sexual assaults, officers shall take particular note of the victim's verbal or physical resistance, evidence of injury, physical state of the crime scene (e.g. broken furniture, knocked over items), relative size/strength of victim/suspect, the suspect's position of authority or relation over victim, and the victim's thoughts during the attack if the victim acquiesced simply for fear of incurring greater harm.*

Q. *When investigating non-stranger sexual assaults, officers shall ensure that the questioning of the victim is done in manner where the alleged suspect (e.g. spouse, sibling, caretaker, relative, family friend, other person of authority) is not present to intimidate or refute the victim's allegations.*

R. *In the instances of non-stranger sexual assault, officers shall ensure that the victim is not returned to the environment where the alleged suspect may have access to the victim, but rather officers shall identify alternative shelter for the victim if possible.*

S. *Officers shall ensure that the victim is made aware that the victim is not to bathe, shower, douche, urinate, brush their teeth, use mouthwash, cut any of their hair, perform any acts of personal hygiene or discard underwear or other clothing, or otherwise take any action that may destroy sexual assault evidence. Any such actions that the victim has already taken shall be noted in the initial report.*

T. Officers shall ensure that the victim or victim's parent/guardian is made aware that resources exist outside the Division of Police to assist the victim. *Specifically, the Cleveland Rape Crisis and Support 24/7 hotline, (216) 619-6192, provides advocacy and assistance to victims of sexual assaults. Additional resources include the Witness/Victim Center, 1275 Ontario Street, (Justice Center); and First Call for Help (216) 436-2000 that can direct the victim to a shelter if necessary.*

U. *Officers shall contact the Rape Crisis hotline and, in consultation with the victim, determine if a sexual assault advocate is to respond to the scene. Officers shall note in their report if a sexual assault advocate was contacted and also if the victim declined the services of a sexual assault advocate.*

V. Officers shall advise victims that hospitals have medical personnel (Sexual Assault Nurse Examiner [SANE] nurses) specifically trained to aid victims of sexual assault. *Officers shall encourage victims to avail themselves to a medical examination to examine and treat for injuries, sexually transmitted diseases, and pregnancy; as well as to gather forensic and photographic evidence to aid in the investigation and prosecution of the sexual assault. Officers shall advise victims that their clothing may be seized and entered into evidence, and that the victim shall be advised to bring a change of clothes with them to the hospital*.

W. *Officers shall not coerce a victim to receive medical treatment, provide forensic evidence, or submit to a blood/alcohol screen. Victims need to provide informed consent prior to any such examination or treatment*. EMS protocols require that their ambulances transport sexual assault victims to a hospital with a SANE nurse either on-duty or on-call.

X. *Officers shall communicate to the SANE nurse any suspicions they may have that alcohol or drugs were used to facilitate the sexual assault. The SANE nurse will use this information to perform a blood or urine test of the victim to screen for those substances*.

Y. Officers shall make the RMS report *(to include sufficient detail for detectives to follow up and/or establish if the crime may be one of several perpetrated by a single suspect)*, issue a Form-42 to the victim if the suspect is unknown, and fax a copy of the report to the Sex Crimes Unit. Officers shall note in the report if the Sex Crimes Unit was notified and if victim was seen by a SANE nurse (when this information is available).

Z. *Between 0800 and 2200 hours* uniformed officers shall immediately notify their supervisor if they determine a sexual assault has occurred. The supervisor shall contact the Sex Crimes Unit by telephone.

AA. *Between 2200 and 0800 hours*, if conditions warrant (brutality of crime, physical and emotional state of victim, age of victim), the supervisor on scene may notify the Chief Dispatcher to contact the Sex Crimes Unit supervisor who in turn shall determine the appropriate response.

BB. In all instances when the Sex Crimes Unit is notified of a sexual assault, a Sex Crimes Unit supervisor shall determine if additional resources or actions are necessary due to the brutality of the crime, the age or physical state of the victim, result of a home invasion, or an act of a serial offender.

CC. Sector supervisors shall pay particular attention to the circumstances of the sexual assault for evidence that it may be part of a larger criminal enterprise, such as organized prostitution or human trafficking, and take follow-up action as appropriate. Follow-up options include contacting the appropriate district Vice Unit or, in the case of human trafficking, refer to GPO 4.1.13 Investigation of Human Trafficking.

DD. Officers shall notify 696-KIDS in all cases where a juvenile is the victim of a sexual assault. Officers shall note this action in their initial police report.

III. Crime Scene:

A. *Officers shall determine if there may be more than one crime scene arising from the same incident (e.g. alley, vehicle, bedroom, basement, hallway…).*

B. *When gathering evidence from a crime scene, officers shall be mindful of the possible need to gain consent, a waiver or search warrant before proceeding to search a crime scene.*

C. Initial on-scene officers shall preserve all items of evidentiary value including soiled bedding, towels, etc, which contain or appear to contain trace evidence, *taking care to not cross contaminate the items or adding their own DNA by bare-handed touching, or talking, sneezing, or coughing over the evidence*.

D. At least one officer shall remain at the scene containing evidence until Crime Scene and Record Unit (CS&RU) personnel arrive to process the scene. If CS&RU personnel are not available within a reasonable amount of the time, the officer shall collect the evidence.

IV. Evidence Collection (*protective latex or similar non-porous gloves shall be used when gathering evidence*):

A. Clothing

1. Clothing and articles that appear to or are likely to contain trace evidence (or are torn or damaged which may indicate the use of force) shall be collected for evidence.

2. Hospital personnel may give the victim's clothing to officers at the time of the emergency room examination. Line four of the property tag, "FOUND BY", shall contain the name of the actual hospital personnel giving the clothing to the investigating officer.

3. If a suspect is apprehended shortly after the crime, officers shall ensure that the suspect's clothing is seized as evidence at the time of booking. *DNA evidence may still exist on the suspect or suspect clothing up to 96 hours after an alleged assault*.

4. Officers shall always keep victim and suspect clothing separate from each other.

B. Items of evidence obtained from the victim, suspect, and crime scene shall be marked, tagged and packaged in a clean paper bag (never plastic).

1. Items from each source shall be placed in a separate bag. Items from the victim and suspect shall also be kept separate.

2. To prevent cross contamination, each individual item shall be wrapped separately before being placed in a paper bag.

3. If possible allow wet items to dry before packaging, otherwise print "WET ITEMS" in large letters on the outside of the bag for conveyance to the Forensic Unit. Any such items shall be conveyed to the Forensic Unit on the very next business day.

4. If a stain is wet, place a piece of paper over it or fold it so the stained area does not transfer material to another portion of the clothing or fabric.

5. Officers seizing evidence shall log the evidence in the district or unit property book.

C. Crime Scene

1. All evidence must be placed in clean paper bags. Evidence shall not be placed in plastic bags. Biohazard evidence shall be double-bagged in paper bags. Biohazard evidence shall be clearly marked "BIOHAZARD" in large letters using red ink. (Refer to GPO 3.2.11 Contacting Blood and Body Fluid for guidance on same). If an officer has doubt about sexual assault evidence leaking, the bag(s) shall be placed in a leak-proofed box or container.

2. All evidence shall be marked, tagged, and logged into the property book.

3. *Special care shall be taken to ensure that victim and suspect evidence is not comingled or comes in contact with each other in any way, either during collection or securing. Each evidentiary item shall be segregated from the other collected items (e.g. underwear, t-shirt, bed sheet, etc… shall each be bagged separately.)*

4. For an *assault occurring in a motor vehicle*, officers shall make an initial observation for stained upholstery or seats, discarded clothing, condoms or wrappers, items belonging to the victim, or any other items used by the suspect or described by the victim. Vehicles containing trace evidence or otherwise reported as the location of the assault (vehicle as the crime scene itself) shall be towed for processing.

5. The officer completing Form C of C 71-1081 (Process Tow) shall indicate on the form what type of trace evidence is being sought and the most likely location to find it.

6. First responding officers shall note possible areas at a crime scene location where fingerprints *or other forensic and biometric (blood, semen, saliva, urine) evidence* may be found, as well as provide special

instructions to assist crime scene detectives in processing the crime scene.

D. Photographs

1. Officers shall note if there are signs of scratches, bruises, or marks of violence on the victim or suspect, and request that the CS&RU respond to take photographs as appropriate. These indicators of violence shall also be noted in the police report.

2. *Officers shall advise the victim that the extent of bruising injuries may not become fully evident until days after the assault, and that additional photographs may be taken as needed*.

3. Officers shall note in their report if the hospital has a procedure for photographing a victim's injuries by their personnel at the time of examination and if any evidentiary photographs were taken.

4. Any photographs taken by district personnel shall be placed into evidence envelopes and logged into evidence. Officers shall note in their report that photographs were taken and logged into evidence.

E. Rape Evidence Kits

1. Hospital personnel preparing rape evidence kits shall turn custody of same over to the Division for processing by the Forensic Unit.

2. The first responding officers handling the initial investigation shall accept the rape kit if it is ready prior to the completion of their assignment.

3. Officers accepting the rape kit shall ensure that it is sealed. Officers shall sign and place their badge number in the "chain of evidence" or "received by" line on the box and on the chain of evidence form.

4. Officers shall describe the box on the property tag as a "sealed rape evidence kit" and enter the name of the actual hospital employee who transferred the rape kit to them on the line marked FOUND BY on the evidence tag.

5. The rape kit, with a copy of the RMS report attached to it, shall be logged into the property book.

6. Rape kits received from hospital personnel as a "Jane Doe" victim shall be the subject of a Property Found report. The rape kit evidence shall be handled in the same manner as a named victim rape kit.

MM/LM/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 1, 2002	June 15, 2012	1 of 15	6.2.10

SUBJECT:	
MISSING PERSONS (ADULT)	
ASSOCIATED MANUAL:	RELATED ORDERS: 6.2.17, 9.1.08
CHIEF OF POLICE: *Michael McGrath, Chief*	

Revisions in Italics

PURPOSE: To ensure Cleveland Division of Police compliance with Ohio Revised Code sections 2901.41 and 2901.42, reporting and investigating Missing Persons.

POLICY: The Division shall act promptly to locate persons reported missing, complete Record Management System (RMS) reports, and when mandated, enter Missing Person information into LEADS/NCIC within the mandated time period.

The Division shall accept all reports of missing persons from any reporting person.

The nature of many Missing Person reports is such that they require a response that recognizes and demonstrates the Division's heightened degree of sensitivity to the missing person and those concerned with that person's absence. The reporting person is often the best source of information to locating a missing person; and as such, Division members aid the investigation by according all due care and concern to the reporting person appropriate to the circumstances.

Other law enforcement agencies operating within the jurisdictional boundaries of the City of Cleveland and who maintain authorizing mutual aid agreements with same shall not accept Missing Person reports originating in the City of Cleveland. Only the Cleveland Division of Police shall generate Missing Person reports for missing persons originating within its jurisdictional boundaries.

The Division shall make all attempts as appropriate to utilize all applicable programs such as Ohio's Missing Adult Alert (Silver Alert), Police and Community Alert, and A Child is Missing program (ACIM is also applicable to elderly and disabled adults).

The Division shall assign a Missing Person Liaison to the Northeast Ohio Regional Fusion Center (NEORFC). Each District Commander shall ensure that one detective in their Detective Unit is designated as that district's Missing Person Investigator.

DEFINITIONS:

Elderly: *is any person 65 years of age or older.*

Endangered (Adult): *is any person 18 years of age or older who is missing under circumstances that indicate their physical safety may be in danger.*

PROCEDURES:

I. General Guidelines

A. Definition: Missing Person (an adult age 18 years or older)

1. A person who is absent under circumstances inconsistent with well established patterns of behavior (i.e. missing under unexplained circumstances from their normal residence or any other location that the person is reasonably expected to be at such as their workplace, institution of learning, public facility (especially on or near a body of water), entertainment venue, gathering, or such similar place or in transit between such locations).

2. A person who is unaccounted for and *who* is of diminished mental capacity or suffers from a mental illness (treated or untreated) or has a medical condition that *without proper care or medication substantially affects their physical safety* or is otherwise potentially life threatening, even if the absence is known to be voluntary in nature.

3. A person who has been admitted to any medical or mental facility other than through criminal adjudication that has left that facility without proper notification to that facility.

4. A person who is unaccounted for and that has demonstrated a potential for suicide.

5. A person who is unaccounted for as a result of an accident or disaster whether natural or man-made.

6. A person whose travel to another jurisdiction originated in the City of Cleveland but who has failed to arrive at their intended destination within a reasonable time.

7. A person who is missing from another jurisdiction but there is reason to believe the person may be in or traveled through the jurisdiction of the City of Cleveland.

8. Any incident or circumstance that would lead a reasonable person to believe that another person may be missing and in danger. For instance a witness may report that another person had entered a body of water (either voluntary or involuntary) and has not surfaced, a witness may know of credible threats to an unaccounted for person, or there may exist a reasonable suspicion that a recently occupied watercraft on Cleveland's jurisdictional waters is evidence of a missing boater.

B. General Responsibilities

1. Officers shall accept all reports of Missing Persons that meet the above criteria. If there is any doubt as to the credibility or probability of a Missing Person situation, the officer shall err on the side of making a Missing Person report.

2. Officers shall accept all Missing Persons reports regardless if they originate in a district other than the officers assigned district. If the Missing Person is an endangered or elderly adult, the Communications Control Section (CCS) shall be immediately notified to assign a zone car from the district of occurrence to follow up on the initial report.

3. Reporting persons shall never be advised to wait a specified period of time before the Division of Police will accept a Missing Person report.

4. The reporting person shall be advised to immediately contact the Division of Police to report the return of a Missing Person.

5. Officers, including supervisors and investigating detectives, shall use the Investigative Checklist for First Responders (Attachment G) to formulate a proper response commensurate with the circumstances involved.

6. Officers accepting Missing Person reports in person shall complete the Reporting Person Information Sheet (Attachment H) and present original of same to the reporting person.

C. Reporting Person - Officers shall accept information for a Missing Person report from any of the following:

1. Any family member (adult or juvenile).

2. Other responsible household member such as a roommate.

3. A traveling companion.

4. A medical or mental health professional, government official, or social agency representative who has proximate care or custody of the Missing Person.

5. A responsible representative of the Missing Person's employer.

6. Any other such person who had temporary proximate care of the Missing Person such as a chaperone, teacher, caretaker, neighbor, ship captain, taxi or bus driver, or tour operator.

7. Any person that has good cause to believe that another person may be endangered and missing based on that reporting person's first hand knowledge. Refer to examples referenced in Section I(A)8.

II. Original RMS reports shall include:

A. The name, age, address, and telephone number of each person interviewed.

B. The relationship between the reporting person and the Missing Person.

C. For missing "Endangered/Elderly Adults", names and addresses of other family members and siblings in the area shall be included as appropriate.

D. For missing "Endangered Adults", the name and address of the natural mother and father, and step or foster parents if applicable.

E. The complete name (as well as any nicknames), date of birth, birthplace, social security number, place of employment, physical and clothing description (note if the person was not appropriately dressed for the weather conditions), including scars, marks, and tattoos. All relevant physical descriptive information must be entered in the appropriate blanks on the RMS report.

F. A notation if the Missing Person is carrying a cell phone, the number of the cell phone, and any results from attempting to contact the Missing Person via their cell phone.

G. Information on habits, friends, and places commonly visited by the Missing Person, and persons with whom last seen.

H. Frequented places, i.e. church, bank, restaurant, store, park, playground etc.

I. Medical condition/current medication used by the Missing Person. The treating physician's name and the hospital the person uses, as well as the Missing Person's dentist.

J. The year, make, model, color, license plate, and listed owner of the auto used by or associated with the Missing Person. Note any special vehicle locator capabilities such as LoJack or OnStar.

K. A notation if the NCIC Missing Person Form was completed and the time the officer relayed the NCIC information to the Message Center.

L. A notation if an all-channels broadcast was made or requested.

M. A notation if and what relatives or friends of the Missing Person were contacted (and attempted contacts) and results of same if any.

N. A general description of physical search efforts (i.e. searched home, vehicles, abandoned buildings...)

O. A notation if any special program is used, such as a Missing Child/Missing Endangered/Elderly Alert, Police and Community Alert, A Child is Missing (ACIM), or *Ohio's Missing Adult Alert.*

P. Report titles shall be appropriately titled, i.e. Missing Person/Adult, Missing Person/Adult/Endangered/Elderly, or Missing Person/Unidentified [in the instance where the full identity of the person is not immediately known]. Report titles for Missing Persons that originate with another law enforcement agency outside the jurisdiction of the City of Cleveland shall be titled Missing Person/Adult/Foreign Agency where the victim is the name of the originating agency and the Missing Person is the subject.

III. When a person is reported missing

A. For search procedures where the Missing Person is an endangered adult, a supervisor shall be notified to respond to the scene and a physical search shall immediately commence for the Missing Person.

1. The search shall commence in the immediate area in which the person was last seen or expected to be and continue generally outwards in a pattern approximating concentric circles. More extensive searches shall approximate a grid pattern with supervisors assigning officers to particular areas.

2. Officers involved in search activities shall note the locations they searched and provide same information to the primary investigating officer responsible for the initial RMS report.

3. Officers shall make a good faith effort to obtain voluntary consent from appropriate responsible persons in connection with the areas searched.

4. Officers shall rely on their training and experience to identify locations where a Missing Person could possibly be located. A non-exhaustive list includes (as applicable to an endangered adult): closets, behind or under furniture or piles of clothing/drapery, crawl spaces (inside and outside), under stairwells, attics, refrigerators, freezers, ovens, driers, ductwork, fireplaces/chimneys, laundry baskets, laundry rooms, laundry and garbage chutes, bathtubs/shower stalls, storage cabinets, safes, garbage/refuse containers, maintenance/utility closets, public restrooms, boiler rooms, underground vaults or storage containers, roofs, sills/ledges, swimming pools, garages, storage sheds, all manner of motor vehicles including their storage areas (trunks), trees/shrubbery/landscaping,

bodies of water, culverts, sewers, vacant lots, alleys, construction sites, and abandoned buildings.

5. Every effort shall be made to incorporate redundancy into a search, such as having a different officer search an area already searched by another officer. Officers shall always search firsthand any area that a person (other than a police officer) claims has already been searched.

6. For searches that result in the discovery of contraband, the contraband shall be seized and all normal protocols associated with seized contraband shall be followed including arrest as necessary. Upon first discovery of contraband, and when necessary, a supervisor shall ensure that a search warrant is obtained prior to initiating a search for additional contraband or evidence of a crime. The discovery of contraband does not negate the ongoing search for an endangered Missing Person.

B. Investigating officers shall have the Communications Control Section (CCS) notify the Coast Guard when a person is last seen aboard a watercraft, swimming or in close proximity to Lake Erie or the Cuyahoga River. CCS shall also contact the Division's Public Safety Marine Patrol Team for assistance as needed.

C. For non-endangered missing adults, officers taking the initial Missing Person report shall, if possible, during the duration of the officer's tour of duty make a good faith effort to tour the possible whereabouts (work, school, frequented areas…) and follow up on contact information of other persons who may have additional information on the Missing Person.

IV. National Crime Information Center (NCIC) Form (Attachment A)

A. Officers shall complete an NCIC Form in duplicate when any of the following categories apply:

1. Disability - A person of any age who is missing and under proven physical/mental disability or senility, who thereby subjects oneself or others to personal and immediate danger. This definition is applicable to the "Endangered" designation and includes persons who may be without medication that is prescribed to maintain life and significant daily functionality.

2. Endangered - A person of any age who is missing under circumstances that indicate their physical safety may be in danger.

3. Involuntary - A person of any age who is missing under circumstances that indicate the disappearance may not have been voluntary.

4. Juvenile - A Missing Person under 18 years of age.

5. Catastrophe - A person of any age who is missing after a catastrophe.

6. Young Adult - A person over 18 but less than 21 years of age

7. Other - A person over the age of 21 who is missing and does not meet the criteria above but there is reasonable concern for their safety.

B. Federal law mandates (Title 42 USC, Chapter 72, Section 5780) that NCIC information must be entered into LEADS/NCIC within **2 hours** of an officer obtaining the minimum mandatory data for LEADS/NCIC entry. Officers shall immediately upon receiving the mandatory minimum information call the Message Center at 623-5262 (24 hours/7 days) and relay the required information for NCIC entry.

Officers shall use the following checklist to provide the Message Center with the necessary information as applicable:

__Name __Race (__adult __juvenile __habitual)
__Sex __Age __Date of Birth
__Address __City/State/Country of Birth __Social Security Number
__Driver License Number __Vehicle License Plate/Vehicle description
__Reported in company or last seen with __ Officers contacted relatives

PHYSICAL:
__Height __Weight __Hair Color/Style __Eye Color __Glasses
__Blood Type __Facial Hair (__beard __moustache __chin whisker __goatee __other)
__Complexion (__light __medium __dark)
__Scars/Markings/Tattoos (__face __arms __hands __legs __back __other)
__Clothing (__hat/jacket/coat __pants __shirt/blouse __dress __other)
__Clothing – acceptable for weather conditions?__ yes __no
__Jewelry (__rings/bracelets/anklets/necklaces/other)
__Cash on person (__other valuables) __Dental Information

ABNORMALITIES/SPECIAL NEEDS:
__Physical __Mental __Suicidal
__Suspected abuse of: __Drugs __Alcohol __Prescription Medication __Other
__Possible Destination

C. The Message Center shall give the reporting officer a verbal time stamp of the officer's call. The officer shall note that time in the narrative of the RMS report. The officer shall still complete an NCIC form and attach a copy of same to the RMS report. See section VI(E) regarding routing of the original NCIC form.

V. Release Form (Attachment B)

A. Officers shall have a spouse, parent, guardian, or other next of kin complete the Release Form (Attachment B) for all missing persons. This multi-purpose form authorizes the release of photographs to the media/public, as well as the release of medical and dental records to the investigating officer.

B. The original Release Form shall be retained by the district Missing Person Investigator. A copy of the form shall be attached to the RMS report and forwarded to Report Intake and Review Unit.

C. The Missing Person Liaison in the Northeast Ohio Regional Fusion Center (NEORFC) shall maintain a file of copies of the Release Forms.

VI. Supervisor/Responding Officer Responsibilities

A. A supervisor shall respond if the Missing Person has shown suicidal behavior or if an NCIC Form must be made (refer to above section IV for parameters). The only exceptions are for non-endangered young adults (18 to 20 years of age). A CCS supervisor shall ensure that the assignment meeting the above criterion is coded a Priority One and that a sector supervisor is responding to the scene. The responding supervisor shall ensure that the applicable program, as outlined in Section VII, is followed. The CCS supervisor shall include such incidents of Missing Persons on the Chief's Items of Interest.

B. If an endangered/elderly adult is not located within two hours after arrival on scene, the investigating supervisor shall request that CCS contact the District Commander and Public Information Officer (PIO).

C. A sector supervisor shall assign at least one zone car beyond the original reporting shift to follow up and provide supplements to an endangered/elderly adult Missing Person report with the results of searches and interviews conducted until such time that the Missing Person is located or as directed by the district commander.

D. *Officers shall obtain photographs from the reporting person for all missing person reports whenever possible. Officers shall ensure that they obtain a completed Release Form (Attachment B of GPO's 6.2.10 and 6.2.17) when receiving photographs of missing persons. The original photograph(s) shall be routed to the District Detective Unit Missing Person Investigator.*

E. *The reporting officer shall forward the original NCIC form, along with a copy of a photograph if available, to the NEORFC.*

F. *The reporting officer shall forward the duplicate NCIC form and original photograph to the District's Missing Person Investigator*.

G. *District Detective Unit Missing Person Investigators shall ensure that all report supplements become part of that missing juvenile's file and that the original supplements are forwarded to the Report Intake and Review Unit*.

H. *District Detective Unit Missing Person Investigators shall be responsible for scanning the RMS report, Release Form, and original photograph and sending same to the NEORFC missing person liaison. All documents comprising a single missing person report shall be scanned in as one continuous document so the document appears as one single case. Smaller photographs shall be firmly affixed onto a blank sheet of paper (labeled with the name of the missing person and RMS report number) before being fed through the copier/scanner. In instances where a suitable photograph is not available, district missing person liaisons shall make an effort to use other photograph sources such as those available on-line through OHLEG, other government agencies, and social media such as Facebook*.

I. *The NEORFC missing person liaison shall be responsible for making entries to and updating the missing person webpage. NEORFC will additionally report the missing person through their normal bulletin reports to Region II and the State Fusion Center (SAIC)*.

J. *District Missing Person Investigators shall also ensure that reports of returned missing persons are also forwarded to NEORFC in a timely manner so that the website may be updated*.

K. *District Missing Person Investigators Detective Unit supervisors shall ensure that missing person procedures are being followed in a timely manner*.

L. Missing Child/Missing Endangered/Elderly Alert Criteria:

1. The local law enforcement agency confirms that the individual is missing.

2. The disappearance of the individual poses a credible threat of immediate danger of serious bodily harm or death to the individual.

3. There is sufficient descriptive information about the individual and the circumstances surrounding the individual's disappearance to indicate the activation of the alert will help locate the individual.

M. A Missing Child/Missing Endangered/Elderly Adult Alert Form (Attachment C) and a Police and Community Alert Form (Attachment D) if applicable shall be completed and faxed to CCS.

1. CCS shall initiate a broadcast on all channels and shall fax a copy of the form to each district, along with the Police and Community Alert Form (Attachment D) if applicable, to be read at subsequent roll calls. Each communication channel will receive a copy of the Alert form.

2. CCS supervisors shall ensure that the description of the missing endangered/elderly adult and any other pertinent information (i.e. vehicle description) is re-broadcast every four hours until the Missing Person is located.

3. The Commander will consult with the Deputy Chief of Field Operations to determine whether or not the media will be asked to air/print the information contained in the alert. The Deputy Chief of Field Operations shall communicate that decision to the PIO. The Field Operations Deputy Chief or designee shall make further notifications up the chain of command as circumstances dictate.

4. Deputy Chief of Special Operations shall make the determination to activate the Combined Abduction Response Team (CART) and proceed accordingly (G.P.O. 4.1.14).

N. *Ohio's Missing Adult Alert(Silver Alert):*

1. *When a local law enforcement agency makes this entry with a special code, the Ohio Attorney Generals Office, Bureau of Criminal*

Identification & Investigation (BCI&I), Missing Children's Clearing House, and the Ohio State Highway Patrol are notified. The Agency may also call BCI&I to request an alert if they cannot make the NCIC entry in a timely manner.

2. *Activation Criteria:*

   a) *The local law enforcement agency confirms that the individual is missing.*

   b) *The individual is 65 years of age or older or has a mental impairment.*

   c) *The disappearance of the individual poses a credible threat of immediate danger of serious bodily harm or death to the individual.*

   d) *There is significant descriptive information about the individual and circumstances surrounding the individual's disappearance to indicate that activation of the alert will help locate the individual.*

3. *The following actions take place when a Missing Adult Alert is activated:*

   a) *An email blast and fax message are sent throughout the state to media outlets.*

   b) *The information is posted on electronic billboards in the local area of the alert.*

   c) *A law enforcement radio broadcast is sent to all law enforcement agencies in the state.*

   d) *A toll free telephone line for tips and information is activated (1-866-693-9171).*

   e) *A Truckers Alert system is activated.*

   f) *The Ohio Lottery will post the information on their lottery terminals.*

g) Special law enforcement response teams and programs are offered to assist in the search for the missing person.

O. For all reports of Missing Persons the investigating officer shall contact:

1. The Message Center to determine if the Missing Person is in a Cleveland jail, on the Hospital List, or already has an active Missing Person report in RMS. If the officer finds an active Missing Person report, a supplement (returns or locates) shall be made to close the existing report before a new one is made.

2. The Cuyahoga County Coroner's Office.

3. CCS, if a vehicle is involved, to determine if the vehicle was towed.

4. The Alzheimer's Association (AA) if the Missing Person is diagnosed with any form of dementia or Alzheimer's disease or enrolled in the Safety Return Program. Whether or not the individual is actually diagnosed with Alzheimer's, the AA may then advise the appropriate neighboring police departments of the person's absence. Their 24hour/7day/week-telephone number is 1-800-272-3900, or locally (216) 721-8457 or contact CCS for a more current number.

P. The district Missing Person investigator shall ensure that the Missing Person RMS report contains contact information for whichever detective is assigned to the Missing Person case and that all follow-up is entered into the report in a timely manner.

Q. The district Missing Person investigator shall maintain a log book or electronic database to enter all reports of Missing Persons in that district. Such book or database shall include at minimum the Missing Person's name, RMS number, date of report, and disposition.

R. After 29 days, the investigating detective shall obtain the dental records and DNA of the Missing Person (or close blood relative) for open Missing Person reports and forward them to the Missing Person Liaison in NEORFC. The detective shall ensure that the dental records are properly coded prior to forwarding to the Missing Person Liaison.

S. The Missing Person Liaison assigned to NEORFC shall ensure that all validation procedures relative to NCIC/LEADS requirements are completed in a timely manner.

T. If the validation or follow-up process conducted by the Missing Person Liaison reveals that a Missing Person has returned, the Missing Person Liaison shall notify the appropriate district commander where the returned Missing Person is located to have the return verified and the Missing Person/Returned report completed. The only exception shall be when the Missing Person Liaison has verified the Missing Person returned through a foreign police agency whereupon the Missing Person Liaison shall handle the Missing Person/Returned report.

U. District Commanders shall ensure that Missing Person/Returned verification requests received from the Missing Person Liaison are followed up and that Missing Person/Returned procedures are followed as directed in Section (IX)A of this order.

VII. A Child is Missing (ACIM) - This program (also applicable to endangered adults) may be activated through a CCS supervisor using the procedures outlined in GPO 9.1.08 (A Child is Missing Program - ACIM).

VIII. In instances where there are indications of violence related to a person's absence or if the person has not been located after one year, the appropriate District Commander shall confer with the Deputy Chief of Field Operations who in turn shall determine if the case shall be assigned to the Homicide Unit.

IX. Missing Persons returned or located.

A. Investigating officers shall personally and physically identify the individual upon return and promptly complete an RMS supplement report. Local returns shall never be completed by telephone verification only. Officers shall request foreign police agencies to physically verify the returned Missing Person if the person is located outside of the Division's jurisdiction. The report shall state whether the person returned of their own volition or was located in some other manner and, the place where the person was found. Officers shall note in the RMS report that the returned Missing Person was properly identified as directed above.

B. *An exception to the requirement of personally and physically identifying a returned missing person shall be when a reporting person is attempting to*

make a missing person report but there already exists an open Missing Person report for that person. In this instance, the officer shall close out the open Missing Person report and include in the narrative section the newly acquired information regarding the alleged return. The report title shall be Missing Person/Return/Unconfirmed. The officer shall then proceed with taking information for the subsequent Missing Person report.

C. When a Missing Person (requiring NCIC entry) is found/returned before the officer has had an opportunity to complete an RMS report, the officer shall contact the Message Center within 2 hours to remove the person from LEADS. However, the officer shall still complete an RMS report and NCIC form to account for the NCIC entry. *The title of the report shall be Missing Person/Combination/Return*. Officers shall ensure that all information provided to the Message Center shall also appear in the RMS report.

D. CCS shall be immediately notified once a missing "Endangered/Elderly Adult" is located. A CCS supervisor shall write "cancelled" on the Missing Child/Missing Endangered/Elderly Adult Alert Form or other requisite form(s) and fax them to the PIO and all police districts and ensure that the Items of Interest log is updated.

E. For a located Missing Person who is the subject of a Missing Person/Adult/Foreign Agency, the foreign agency shall be contacted and advised of the location of the Missing Person. An RMS report with the title Missing Person/Adult/Foreign Agency/Returned shall be completed.

F. An "Endangered/Elderly Adult" found wandering, confused and unable to furnish identification shall be taken to the nearest hospital, where hospital records may have information from prior visits for evaluation and treatment. The Message Center shall be contacted and provided with all available information to place the person on the Hospital List.

MM/jsb
Policy & Procedures Unit
Attachments (A- I)
Attachment C & G are revised, and new Attachment I (revised May 16, 2012)

Attachment A (GPO 6.2.10 & 6.2.17)

CLEVELAND DIVISION OF POLICE
NCIC Missing Person Report

District:_____ Zone:_____ RMS#_____ Date:_____

I certify that _____ DOB _____ is:

☐ **Disability (EMD):** any age and is missing and under proven physical/mental disability or is senile, thereby subjecting oneself or others to personal and immediate danger.

☐ **Endangered (EME):** any age and is missing under circumstances indicating that their physical safety may be in danger.

☐ **Involuntary (EMI):** any age and is missing under circumstances indicating the disappearance may not have been voluntary.

☐ **Juvenile (EMJ):** under age 21 and is missing and does not meet any other criteria.

☐ **Catastrophe (EMV):** any age and is missing after a catastrophe.

☐ **Other (EMO):** a person 21 or older and is missing and for whom there is reasonable concern for their safety and does not meet any other criteria.

Signed:_____ Relationship to missing person:_____

☐ Foster care or ward of the State ☐ Photograph attached to NCIC Report

Consent for photograph to be placed on the Internet: ☐ Yes ☐ No

Consent for photograph to be given to the media: ☐ Yes ☐ No

THIS STATEMENT IS REQUIRED FOR ENTRY INTO FEDERAL COMPUTER FILES

Officer(s):_____ Car #:_____

C of C 71-2138 (rev. 10/16/2014)

****

For Fusion Center use only:

CCH check_____ BCI#_____ FBI#_____ CMC_____

DS check _____ MNU _____

ALIAS _____

CMC_____

SMT_____

DS_____

Attachment B (GPO 6.2.10 & 6.2.17)

CLEVELAND DIVISION OF POLICE
RELEASE FORM

I am the spouse/parent/legal guardian/next of kin of the below-named missing/wanted person and I hereby authorize the release and dissemination of medical records, dental records and photographs to the Cleveland Division of Police to use to locate/identify the named person. Medical and dental records will be kept confidential to the extent of the law. Photographs may be made public and disseminated through the media or through other law enforcement channels.

Missing/Wanted Person
Name: _____ D.O.B. : _____

Authorizing Signature: _____

Printed Name of Authorizing person: _____

Address: _____
_____
Phone/Contact: _____

Relationship to Missing Person: _____
(Spouse, Parent, Legal Guardian, or Next of Kin)

Approximate Date of Photo: _____
Date person last seen: _____
Today's Date: _____

RMS# _____
Assigned Detective (name/badge): _____
(if assigned)

Original: to District Detective Unit Missing Person Investigator
Copy: attached to original RMS report (with any other attachments) and forwarded to the Report Intake & Review Unit

MISSING CHILD/MISSING ENDANGERED or ELDERLY ADULT ALERT

Date:		Time:	
Supervisor Requesting:		District:	

The Following Juvenile/Adult Has Been Reported Missing: ☐ **Fax to CCS at 623-5891**

☐ Juvenile less than 14 years old
☐ Juvenile 14-17 years old *and is considered endangered (see GPO for definition)*
☐ Elderly Adult 65 years or older
☐ Endangered Adult under 65 years old

Victim Description	Photo Received/Faxed?	Yes☐	No☐
	Dental Records Available?	Yes☐	No☐

Name: _____ Address: _____

Phone/Contact Number(s): _____ Date of Birth: _____

Race: White ☐ Asian ☐ Sex: Male ☐
Black ☐ Arab ☐ Female ☐
Hispanic ☐ Other/Unk ☐

Age: _____Height: _____Weight: _____Hair: _____ Eyes: _____

Clothing: _____

Other Descriptive: _____

Other Details: _____

_____

Last Seen At: _____

RMS #: _____ Car Assigned:_____

School/Grade: _____

Locations Known to Frequent: _____

_____

Is child/adult a habitual runaway/walkaway? ☐ If so, where previously located:_____

If Suspect or Vehicle Information is Available
Complete Police and Community Alert (Appendix D) and Fax as page 2 of 2.

☐All Channel Broadcast Requested ☐Complete

Attachment D (GPO 6.2.10 & 6.2.17)

POLICE AND COMMUNITY ALERT

☐ **Fax to CCS at 623-5891**

Date:		**Time:**	
Requested By:		**District:**	

The Following Vehicle ☐ And/Or Suspect ☐ Is Mentioned In Connection With:

☐ **An Attempt to Lure or Solicit a Child Under the Age of 14**
☐ **An Attempt to Abduct a Child Under the Age of 18**
☐ **A Missing Child (Known to be in company with)**
☐ **Missing Elderly or Endangered Adult**

Location of Offense (or missing from):_____

RMS Number: _____ **Offense** (if applicable)**:**_____

Suspect Description (if applicable)

Name/Partial Name (If known) _____

Race: White ☐ **Asian** ☐ **Sex: Male** ☐ **Age:** _____
Black ☐ **Arab** ☐ **Female** ☐
Hispanic ☐ **Other/Unk** ☐ **Height:** _____

Weight: _____

Clothing: _____

Other Descriptive: _____

Suspect/Missing Person Vehicle

Make: _____**Model:** _____ **Year:** _____

Color: _____ **Plate or Partial:** _____

Vehicle Owner (if known): _____

Owner Address (if known): _____

☐ **All Channel Broadcast Requested** ☐ **Completed**

A Child is Missing (ACIM) Information Form

Supervisor: Complete this form and provide the information when reporting a missing person to "A Child is Missing"

"A Child is Missing" Contact Numbers: (888) 875-2246, (954) 763-1288, or pager: (954) 492-4778

Name of Missing Person: _____ D.O.B. _____ Gender: _____

Nationality: _____ Height: _____ Weight: _____ Eye Color: _____ Hair Color: _____

Any other characteristics such as glasses, tattoos, piercing, scars? _____

_____

Clothing Description: _____

Location last seen (including zip code) : _____

(for the location, provide accurate spellings and include and provide the nearest major intersection)

Residence *(if difference than "last seen" location*): _____

Date and Time last seen: _____ Is the person a habitual runaway? _____

Were friends/family notified? _____ Is there water or wooded areas near the last seen location? _____

Did the person leave in a vehicle, bicycle, skateboard etc? _____

If in a vehicle, description, license plate etc? _____

Is foul play suspected ? _____ Any confrontation prior to person's disappearance? _____

Does missing person have a substance abuse problem? _____ Does missing person take any medications? _____

Name of Law Enforcement Agency: **Cleveland Division of Police** State: **Ohio** County: **Cuyahoga**

RMS #: _____ Agency telephone number for public to call with information: **(216) 623-5800**

Name of Officer in Charge of case: _____ Contact Number for OIC: _____

ALERT:

Call to Truckers Helping to Recover
Ohio's Missing Children Report

MISSING CHILD INFORMATION:

Name: _____ Age: _____ DOB: _____ Sex: ____ Ht: _____ Wt: _____

Hair color: _____ Hair Texture (e.g. curly/straight): _____ Hair length: _____

Eye color: _____ Eyeglasses (y/n; description): _____ Facial hair: _____

Scars, tattoos, etc.: _____ Clothing description: _____

Location missing from/last seen: _____

Last seen alone: _____ Last seen with (name if known): _____

ALLEGED ABDUCTOR INFORMATION:

Name: _____ Age: _____ DOB: _____ Sex: ____ Ht: _____ Wt: _____

Hair color: _____ Hair Texture (e.g. curly/straight): _____ Hair length: _____

Eye color: _____ Eyeglasses (y/n; description): _____ Facial hair: _____

Scars, tattoos, etc.: _____ Clothing description: _____

Relationship to child: _____ Possible destination: _____

VEHICLE INFORMATION:

Make: _____ Model: _____ Color: _____

Year: _____ State of license plate: _____ License plate number: _____

Other descriptive information: _____

Last seen at (date/time): _____ In (city/village, street): _____

Direction of travel: _____

ADDITIONAL INFORMATION:

This child is believed to be or have been:

- ☐ Abducted by a stranger.
- ☐ Abducted by a family member.
- ☐ An endangered runaway.
- ☐ Lost or missing.

REPORTING LAW ENFORCEMENT AGENCY INFORMATION:

Agency name: **Cleveland Division of Police** Agency phone number: **(216) 623-5723**

Contact name: _____ Contact phone number: _____

Law enforcement personnel are to email reports to the Ohio Missing Children Clearinghouse at Ohioch@locaterposters.org or fax to (614) 728-9536. After 4:30 M-F, on weekends or holidays, email reports to the Ohio Bureau of Criminal Identification and Investigation at Ohioch@locaterposters.org, or fax to (740) 845-2021. For questions, contact the Ohio Missing Children Clearinghouse at 1-800-325-5604.

CLEVELAND DIVISION OF POLICE

MISSING PERSON INVESTIGATIVE CHECKLIST FOR
FIRST RESPONDERS/INVESTIGATORS

This following checklist created by the National Center for Missing and Exploited Children (NCMEC) has been edited and adapted to provide a framework of actions, considerations, and activities that may assist in performing competent, productive, and thorough missing/abducted adult investigations. It must be noted that this is a general checklist and not all actions may be applicable to the Cleveland Division of Police in all circumstances.

First Responder

[ ] If circumstances warrant, consider activating patrol-vehicle-mounted video camera when approaching the scene to record vehicles, people, and anything else of note for later investigative review.
[ ] Interview parent(s)/guardian(s)/person who made the initial report.
[ ] Confirm the person is in fact missing.
[ ] Verify the child/endangered adult's custodial status.
[ ] Identify the circumstances of the disappearance.
[ ] Determine when, where, and by whom the missing person was last seen.
[ ] Interview the individuals who last had contact with the missing person.
[ ] Identify the child's (or adult as applicable) zone of safety for his or her age and developmental stage.
[ ] Based on the available information, make an initial determination if there is nonfamily abduction; family abduction; runaway; or lost, injured, or otherwise missing.
[ ] Obtain a detailed description of the missing person, abductor, person last seen with and any vehicles mentioned.
[ ] Secure photographs/video recordings of the missing person/abductor.
[ ] Evaluate whether the circumstances of the disappearance meet AMBER or other alert program criteria. Follow directives for initiating such plan(s).
[ ] Relay detailed descriptive information to the Communications Control Section (CCS) for broadcast updates.
[ ] Determine need for additional personnel including investigative and supervisory staff.
[ ] Brief and bring up-to-date all additional responding personnel.
[ ] Identify and separately interview everyone at the scene. Make sure their interview and identifying information is properly recorded. To aid in this process, if possible, take pictures or record video images of everyone present. Video cameras affixed to patrol vehicles may be helpful with this task.
[ ] Note name, address, home/business telephone numbers of each person interviewed.
[ ] Determine each person's relationship to the missing person.
[ ] Note information each person may have about the person's disappearance.
[ ] Determine when/where each person last saw the missing person.
[ ] Ask each one, "What do you think happened to the child/endangered adult?"
[ ] Obtain names/addresses/telephone numbers of the missing person's friends/associates and other relatives and friends of the family.
[ ] Continue to keep CCS apprised of all appropriate developing information for broadcast updates.
[ ] Obtain and note permission to search home or building where incident took place.
[ ] Conduct an immediate, thorough search of the missing child/endangered adult's home, even if the person was reported missing from a different location.
[ ] Seal/protect scene and area of the child's home (including the child's personal articles such as hairbrush, diary, photographs, and items with the child's fingerprints/footprints/teeth impressions) so evidence is not destroyed during or after the initial search and to help ensure items which could help in the search for and/or to identify the child are preserved. Determine if any of the child's personal items are missing. If possible, photograph/videotape these areas.
[ ] Evaluate the contents and appearance of the child/endangered adult's room/residence.
[ ] Inquire if the child/endangered adult have access to the Internet and evaluate its role in the disappearance (i.e. social networking sites).
[ ] Ascertain if the missing person has a cellular telephone or other electronic communication device.
[ ] Extend search to surrounding areas including vehicles and other places of concealment.
[ ] Treat areas of interest as potential crime scenes as applicable.
[ ] Determine if surveillance or security cameras in the vicinity may have captured information about the child/endangered adult's disappearance.

CLEVELAND DIVISION OF POLICE

MISSING PERSON
INVESTIGATIVE CHECKLIST FOR FIRST RESPONDERS

[ ] Interview other family members, friends/associates of the child, and friends of the family to determine
(1) When each last saw the child.
(2) What they think happened to the child.

[ ] Review sex-offender registries to determine if individuals designated as sexual predators live, work, or might otherwise be associated with the area of the child's disappearance.

[ ] Ensure information regarding the missing person (as applicable) is entered into the National Crime Information Center's (NCIC) Missing Person File within two hours of report receipt and any information about a suspected abductor is entered into the NCIC Wanted Person File. (Carefully review NCIC categories before entering the case, and be sure to use the Child-Abduction flag whenever possible.)

[ ] Prepare flier/bulletin/web posting with the child/abductor's photograph and descriptive information. Distribute in appropriate geographic regions.

[ ] Prepare reports/make all required notifications.

Supervisory Officer

[ ] Obtain briefing and written reports from the first responding officer and other personnel at the scene.

[ ] Decide if circumstances of the child/endangered adult's disappearance meet the protocol in place for activation of an AMBER or other alert program criteria.

[ ] Determine if additional personnel are needed to assist in the investigation.

[ ] Establish a command post away from the child/endangered adult's residence.

[ ] Determine if additional assistance is necessary from:

- State Police
- Missing-Children Clearinghouse
- FBI
- Specialized Units
- Victim-Witness Services
- NCMEC's Project ALERT/Team Adam

[ ] Confirm all the required resources, equipment, and assistance necessary to conduct an efficient investigation have been requested and expedite their availability.

[ ] Ensure coordination/cooperation among all law-enforcement personnel involved in the investigation and search effort.

[ ] Verify all required notifications are made.

[ ] Ensure all agency policies and procedures are in compliance.

[ ] Be available to make any decisions or determinations as they develop.

[ ] Use media including radio, television, newspapers, and internet to assist in the search throughout the duration of the case.

Investigative Officer

[ ] Obtain briefing from the first responding officer and other on-scene personnel.

[ ] Verify the accuracy of all descriptive information and other details developed during the preliminary investigation.

[ ] Initiate a neighborhood canvass using a standardized questionnaire.

[ ] Obtain a brief, recent history of family dynamics.

[ ] Correct and investigate the reasons for conflicting information offered by witnesses and other individuals.

[ ] Collect article(s) of the child/endangered adult's clothing for scent-tracking purposes.

[ ] Review and evaluate all available information and evidence collected.

[ ] Secure the child/endangered adult's latest medical and dental records.

[ ] Contact waste collection management and request they segregate garbage and dumping containers from key investigative areas in cases where it is suspected there may be imminent danger to the missing child/endangered adult.

[ ] Develop and execute an investigative plan.

[ ] Interview the child/endangered adult's teacher, counselor (school or private), employer, or off-site caregiver (group home, child care provider).

[ ] Conduct a criminal-history check on all principal suspects and persons of interest in the investigation.

[ ] Determine what additional resources and specialized services are required.

[ ] Ensure details of the case have been reported to NCMEC.

[ ] Prepare and update bulletins for local law-enforcement agencies, missing-children clearinghouse(s), the FBI, and other appropriate agencies.

[ ] Establish a telephone hotline for receipt of tips and leads.

CLEVELAND DIVISION OF POLICE

Missing Person Report – Reporting Person Information Sheet

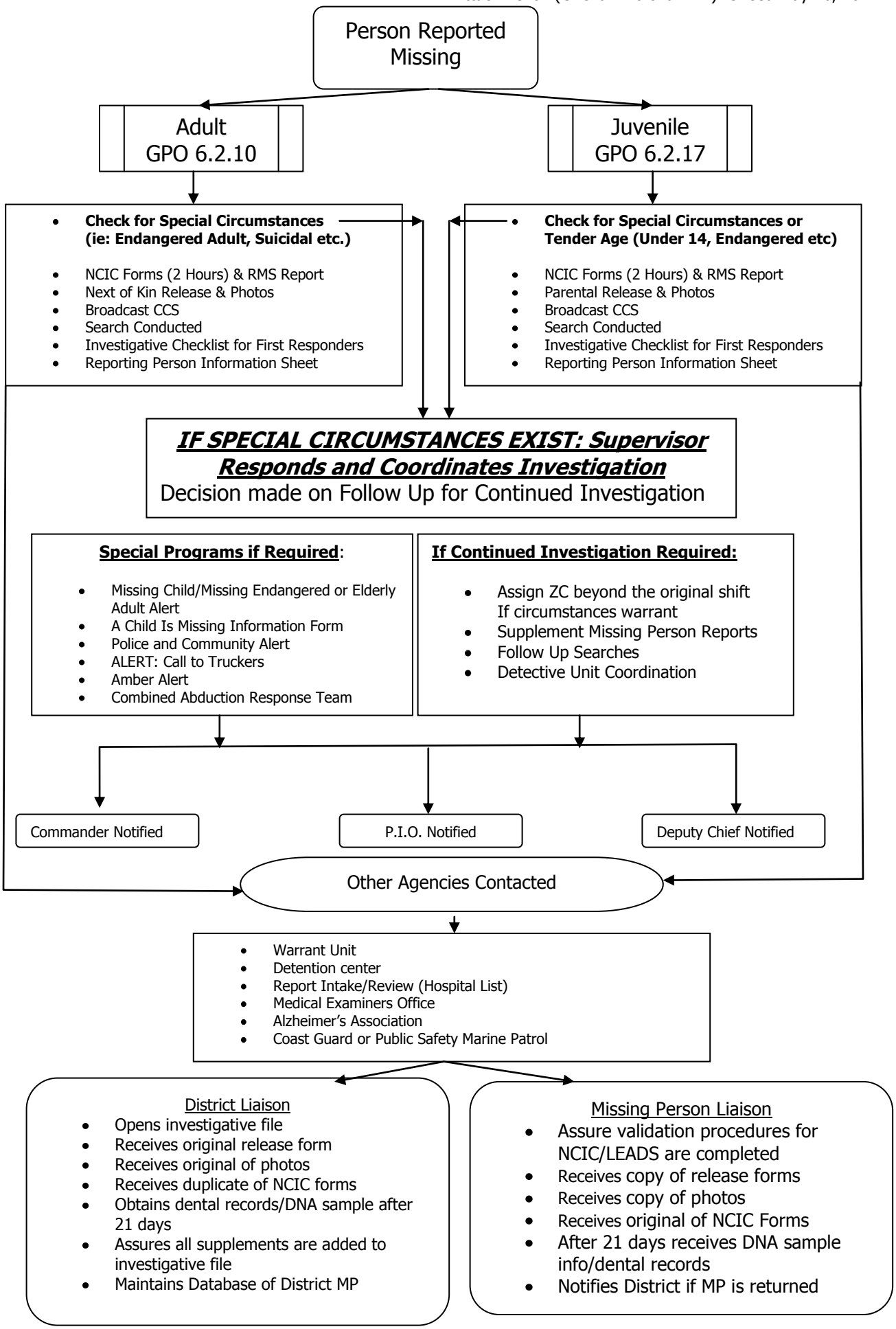
Your report of a Missing Person is important to us. Therefore you must immediately contact the Cleveland Division of Police at (216) 621-1234 (24 hours a day) or this Police District' s Detective Unit at (216) 623-_____ with any additional information on the Missing Person or to report that the Missing Person has returned.

To receive a status on the investigation of the reported Missing Person, please call this Police District' s Detective Unit at (216) 623-_____.

Failure to report a returned or located Missing Person will result in that person being continuously maintained in our records as a Missing Person.

Officer:_____ Car #:_____
Print name/badge #

District:___ Zone:_____ RMS#_____ Date:_____


Person Reported Missing
Adult GPO 6.2.10
Juvenile GPO 6.2.17
Check for Special Circumstances (ie: Endangered Adult, Suicidal etc.)
NCIC Forms (2 Hours) & RMS Report
Next of Kin Release & Photos
Broadcast CCS
Search Conducted
Investigative Checklist for First Responders
Reporting Person Information Sheet
Check for Special Circumstances or Tender Age (Under 14, Endangered etc)
NCIC Forms (2 Hours) & RMS Report
Parental Release & Photos
Broadcast CCS
Search Conducted
Investigative Checklist for First Responders
Reporting Person Information Sheet
IF SPECIAL CIRCUMSTANCES EXIST: Supervisor Responds and Coordinates Investigation
Decision made on Follow Up for Continued Investigation
Special Programs if Required:
Missing Child/Missing Endangered or Elderly Adult Alert
A Child Is Missing Information Form
Police and Community Alert
ALERT: Call to Truckers
Amber Alert
Combined Abduction Response Team
If Continued Investigation Required:
Assign ZC beyond the original shift If circumstances warrant
Supplement Missing Person Reports
Follow Up Searches
Detective Unit Coordination
Commander Notified
P.I.O. Notified
Deputy Chief Notified
Other Agencies Contacted
Warrant Unit
Detention center
Report Intake/Review (Hospital List)
Medical Examiners Office
Alzheimer's Association
Coast Guard or Public Safety Marine Patrol
District Liaison
Opens investigative file
Receives original release form
Receives original of photos
Receives duplicate of NCIC forms
Obtains dental records/DNA sample after 21 days
Assures all supplements are added to investigative file
Maintains Database of District MP
Missing Person Liaison
Assure validation procedures for NCIC/LEADS are completed
Receives copy of release forms
Receives copy of photos
Receives original of NCIC Forms
After 21 days receives DNA sample info/dental records
Notifies District if MP is returned

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 1	6.2.11

SUBJECT:	
SUSPECT IDENTIFICATION FORM (C of C 71-42)	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To set guidelines to issue Form-42 to a crime victim or witness.

POLICY: Members of the Cleveland Division of Police shall issue Form-42 when a suspect in a crime has been viewed clearly enough to be identified.

PROCEDURES:

I. Officers shall issue Form-42, to a crime victim or witness who observes a suspect clearly enough to be identified. The officer shall note the Record Management System (RMS) report number in the "remarks" section of the form.

II. The issuing officer shall complete the form in duplicate for each person being directed to view photographs. The original is given to the victim/witness and the copy is given to the investigative detectives or forwarded to the general office of the Bureau of Special Investigations.

III. If suspects are mentioned or described in the RMS report a statement that the form is or is not issued shall be included.

IV. The forms are available at the supply room.

RESCINDED EFF. 03/06/18
PROGRAM DISCONTINUED

EFL/TAH/LM/pmz
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	6.2.12

SUBJECT:	
WATERCRAFT THEFT TITLES	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To state guidelines to title theft of watercraft reports.

POLICY: It is the policy of the Cleveland Division of Police to use the dollar value threshold in ORC 2913.02 to title reports of stolen watercraft.

PROCEDURES:

I. To make a report for the theft of a watercraft which is fourteen feet in length or more and has an outboard motor of ten horsepower or more, the term "Watercraft" shall be added to the title of the report.

II. Watercrafts less than fourteen feet in length which have an outboard motor with less than ten horsepower shall be titled as property crimes.

III. The penalty classification of theft involving a watercraft is related to the dollar value of the craft.

A. If the value of the watercraft is less than five hundred dollars, the crime is petty theft, a misdemeanor of the first degree.

B. If the value of the watercraft is five hundred dollars or more and less than five thousand dollars, the crime is theft, a felony of the fifth degree.

C. If the value of the watercraft is five thousand dollars or more and is less than one hundred thousand dollars, the crime is grand theft, a felony of the fourth degree.

D. If the value of the watercraft is one hundred thousand dollars or more, the crime is aggravated theft, a felony of the third degree.

IV. Watercraft subject to a police investigation, which cannot be turned over to the owner, shall be police towed to Impound Lot #2, following the procedures for towing motor vehicles. If the boat does not have a trailer, the Harbor Unit shall be notified and they shall make tow arrangements.

EFL/TAH/LM/pmz
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 5	6.2.13

SUBJECT:	
STOLEN/UNAUTHORIZED USE MOTOR VEHICLE RECOVERY INVESTIGATIONS	
ASSOCIATED MANUAL: AUTO THEFT, CCS, RECORD FILE	RELATED ORDERS: 8.2.01
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To set guidelines to investigate recovered stolen, suspected stolen or unauthorized use motor vehicles and to complete the Record Management System (RMS) report.

POLICY: If a stolen, suspected stolen or unauthorized use motor vehicle is recovered, officers of the Cleveland Division of Police shall personally view vehicles for evidence of damage or missing parts. This includes tampered with or damaged vehicle identification number (VIN) plates, and any evidence that may indicate the report made is fraudulent.

PROCEDURES:

I. Recovery of motor vehicles:

A. Officers shall computer check vehicles suspected of being stolen or used without authorization via the Communication Control Section (CCS). If a vehicle is stolen or the subject of an unauthorized use entry, the CCS dispatcher shall retrieve the pertinent data for the requesting officer. This data shall include the original RMS report number, if a local incident and if the vehicle is to be held for processing.

B. Officers recovering a stolen vehicle shall physically view and record the VIN. CCS shall not provide the VIN, they shall only verify the VIN as transmitted by the officers who recover the vehicle. If the VIN is obscured and the vehicle is locked, the officer shall have the tow truck driver unlock the vehicle so the obstruction may be moved and the VIN viewed.

Officers shall cause vehicles with missing, partially missing or damaged VIN plates to be towed to Lot #2 for processing of the confidential VIN (CVIN). The recovering officers, regardless of the license plate(s) on the vehicle, shall make no report. The Auto Theft Unit detective processing the vehicle for the CVIN shall make the recovery report and owner notification.

C. The recovering officer(s) shall determine if any special parts are missing when recovering a stolen vehicle. (Special parts are the VIN plate, engine, transmission, front fenders, hatchback, hood, doors, bumpers, quarter panels, deck lid, tail gate). The officer shall note whether these parts are original or replacement. If any of these parts are missing, "special parts missing" shall be included in the compound report title. Enter each missing part as stolen in the "PROPERTY" section of the RMS report and, if the parts were original, the VIN is entered as the serial number.

The Report Intake/Review Unit shall review "special parts missing" reports and determine if the missing parts had VINs as required by the Federal Theft Prevention Standard. If a missing part is required to have a VIN, and there is no VIN listed in the RMS report, the Report Intake/Review personnel shall advise the reporting officer of that fact**. The officer shall enter the correct VIN in the stolen property section of a supplement report to the original RMS report.**

D. When a vehicle is recovered with only one Ohio license plate, the recovery officer shall confiscate the plate at the scene and document that on the tow sheet and the RMS recovery report. The license plate shall be tagged and entered into the District/Unit property book and forwarded to the Property Unit for proper disposal. When the owner is notified of the recovery they shall be advised to report to an Ohio State License Bureau to obtain replacement plates.

E. Vehicle recovery reports shall be faxed into the Report Intake/Review Unit as soon as possible. The Report Intake/Review Unit shall review the compound report titles and enter the reports into the RMS system, removing the appropriate crime computer (LEADS, NCIC, etc.) entries without delay.

F. If the vehicle can be safely operated and does not require processing, it may be turned over to the owner on scene. If the vehicle is processed on scene, it may be released when processing is complete. Officers shall warn owners who choose to recover their vehicles at the scene that they are subject to being stopped, because their vehicle will remain listed as stolen in the computer until the recovery report is entered into the RMS system.

II. Vehicle recovery RMS reports:

A. An RMS recovery report for a vehicle stolen or taken without authorization **from within the City of Cleveland (local)** shall consist of a supplemental RMS report and **shall use the RMS report number from the original theft report**. The compound report title shall be placed in the title field or at the top of the first page. Compound recovery report titles consist of:

1. Grand Theft/Motor Vehicle/Recovery/(Valuable Cargo, Special Parts Missing, Arrest, Juvenile Complaint, if any are applicable).

2. Unauthorized Use of a Vehicle/Recovery/(Valuable Cargo or Special Parts Missing, Arrest, Juvenile Complaint, if any are applicable).

3. An auto originally stolen from a Cleveland location and recovered prior to a GTMV report being made, requires a GTMV/Combination/Recovery report. The "location of occurrence" is the location the vehicle was stolen from and the recovery location shall also be noted in the report.

B. An RMS report for recoveries **with arrests** for vehicles stolen or used without authorization **from a jurisdiction outside of Cleveland** shall be titled "Receiving Stolen Property" in the OFFENSE/INCIDENT section. The compound report title shall be Receiving Stolen Property /Foreign Theft /Recovery/Arrest.

An RMS report for recoveries **without arrests** for vehicles stolen or used without authorization **from a jurisdiction outside of Cleveland** shall be titled as "Property Found" in the OFFENSE/INCIDENT section. The compound report title shall be Property Found/Foreign Theft/Recovery.

C. The RMS report for recovery of a **suspected stolen vehicle with or without arrest** is titled as "Property Found" in the OFFENSE/INCIDENT section. The compound report title shall be Property Found/Suspected Stolen Motor Vehicle/Recovery.

Officers who recover suspected stolen vehicles shall detail in the RMS narrative the reasons for suspecting the vehicle is stolen, and the steps taken to identify and contact the listed owner.

If a vehicle has been towed as a suspected stolen and a report has been made, and later the vehicle is reported stolen, the officer or Data Conversion Operator (DCO) who receives the new information shall change the OFFENSE/INCIDENT section from Property Found report to the new title (e.g. GTMV, Robbery, Unauthorized Use of a Vehicle).

D. Officers shall ensure that the applicable information in the "VEHICLE" section of the RMS report, and the applicable information on the "VEHICLE/TOW SUPPLEMENT" is completed. Damaged or stolen property shall be entered in the "PROPERTY" section of the RMS report, with applicable information completed. Include the following information in the narrative section of the report:

1. Location of recovery.

2. Special parts intact or missing: (if missing list in stolen property section).

3. Personal property in vehicle: (list) NOTE: Remove valuable properties found in the vehicle and enter it into the District Property Book unless the vehicle is to be processed. In cases of processing, property shall remain in the vehicle and be removed by Crime Scene & Record personnel after processing is completed.

4. Computer check: (results/terminal number).

5. Was the Foreign Police Agency notified, (name of person notified).

6. Information surrounding arrests and/or suspects.

7. Manner of Theft.

III. Special circumstances:

A. Unfounded complaints: If the officer(s) who makes the recovery report determine that no crime has occurred (vehicle impounded, repossessed, etc.), they shall confer with a supervisor and change the OFFENSE/INCIDENT to "Unfounded Complaint". They shall also indicate this in the title or at the top of the first page. The officer completing the report shall indicate the reason for changing the title in the narrative section.

B. Fraudulent reports: An officer who determines that a report may be fraudulent to cover up other crimes (MVA, Robbery, etc.) shall indicate that in the narrative section. The investigating officer(s) shall consult with the City Prosecutor's office for possible charges.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
September 29, 2003		1 of 1	6.2.14

SUBJECT:	
DRUG OFFENSES - USE OF OHIO REVISED AND MUNICIPAL CODES	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Prioleau Green, Acting Chief*	

PURPOSE: To insure proper case reporting in the Record Management System (RMS) when there are multiple drug offenses.

POLICY: The Cleveland Division of Police shall use appropriate state and municipal codes when booking/reporting a drug possession offense and a concurrent Minor Misdemeanor, Possession of Marijuana.

PROCEDURES:

When creating arrest/bookings or case reports, in the RMS, that involve multiple drug offenses the following rule applies.

When using **both** the Ohio Revised Code for a **Drug Possession Offense and** the Cleveland Municipal Code for **Minor Misdemeanor Possession of Marijuana**, the following statutes apply:

ORC 2925.11 (**<u>or any subsection there of</u>**)

Municipal Code **607.03C3**

EFL/TAH/MB/pmz
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
DECEMBER 8, 2004		1of 2	6.2.15

SUBJECT:	
THE NATIONAL MOTOR VEHICLE TITLE INFORMATION SYSTEM (N.M.V.T.I.S.) HOLD NOTICES	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Prioleau Green, Acting Chief*	

PURPOSE: To set guidelines for utilizing the NMVTIS Hold Notices.

POLICY: The Cleveland Division of Police shall cooperate with and utilize N.M.V.T.I.S.

PROCEDURES:

I. When an NMVTIS Hold Notice comes to the attention of an officer they shall:

A. Obtain a computer check of the V.I.N.

B. If LEADS or NCIC shows the vehicle in question as stolen, contact the originating agency and if necessary have the Message Center send a Teletype for hit confirmation.

C. If the hit confirms the vehicle as a stolen vehicle, the vehicle shall be impounded, the person(s) with the vehicle identified, and a supervisor notified of what other action is warranted at the time (arrest, named suspect).

D. If the confirmed hit shows the vehicle is NOT stolen, the officer shall have the agency originating the report; remove the vehicle from LEADS and/or NCIC. Once that is completed the NMVTIS Hold will be removed.

E. If the officer's investigation reveals that the vehicle has been recovered minus the special parts (engine, transmission, VIN plate) the officer shall contact Ohio BMV Title Section at 614-752-7671. The BMV can override the theft entry and the Hold will be temporarily removed so that the person can obtain a title.

F. If the identity of the vehicle is in question, the officer shall have the vehicle towed to Lot Two for VIN processing and for Auto Theft Unit follow up.

II. The Report/Message Center shall:

A. Assist the investigating officer with verification of local thefts and Teletypes sent to outside agencies for hit confirmation.

B. Assist with the recovery or removal of property from LEADS and/or NCIC.

C. The Report Center shall not enter stolen vehicle parts into LEADS and NCIC (EXCEPT FOR ENGINES, TRANSMISSIONS, VIN PLATES) in order to prevent any false NMVTIS Hold notices.

D. The stolen vehicle parts however shall remain in the RMS system until recovered.

III. The Auto Theft Unit shall:

A. Assist officers with questions arising from a NMVTIS Hold.

B. Process vehicles for VIN numbers if the identity of the vehicle is in question.

C. Assist with policy and/or procedure regarding NMVTIS.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
August 13, 2009		1 of 2	6.2.16

SUBJECT:	
CITIZEN ONLINE REPORTING SYSTEM (CORS)	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To deliver police services in a more efficient manner by employing web based resources. To establish criteria and procedures to determine when the Citizen Online Reporting System (CORS) will be used.

POLICY: The Cleveland Division of Police shall provide citizens with a web based, online alternative for reporting certain minor crimes or other police reports.

DEFINITIONS: Citizen Online Reporting System (CORS) - a web based self-reporting system used by citizens to make police reports. It is designed to eliminate the need of having officers physically respond to document no-suspect or **minor** crime reports while still recording the incident and collecting reportable data for additional investigation, statistical analysis and mandatory reporting requirements.

PROCEDURES:

I. General Information

A. The Cleveland Division of Police shall respond to in-progress incidents and all crimes with evidence or information that may lead to the identification or apprehension of a suspect; or if the incident is so recent that there is a reasonable likelihood that a suspect may still be in the area.

B. Citizens may be referred to CORS when applicable. However, if a citizen is unable or unwilling to use CORS, sworn members shall take the report as needed.

C. The following misdemeanor crimes and reports may be referred to CORS (as long as the reporting person has an email address, is at least 18 years old, and there is no suspect or suspect vehicle information available):

1. Property Lost

2. Damage to Property

3. Criminal Damaging

4. Petty Theft or Theft from a Motor Vehicle

5. Supplemental Reports

D. A temporary case number will be emailed to the reporting person. The temporary case number will be replaced with a RMS number upon review and approval of a report screener. Reports requiring additional information or clarification will be placed in pending status.

E. Reports not meeting the criteria for CORS will be rejected. Rejected reports are not available in RMS but rather will be saved in the Divisional rejection mailbox for later review. The reporting person will be notified by email of the rejection and advised as to the next course of action to take.

II. Communications Control Section (CCS) Responsibilities

A. When CCS personnel receive a call from a citizen wishing to report an incident, the CCS call taker will determine if the call meets the criteria for CORS. If so, CCS personnel shall:

1. Determine if the citizen has internet access and an email address.

2. Inform the caller that they have the option of filing this report on-line, which would allow them to file the report immediately, as well as print a copy of the report for free.

3. Advise the caller to the Cleveland Division of Police website www.city.cleveland.oh.us/police and instruct them to click on the on-line crime reporting link.

B. Even though a caller may meet the above criteria, CCS shall not refuse service to any caller who prefers to give the report over the phone (when expediters are available) or prefers that zone car personnel handle the report.

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
JANUARY 4, 2011	APRIL 27, 2012	1 of 15	6.2.17

SUBJECT:	
MISSING PERSON JUVENILE	
ASSOCIATED MANUAL:	RELATED ORDERS: 4.1.14, 6.2.10, 9.1.07, 9.1.08
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive Revisions in Italics

PURPOSE: To ensure Cleveland Division of Police compliance with Ohio Revised Code Sections 2901.30, 2901.41, and 2901.42, reporting and investigating Missing Persons.

POLICY: The Division shall act promptly to locate persons reported missing, complete Record Management System (RMS) reports, and when mandated, enter Missing Person information into LEADS/NCIC within the mandated time period.

The nature of Missing Person (juvenile) reports is such that they require a response that recognizes and demonstrates the Division's heightened degree of sensitivity to the missing juvenile and those concerned with that person's absence. The reporting person is often the best source of information to locating a missing juvenile; and as such, Division members aid the investigation by according all due care and concern to the reporting person appropriate to the circumstances.

Other law enforcement agencies operating within the jurisdictional boundaries of the City of Cleveland and who maintain authorizing mutual aid agreements with same shall not accept Missing Person reports originating in the City of Cleveland. Only the Cleveland Division of Police shall generate Missing Person reports for missing persons originating within its jurisdictional boundaries.

The Division shall make all attempts as appropriate to utilize programs such as the Amber Alert, A Child is Missing, and Truckers Helping to Recover Ohio's Missing Children; *as well as internal resources such as entry into NCIC, inclusion on the City of Cleveland Missing Person website, and other internal alerts*.

Each District Commander shall ensure that one detective in their Detective

Unit is designated as that district's Missing Person Investigator. The Division shall assign a Missing Person Liaison to the Northeast Ohio Regional Fusion Center (NOERFC).

DEFINITIONS:

Missing Person (Juvenile): is any person under the age of 18 years who is missing for any reason.

Endangered Juvenile: is a juvenile

- Who is believed to be out of the safety zone appropriate for his or her age and developmental stage, (i.e. a crib, stroller, or playpen in the case of an infant, a backyard for a toddler, or home/school route for a school aged child)
- Who is drug dependent *to preserve life or to counter a physical or mental impairment that substantially limits a major life activity*
- *Who is a habitual user/abuser of illegal drugs or substances*.
- Who is missing from home for more than 24 hours before being reported to police.
- Who is believed to be in a life-threatening situation.
- Who is believed to be in the company of adult(s) who could endanger the juvenile's welfare.
- Whose absence is inconsistent with their established patterns of behavior and cannot be readily explained.
- Whose absence was prompted by Internet involvement.
- Is involved in other circumstances that would lead to a belief that the juvenile is at risk.

Habitual Runaway*: is an unemancipated juvenile who has voluntarily left the care and custody of a parent, guardian, or institution (private or public other than correctional) three or more reported times without permission in the preceding twelve month period*.

***Runaway**: is an unemancipated juvenile who has voluntarily left the care and custody of a parent, guardian, or institution (private or public other than correctional) without permission.*

PROCEDURES:

I. General Responsibilities

A. Officers shall accept all reports of missing juveniles.

B. Reporting persons shall never be advised to wait a specified period of time before the Division of Police will accept a missing juvenile report.

C. The reporting person shall be advised to immediately contact the Division of Police to report the return of a missing juvenile.

D. Officers, including supervisors and investigating detectives, shall use the Investigative Checklist for First Responders (Attachment G) to formulate a proper response commensurate with the circumstances involved.

E. Officers accepting Missing Person reports in person shall complete the Reporting Person Information Sheet (Attachment H) and present the original of same to the reporting person.

F. Reporting Person - Officers shall accept information for a missing juvenile report from any of the following:

1. Any family member (adult or juvenile)

2. Other responsible household member such as a roommate

3. A traveling companion

4. A medical or mental health professional, government official, or social agency representative who has proximate care or custody of the missing juvenile

5. A responsible representative of the missing juvenile's employer

6. Any other such person who had temporary proximate care of the missing juvenile such as a chaperone, teacher, caretaker, neighbor, ship captain, taxi or bus driver, or tour operator.

7. Any person that has good cause to believe that a juvenile may be missing based on that reporting person's firsthand knowledge that the juvenile's absence is under circumstances inconsistent with the juvenile's wellbeing.

II. Original RMS reports shall include:

A. The name, age, address, and telephone number of each person interviewed.

B. The relationship between the reporting person and the missing juvenile.

C. The name and address of the natural mother and father, and step or foster parents if applicable. The names and addresses of other family members in the area shall be included as appropriate.

D. The complete name (as well as any nicknames), date of birth, birthplace, social security number, place of employment, and school attended, grade, physical and clothing description (note if the person was not appropriately dressed for the weather conditions), including scars, marks, and tattoos of the missing juvenile. All relevant physical descriptive information must be entered in the appropriate blanks on the RMS report.

E. Information on habits, friends, and places commonly visited by the missing juvenile, and persons with whom last seen.

F. A notation if the missing juvenile is carrying a cell phone, the number of the cell phone, and any results from attempting to contact the missing juvenile via their cell phone.

G. Frequented places, i.e. church, bank, restaurant, store, park, playground etc.

H. Medical condition/current medication used by the missing juvenile. The treating physician's name and the hospital the juvenile uses, as well as the missing juvenile's dentist.

I. The year, make, model, color, license plate, and listed owner of any motor vehicle that can be associated with the missing juvenile. Note any special vehicle locator capabilities such as LoJack or OnStar.

J. A notation that the NCIC Missing Person Form was completed and the time the officer relayed the NCIC information to the Message Center.

K. A notation that an all channels broadcast was made or requested.

L. A notation if and which relatives or friends of the missing juvenile were contacted (and attempted contacts) and results of same if any.

M. A general description of physical search efforts (i.e. searched home, vehicles, abandoned buildings...)

N. A notation if any special program is used, such as Amber Alert, Truckers Helping to Recover Ohio's Missing Children, or A Child is Missing (ACIM).

O. A notation if a *Missing Child/Missing Endangered/Elderly Adult Alert Form (Attachment C) or a Police and Community Alert Form (Attachment D) were completed and forwarded.*

P. Report titles shall be appropriately titled, i.e. Missing Person/Juvenile/Endangered, or Missing Person/Juvenile/Unidentified [in the instance where the full identity of the juvenile is not immediately known]. Report titles for Missing Persons (juvenile) that originate with a law enforcement agency outside the jurisdiction of the City of Cleveland shall be titled Missing Person/Juvenile/Foreign Agency where the victim is the name of the originating agency and the missing juvenile is the subject.

III. When a juvenile is reported missing

A. Search procedures where the missing juvenile is a child under 14 years of age or an endangered juvenile, a supervisor shall be notified to respond to the scene. Upon receipt of basic reporting information a physical search shall immediately commence for the missing juvenile.

1. The search shall commence in the immediate area in which the juvenile was last seen or expected to be. More extensive searches

shall approximate a grid pattern with supervisors assigning officers to particular areas.

2. Officers involved in search activities shall note the locations they searched and provide this information to the primary investigating officer responsible for the initial RMS report *or to the command post if one is established*.

3. Officers shall make a good faith effort to obtain voluntary consent from appropriate responsible persons in connection with the areas searched.

4. Officers shall rely on their training and experience to identify locations where a missing juvenile could possibly be located. A non-exhaustive list includes: closets, behind or under furniture or piles of clothing/drapery, crawl spaces (inside and outside), under stairwells, attics, refrigerators, freezers, ovens, driers, ductwork, fireplaces/chimneys, laundry baskets, laundry rooms, laundry and garbage chutes, bathtubs/shower stalls, storage cabinets, safes, garbage/refuse containers, maintenance/utility closets, public restrooms, boiler rooms, underground vaults or storage containers, roofs, sills/ledges, swimming pools, garages, storage sheds, all manner of vehicles including their storage areas (trunks), trees/shrubbery/landscaping, bodies of water, culverts, sewers, vacant lots, alleys, construction sites, and abandoned buildings.

5. Every effort shall be made to incorporate redundancy into a search, such as having a different officer search an area already searched by another officer. Officers shall still search firsthand any area that a person (other than a police officer) claims has already been searched.

6. For searches that result in the discovery of contraband, the contraband shall be seized and all normal protocols associated with seized contraband shall be followed including arrest as necessary. Upon first discovery of contraband, and when necessary, a supervisor shall ensure that a search warrant is obtained prior to initiating a search for additional contraband or evidence of a crime. The discovery of contraband does not negate the ongoing search for a missing juvenile.

B. Investigating officers shall have the Communications Control Section (CCS) notify the Coast Guard when the juvenile was last seen aboard a watercraft, swimming or in close proximity to Lake Erie or the Cuyahoga River. CCS shall also contact the Division's Public Safety Marine Patrol Team for assistance as needed.

IV. National Crime Information Center (NCIC) Form (Attachment A)

A. Officers shall complete an NCIC Form in duplicate.

B. Federal law mandates (Title 42 USC, Chapter 72, Section 5780) that NCIC information must be entered into LEADS/NCIC within **2 hours** of an officer obtaining the minimum mandatory data for LEADS/NCIC entry. Officers shall immediately upon receiving the mandatory minimum information call the Message Center at 623-5262 (24 hours/7 days) and relay the required information for NCIC entry.

Officers shall use the following checklist to provide the Message Center with the necessary information as applicable:

__Name __Race (__juvenile __habitual)
__Sex __Age __Date of Birth
__Address __City/State/Country of Birth __Social Security Number
__Driver License Number __Vehicle License Plate/Vehicle description
__Reported in company or last seen with __Officers contacted relatives

PHYSICAL:
__Height __Weight __Hair Color/Style __Eye Color __Glasses
__Blood Type __Facial Hair (__beard __moustache __chin whisker __goatee __other)
__Complexion (__light __medium __dark)
__Scars/Markings/Tattoos (__face __arms __hands __legs __back __other)
__Clothing (__hat/jacket/coat __pants __shirt/blouse __dress __other)
__Clothing – acceptable for weather conditions?__ yes __no
__Jewelry (__rings/bracelets/anklets/necklaces/other)
__Cash on person (__other valuables) __Dental Information

ABNORMALITIES/SPECIAL NEEDS:
__Physical __Mental __Suicidal
__Suspected abuse of: __Drugs __Alcohol __Prescription Medication __Other
__Possible Destination

C. The Message Center shall give the reporting officer a verbal time stamp of the officer's call. The officer shall note that time in the narrative of the RMS report. The officer shall still complete an NCIC form and attach a

copy of same to the RMS report. See Section VI(D) regarding routing of the original NCIC form.

V. Release Form (Attachment B)

A. Officers shall have a parent, guardian, or next of kin complete the Release Form (Attachment B) for all missing persons. This multi-purpose form authorizes the release of photographs to the media/public, as well as the release of medical and dental records to the investigating officer.

B. The original Release Form shall be retained by the district Missing Person Investigator. A copy of the form shall be attached to the RMS report and forwarded to Report Intake and Review Unit.

C. The Missing Person Liaison in the Northeast Ohio Regional Fusion Center (NOERFC) shall maintain a file of copies of the Release Forms.

VI. Supervisor/Responding Officer Responsibilities

A. A supervisor shall respond to all instances of missing juveniles with the exception of non-endangered juveniles ages *14 to 17 years* (i.e. where the totality of the circumstances indicate a habitual runaway). A CCS supervisor shall ensure that the assignment meeting the above criterion is coded a Priority One and that a sector supervisor is responding to the scene. The responding supervisor shall ensure that the applicable program, as outlined in Section VII, is followed. The CCS supervisor shall include such incidents of missing juveniles on the Chief's Items of Interest.

B. If an endangered juvenile or juvenile under 14 is not located within two hours after arrival on the scene, the investigating supervisor shall request that CCS contact the District Commander and Public Information Officer (PIO).

C. *For endangered juveniles or juveniles under 14 years of age,* a sector supervisor shall assign at least one zone car beyond the original reporting shift to follow up and provide supplements to the Missing Person report with the results of searches and interviews conducted until such time that the missing juvenile is located or as directed by the District Commander.

D. *Officers shall obtain photographs from the reporting person for all missing person reports whenever possible. Officers shall ensure that they obtain a completed Release Form (Attachment B of GPO's 6.2.10 and 6.2.17) when receiving photographs of missing persons. The original photograph(s) shall be routed to the District Detective Unit Missing Person Investigator.*

E. *The reporting officer shall forward the original NCIC form, along with a copy of a photograph if available, to the NEORFC and the duplicate NCIC form and original photograph to the District's Missing Person Investigator*.

F. *District Detective Unit Missing Person Investigators shall ensure that all report supplements become part of that missing juvenile's file and that the original supplements are forwarded to the Report Intake and Review Unit*.

G. *District Detective Unit Missing Person Investigators shall be responsible for scanning the RMS report, Release Form, and original photograph and sending same to the NEORFC missing person liaison. All documents comprising a single missing person report shall be scanned in as one continuous document so the document appears as one single case. Smaller photographs shall be firmly affixed onto a blank sheet of paper (labeled with the name of the missing person and RMS report number) before being fed through the copier/scanner. In instances where a suitable photograph is not available, district missing person liaisons shall make an effort to use other photograph sources such as those available on-line through OHLEG, other government agencies, and social media such as Facebook*.

H. *The NEORFC missing person liaison shall be responsible for making entries to and updating the missing person webpage. NEORFC will additionally report the missing person through their normal bulletin reports to Region II and the State Fusion Center (SAIC)*.

I. *District Missing Person Investigators shall also ensure that reports of returned missing persons are also forwarded to NEORFC in a timely manner so that the website may be updated*.

J. *District Missing Person Investigators Detective Unit supervisors shall ensure that missing person procedures are being followed in a timely manner*.

K. Missing Child Alert Criteria:

1. It is confirmed that the individual is missing.

2. The missing juvenile is under 14 years of age, or *is ages 14 to 17 years* and is considered endangered.

3. The disappearance of the juvenile poses a credible threat of immediate danger of serious bodily harm or death to the individual.

4. There is sufficient descriptive information about the juvenile and the circumstances surrounding the juvenile's disappearance to indicate the activation of the alert will help locate the individual.

L. A Missing Child/Missing Endangered/Elderly Adult Alert Form (Attachment C) and a Police and Community Alert Form (Attachment D) if applicable shall be completed and faxed to CCS.

The Missing Child/Missing Endangered/Elderly Adult Alert Form (Attachment C) is used to describe the missing person and accompanying circumstances.

The Police and Community Alert Form (Attachment D) is used to describe a suspect, suspect vehicle, missing person's vehicle, or any vehicle or person mentioned in connection with the missing person.

1. CCS shall initiate a broadcast on all channels and shall fax a copy of the form to each district, along with the Police and Community Alert Form (Attachment D) if applicable, to be read at subsequent roll calls. Each communication channel will receive a copy of the Alert form.

2. CCS supervisors shall ensure that the description of the missing juvenile under 14 or endangered juvenile and any other pertinent information (i.e. vehicle description) is re-broadcast every four hours until the missing juvenile is located.

3. The Commander will consult with the Deputy Chief of Field Operations to determine whether or not the media will be asked to air/print the information contained in the alert. The Deputy Chief of Field Operations shall communicate that decision to the PIO. The

Field Operations Deputy Chief or designee shall make further notifications up the chain of command as circumstances dictate.

4. The Deputy Chief of Special Operations shall make the determination to activate the Combined Abduction Response Team (CART) and proceed accordingly (G.P.O. 4.1.14).

M. For all reports of missing juveniles the investigating officer shall contact:

1. The Message Center to determine if the missing juvenile is incarcerated as a result of a Cleveland Police arrest, on the Hospital List, or already has an active Missing Person report in RMS. If the officer finds an active Missing Person report, a supplement (returns or locates) shall be made to close the existing report before a new one is made. *See Section IX (E) for additional return reporting details*.

2. The juvenile's school when applicable.

3. The Juvenile Detention Center.

4. The Cuyahoga County *Medical Examiner's* Office.

5. CCS, if a vehicle is involved, to determine if the vehicle was towed.

N. The district Missing Person investigator shall ensure that the Missing Person RMS report contains contact information for whichever detective is assigned to the missing juvenile case and that all follow-up is entered into the report in a timely manner.

O. The district Missing Person investigator shall maintain a log book or electronic database to enter all reports of missing persons in that district. Such book or database shall include at minimum the missing person's name, RMS number, date of report, and disposition.

P. After *21* days, the investigating detective shall obtain the dental records and *items containing* DNA *(e.g. hairbrush)* of the missing juvenile (or close blood relative) for active Missing Person reports. *The dental records shall be forwarded to the Missing Person Liaison in the NEORFC. Items containing DNA shall be collected as evidence forwarded in the prescribed manner for handling evidence. The detective may request the assistance of*

the Crime Scene and Records Unit in identifying/collecting items that may contain useful DNA samples. The detective shall ensure that the dental records are properly coded prior to forwarding to the Missing Person Liaison.

Q. The Missing Person Liaison assigned to the NEORFC shall ensure that all validation procedures relative to NCIC/LEADS requirements are completed in a timely manner.

R. If the validation or follow-up process conducted by the Missing Person Liaison reveals that a missing juvenile has returned, the Missing Person Liaison shall notify the appropriate district commander where the returned missing juvenile is located to have the return verified and the Missing Person/Juvenile/Returned report completed. The only exception shall be when the Missing Person Liaison has verified the missing juvenile returned through a foreign police agency whereupon the Missing Person Liaison shall handle the Missing Person/Returned report.

S. District Commanders shall ensure that Missing Person/Returned verification requests received from the Missing Person Liaison are followed up and that Missing Person/Returned procedures are followed as directed in Section (IX)A of this order.

VII. Additional Missing Juveniles Procedures

A. Amber Alert - Refer to GPO 9.1.07 NORTHERN OHIO AMBER ALERT.

B. A Child is Missing (ACIM) - Refer to GPO 9.1.08 (A CHILD IS MISSING PROGRAM - ACIM).

C. Truckers Helping to Recover Ohio's Missing Children was developed in conjunction with the Attorney General's Office, The Ohio Trucking Association, and private trucking companies. It is a tool to obtain additional help in locating a missing juvenile. To utilize this program:

1. The following criteria must be met in all situations:

a) A Missing Person report has been filed with law enforcement

b) The juvenile has been entered into LEADS/NCIC

c) The missing person is *an unemancipated juvenile* under 18 years of age

2. In addition, the juvenile must fall into one of the following categories:

a) Stranger/Non-family Abductions – (AMBER alert criteria must be met)

b) Family Abductions - one or more of the following conditions must be met:

i. Abduction by non-custodial relative (other than non-custodial parent).

ii. Abduction by non-custodial parent who has a criminal record or outstanding warrant(s) for their arrest.

iii. Abduction by non-custodial parent where there is reason to believe that flight to another city or state is a probability.

iv. Abduction by a non-custodial parent where foul play is suspected.

v. Abduction by a companion of a custodial or non-custodial parent or relative.

c) An endangered juvenile.

3. Procedures

a) A supervisor shall determine whether all the criteria for utilization are met.

b) The supervisor shall contact the Ohio Missing Children Clearinghouse via CCS to request that the call be made and identify for the Clearinghouse the scope of the search (City, County, and Region). The supervisor shall then fax the Call to Truckers Helping to Recover Ohio's Missing Children Report (Attachment F) and a picture of the missing juvenile if available. The telephone number is available from CCS.

c) The Clearinghouse or Bureau of Criminal Identification and Investigation (BCI&I) will send the information to participating trucking companies in the designated area where the information will be posted.

d) Once a juvenile is located, the Clearinghouse must be notified to cancel the alert.

VIII. In instances where there are indications of violence related to the juvenile's absence or if the juvenile has not been located after one year, the appropriate District Commander shall confer with the Deputy Chief of Field Operations who in turn shall determine if the case shall be assigned to the Homicide Unit.

IX. Missing juveniles returned or located.

A. Investigating officers shall personally and physically identify the juvenile upon return and promptly complete an RMS supplement report. Local returns shall never be completed by telephone verification only. Officers shall request foreign police agencies to physically verify the Missing Person return if the person is located outside of the Division's jurisdiction. The report shall state whether the person returned of their own volition (or was located in some other manner) and the place where the person was located *or was staying at during their absence*. Officers shall note in the RMS report that the returned missing juvenile was properly identified as directed above.

B. When a missing juvenile is found/returned before the officer has had an opportunity to complete an RMS report, the officer shall contact the Message Center within 2 **hours** to remove that person from LEADS. However, the officer shall still complete an RMS report (*titled Missing Person/Juvenile/Combination/Return*) and NCIC form to account for the NCIC entry. Officers shall ensure that <u>all</u> information provided to the Message Center shall also appear in the RMS report.

C. The investigating officers shall obtain a statement from the juvenile or parent/guardian regarding the juvenile's whereabouts and activities during their absence.

D. CCS shall be immediately notified once a missing juvenile is located. A CCS supervisor shall write "cancelled" on the Missing Child/Missing

Endangered/Elderly Adult Alert Form or other requisite form(s) and fax them to the PIO and all police districts and ensure that the Items of Interest log is updated.

E. *An exception to the requirement of personally and physically identifying a returned juvenile shall be when a reporting person is attempting to make a missing person juvenile report but there already exists an open Missing Person report for that juvenile. In this instance, the officer shall close out the open Missing Person report and include in the narrative section the newly acquired information regarding the alleged return. The report title shall be Missing Person/Juvenile/Return/Unconfirmed. The officer shall then proceed with taking information for the subsequent Missing Person report*.

F. Officers finding a juvenile outside of the juvenile's age appropriate comfort zone (abandoned infant, also refer to definition in Section I [A]) shall take that juvenile into custody. The first priority is to determine if medical care is warranted. Officers shall then make every effort to reunite that juvenile with that juvenile's parent or guardian. If efforts to return the juvenile are unsuccessful, then County Children and Family Services shall be contacted for further action. Officers shall also contact Children and Family Services if (based upon the totality of the juvenile's circumstances) there is evidence to suggest abuse or neglect. In all such instances, appropriate reports shall be completed to document the incident.

MM/AJG
Policy & Procedures Unit
Attachments (A- I) *Attachment C & G are revised, Attachment I is added.*

Attachment A (GPO 6.2.10 & 6.2.17)

CLEVELAND DIVISION OF POLICE
NCIC Missing Person Report

District:_____ Zone:_____ RMS#_____ Date:_____

I certify that _____ DOB _____ is:

☐ **Disability (EMD):** any age and is missing and under proven physical/mental disability or is senile, thereby subjecting oneself or others to personal and immediate danger.

☐ **Endangered (EME):** any age and is missing under circumstances indicating that their physical safety may be in danger.

☐ **Involuntary (EMI):** any age and is missing under circumstances indicating the disappearance may not have been voluntary.

☐ **Juvenile (EMJ):** under age 21 and is missing and does not meet any other criteria.

☐ **Catastrophe (EMV):** any age and is missing after a catastrophe.

☐ **Other (EMO):** a person 21 or older and is missing and for whom there is reasonable concern for their safety and does not meet any other criteria.

Signed:_____ Relationship to missing person:_____

☐ Foster care or ward of the State ☐ Photograph attached to NCIC Report

Consent for photograph to be placed on the Internet: ☐ Yes ☐ No

Consent for photograph to be given to the media: ☐ Yes ☐ No

THIS STATEMENT IS REQUIRED FOR ENTRY INTO FEDERAL COMPUTER FILES

Officer(s):_____ Car #:_____

C of C 71-2138 (rev. 10/16/2014)

****

For Fusion Center use only:

CCH check_____ BCI#_____ FBI#_____ CMC_____

DS check _____ MNU _____

ALIAS _____

CMC_____

SMT_____

DS_____

Attachment B (GPO 6.2.10 & 6.2.17)

CLEVELAND DIVISION OF POLICE
RELEASE FORM

I am the spouse/parent/legal guardian/next of kin of the below-named missing/wanted person and I hereby authorize the release and dissemination of medical records, dental records and photographs to the Cleveland Division of Police to use to locate/identify the named person. Medical and dental records will be kept confidential to the extent of the law. Photographs may be made public and disseminated through the media or through other law enforcement channels.

Missing/Wanted Person
Name: _____ D.O.B. : _____

Authorizing Signature: _____

Printed Name of Authorizing person: _____

Address: _____
_____
Phone/Contact: _____

Relationship to Missing Person: _____
(Spouse, Parent, Legal Guardian, or Next of Kin)

Approximate Date of Photo: _____
Date person last seen: _____
Today's Date: _____

RMS# _____
Assigned Detective (name/badge): _____
(if assigned)

Original: to District Detective Unit Missing Person Investigator
Copy: attached to original RMS report (with any other attachments) and forwarded to the Report Intake & Review Unit

MISSING CHILD/MISSING ENDANGERED or ELDERLY ADULT ALERT

Date:		Time:	
Supervisor Requesting:		District:	

The Following Juvenile/Adult Has Been Reported Missing: ☐ **Fax to CCS at 623-5891**

☐ Juvenile less than 14 years old
☐ Juvenile 14-17 years old *and is considered endangered (see GPO for definition)*
☐ Elderly Adult 65 years or older
☐ Endangered Adult under 65 years old

Victim Description	Photo Received/Faxed?	Yes☐	No☐
	Dental Records Available?	Yes☐	No☐

Name: _____ Address: _____

Phone/Contact Number(s): _____ Date of Birth: _____

Race: White ☐ Asian ☐ Sex: Male ☐
Black ☐ Arab ☐ Female ☐
Hispanic ☐ Other/Unk ☐

Age: _____Height: _____Weight: _____Hair: _____ Eyes: _____

Clothing: _____

Other Descriptive: _____

Other Details: _____

_____

Last Seen At: _____

RMS #: _____ Car Assigned:_____

School/Grade: _____

Locations Known to Frequent: _____

_____

Is child/adult a habitual runaway/walkaway? ☐ If so, where previously located:_____

If Suspect or Vehicle Information is Available
Complete Police and Community Alert (Appendix D) and Fax as page 2 of 2.

☐All Channel Broadcast Requested ☐Complete

Attachment D (GPO 6.2.10 & 6.2.17)

POLICE AND COMMUNITY ALERT

☐ **Fax to CCS at 623-5891**

Date:		**Time:**	
Requested By:		**District:**	

The Following Vehicle ☐ And/Or Suspect ☐ Is Mentioned In Connection With:

☐ **An Attempt to Lure or Solicit a Child Under the Age of 14**
☐ **An Attempt to Abduct a Child Under the Age of 18**
☐ **A Missing Child (Known to be in company with)**
☐ **Missing Elderly or Endangered Adult**

Location of Offense (or missing from):_____

RMS Number: _____ **Offense** (if applicable)**:**_____

Suspect Description (if applicable)

Name/Partial Name (If known) _____

Race: White ☐ **Asian** ☐ **Sex: Male** ☐ **Age:** _____
Black ☐ **Arab** ☐ **Female** ☐
Hispanic ☐ **Other/Unk** ☐ **Height:** _____

Weight: _____

Clothing: _____

Other Descriptive: _____

Suspect/Missing Person Vehicle

Make: _____**Model:** _____ **Year:** _____

Color: _____ **Plate or Partial:** _____

Vehicle Owner (if known): _____

Owner Address (if known): _____

☐ **All Channel Broadcast Requested** ☐ **Completed**

A Child is Missing (ACIM) Information Form

Supervisor: Complete this form and provide the information when reporting a missing person to "A Child is Missing"

"A Child is Missing" Contact Numbers: (888) 875-2246, (954) 763-1288, or pager: (954) 492-4778

Name of Missing Person: _____ D.O.B. _____ Gender: _____

Nationality: _____ Height: _____ Weight: _____ Eye Color: _____ Hair Color: _____

Any other characteristics such as glasses, tattoos, piercing, scars? _____

_____

Clothing Description: _____

Location last seen (including zip code) : _____

(for the location, provide accurate spellings and include and provide the nearest major intersection)

Residence *(if difference than "last seen" location*): _____

Date and Time last seen: _____ Is the person a habitual runaway? _____

Were friends/family notified? _____ Is there water or wooded areas near the last seen location? _____

Did the person leave in a vehicle, bicycle, skateboard etc? _____

If in a vehicle, description, license plate etc? _____

Is foul play suspected ? _____ Any confrontation prior to person's disappearance? _____

Does missing person have a substance abuse problem? _____ Does missing person take any medications? _____

Name of Law Enforcement Agency: **Cleveland Division of Police** State: **Ohio** County: **Cuyahoga**

RMS #: _____ Agency telephone number for public to call with information: **(216) 623-5800**

Name of Officer in Charge of case: _____ Contact Number for OIC: _____

ALERT:

Call to Truckers Helping to Recover
Ohio's Missing Children Report

MISSING CHILD INFORMATION:

Name: _____ Age: _____ DOB: _____ Sex: ____ Ht: _____ Wt: _____

Hair color: _____ Hair Texture (e.g. curly/straight): _____ Hair length: _____

Eye color: _____ Eyeglasses (y/n; description): _____ Facial hair: _____

Scars, tattoos, etc.: _____ Clothing description: _____

Location missing from/last seen: _____

Last seen alone: _____ Last seen with (name if known): _____

ALLEGED ABDUCTOR INFORMATION:

Name: _____ Age: _____ DOB: _____ Sex: ____ Ht: _____ Wt: _____

Hair color: _____ Hair Texture (e.g. curly/straight): _____ Hair length: _____

Eye color: _____ Eyeglasses (y/n; description): _____ Facial hair: _____

Scars, tattoos, etc.: _____ Clothing description: _____

Relationship to child: _____ Possible destination: _____

VEHICLE INFORMATION:

Make: _____ Model: _____ Color: _____

Year: _____ State of license plate: _____ License plate number: _____

Other descriptive information: _____

Last seen at (date/time): _____ In (city/village, street): _____

Direction of travel: _____

ADDITIONAL INFORMATION:

This child is believed to be or have been:

- ☐ Abducted by a stranger.
- ☐ Abducted by a family member.
- ☐ An endangered runaway.
- ☐ Lost or missing.

REPORTING LAW ENFORCEMENT AGENCY INFORMATION:

Agency name: **Cleveland Division of Police** Agency phone number: **(216) 623-5723**

Contact name: _____ Contact phone number: _____

Law enforcement personnel are to email reports to the Ohio Missing Children Clearinghouse at Ohioch@locaterposters.org or fax to (614) 728-9536. After 4:30 M-F, on weekends or holidays, email reports to the Ohio Bureau of Criminal Identification and Investigation at Ohioch@locaterposters.org, or fax to (740) 845-2021. For questions, contact the Ohio Missing Children Clearinghouse at 1-800-325-5604.

CLEVELAND DIVISION OF POLICE

MISSING PERSON INVESTIGATIVE CHECKLIST FOR
FIRST RESPONDERS/INVESTIGATORS

This following checklist created by the National Center for Missing and Exploited Children (NCMEC) has been edited and adapted to provide a framework of actions, considerations, and activities that may assist in performing competent, productive, and thorough missing/abducted adult investigations. It must be noted that this is a general checklist and not all actions may be applicable to the Cleveland Division of Police in all circumstances.

First Responder

[ ] If circumstances warrant, consider activating patrol-vehicle-mounted video camera when approaching the scene to record vehicles, people, and anything else of note for later investigative review.
[ ] Interview parent(s)/guardian(s)/person who made the initial report.
[ ] Confirm the person is in fact missing.
[ ] Verify the child/endangered adult's custodial status.
[ ] Identify the circumstances of the disappearance.
[ ] Determine when, where, and by whom the missing person was last seen.
[ ] Interview the individuals who last had contact with the missing person.
[ ] Identify the child's (or adult as applicable) zone of safety for his or her age and developmental stage.
[ ] Based on the available information, make an initial determination if there is nonfamily abduction; family abduction; runaway; or lost, injured, or otherwise missing.
[ ] Obtain a detailed description of the missing person, abductor, person last seen with and any vehicles mentioned.
[ ] Secure photographs/video recordings of the missing person/abductor.
[ ] Evaluate whether the circumstances of the disappearance meet AMBER or other alert program criteria. Follow directives for initiating such plan(s).
[ ] Relay detailed descriptive information to the Communications Control Section (CCS) for broadcast updates.
[ ] Determine need for additional personnel including investigative and supervisory staff.
[ ] Brief and bring up-to-date all additional responding personnel.
[ ] Identify and separately interview everyone at the scene. Make sure their interview and identifying information is properly recorded. To aid in this process, if possible, take pictures or record video images of everyone present. Video cameras affixed to patrol vehicles may be helpful with this task.
[ ] Note name, address, home/business telephone numbers of each person interviewed.
[ ] Determine each person's relationship to the missing person.
[ ] Note information each person may have about the person's disappearance.
[ ] Determine when/where each person last saw the missing person.
[ ] Ask each one, "What do you think happened to the child/endangered adult?"
[ ] Obtain names/addresses/telephone numbers of the missing person's friends/associates and other relatives and friends of the family.
[ ] Continue to keep CCS apprised of all appropriate developing information for broadcast updates.
[ ] Obtain and note permission to search home or building where incident took place.
[ ] Conduct an immediate, thorough search of the missing child/endangered adult's home, even if the person was reported missing from a different location.
[ ] Seal/protect scene and area of the child's home (including the child's personal articles such as hairbrush, diary, photographs, and items with the child's fingerprints/footprints/teeth impressions) so evidence is not destroyed during or after the initial search and to help ensure items which could help in the search for and/or to identify the child are preserved. Determine if any of the child's personal items are missing. If possible, photograph/videotape these areas.
[ ] Evaluate the contents and appearance of the child/endangered adult's room/residence.
[ ] Inquire if the child/endangered adult have access to the Internet and evaluate its role in the disappearance (i.e. social networking sites).
[ ] Ascertain if the missing person has a cellular telephone or other electronic communication device.
[ ] Extend search to surrounding areas including vehicles and other places of concealment.
[ ] Treat areas of interest as potential crime scenes as applicable.
[ ] Determine if surveillance or security cameras in the vicinity may have captured information about the child/endangered adult's disappearance.

CLEVELAND DIVISION OF POLICE

MISSING PERSON
INVESTIGATIVE CHECKLIST FOR FIRST RESPONDERS

[ ] Interview other family members, friends/associates of the child, and friends of the family to determine
(1) When each last saw the child.
(2) What they think happened to the child.

[ ] Review sex-offender registries to determine if individuals designated as sexual predators live, work, or might otherwise be associated with the area of the child's disappearance.

[ ] Ensure information regarding the missing person (as applicable) is entered into the National Crime Information Center's (NCIC) Missing Person File within two hours of report receipt and any information about a suspected abductor is entered into the NCIC Wanted Person File. (Carefully review NCIC categories before entering the case, and be sure to use the Child-Abduction flag whenever possible.)

[ ] Prepare flier/bulletin/web posting with the child/abductor's photograph and descriptive information. Distribute in appropriate geographic regions.

[ ] Prepare reports/make all required notifications.

Supervisory Officer

[ ] Obtain briefing and written reports from the first responding officer and other personnel at the scene.

[ ] Decide if circumstances of the child/endangered adult's disappearance meet the protocol in place for activation of an AMBER or other alert program criteria.

[ ] Determine if additional personnel are needed to assist in the investigation.

[ ] Establish a command post away from the child/endangered adult's residence.

[ ] Determine if additional assistance is necessary from:

- State Police
- Missing-Children Clearinghouse
- FBI
- Specialized Units
- Victim-Witness Services
- NCMEC's Project ALERT/Team Adam

[ ] Confirm all the required resources, equipment, and assistance necessary to conduct an efficient investigation have been requested and expedite their availability.

[ ] Ensure coordination/cooperation among all law-enforcement personnel involved in the investigation and search effort.

[ ] Verify all required notifications are made.

[ ] Ensure all agency policies and procedures are in compliance.

[ ] Be available to make any decisions or determinations as they develop.

[ ] Use media including radio, television, newspapers, and internet to assist in the search throughout the duration of the case.

Investigative Officer

[ ] Obtain briefing from the first responding officer and other on-scene personnel.

[ ] Verify the accuracy of all descriptive information and other details developed during the preliminary investigation.

[ ] Initiate a neighborhood canvass using a standardized questionnaire.

[ ] Obtain a brief, recent history of family dynamics.

[ ] Correct and investigate the reasons for conflicting information offered by witnesses and other individuals.

[ ] Collect article(s) of the child/endangered adult's clothing for scent-tracking purposes.

[ ] Review and evaluate all available information and evidence collected.

[ ] Secure the child/endangered adult's latest medical and dental records.

[ ] Contact waste collection management and request they segregate garbage and dumping containers from key investigative areas in cases where it is suspected there may be imminent danger to the missing child/endangered adult.

[ ] Develop and execute an investigative plan.

[ ] Interview the child/endangered adult's teacher, counselor (school or private), employer, or off-site caregiver (group home, child care provider).

[ ] Conduct a criminal-history check on all principal suspects and persons of interest in the investigation.

[ ] Determine what additional resources and specialized services are required.

[ ] Ensure details of the case have been reported to NCMEC.

[ ] Prepare and update bulletins for local law-enforcement agencies, missing-children clearinghouse(s), the FBI, and other appropriate agencies.

[ ] Establish a telephone hotline for receipt of tips and leads.

CLEVELAND DIVISION OF POLICE

Missing Person Report – Reporting Person Information Sheet

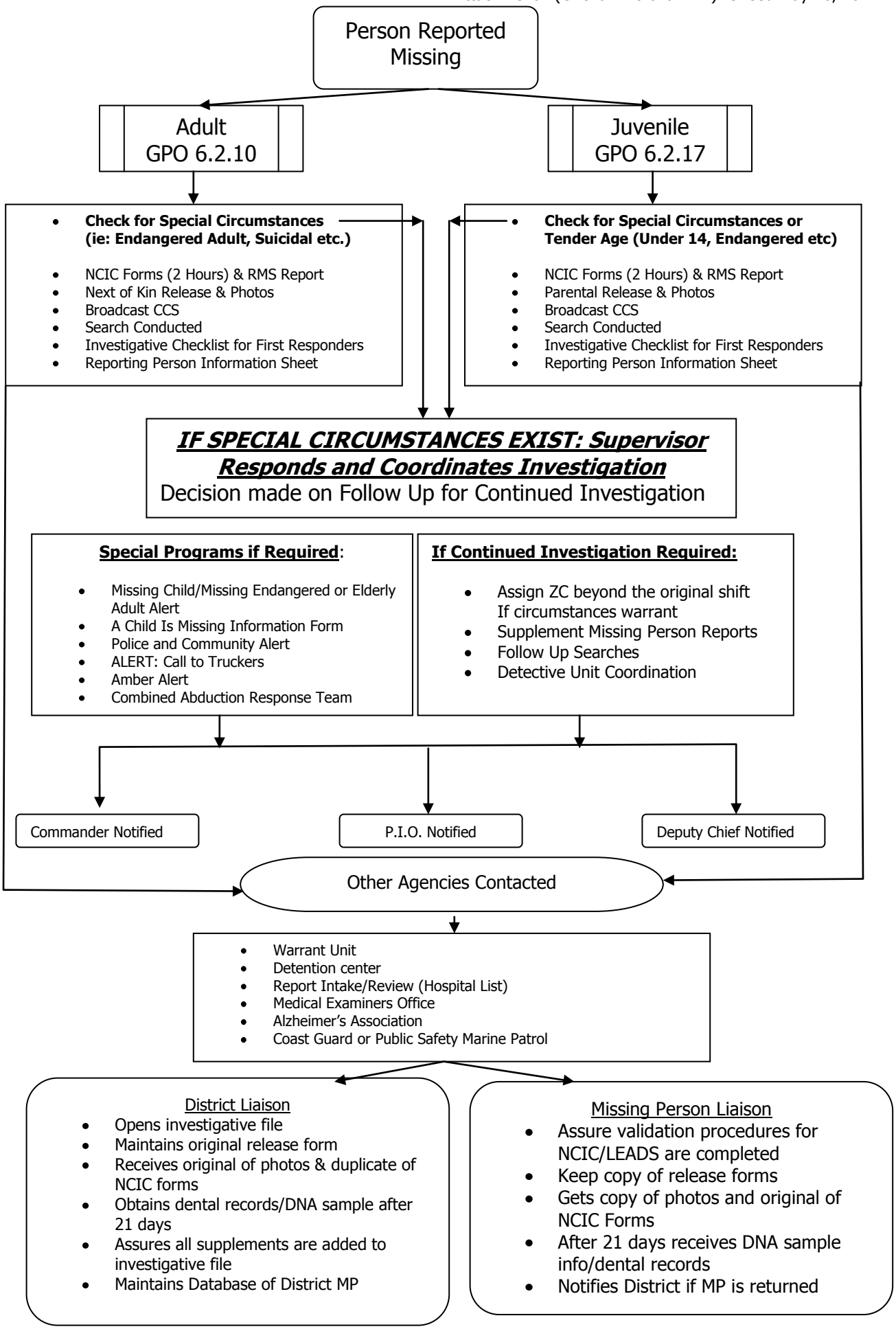
Your report of a Missing Person is important to us. Therefore you must immediately contact the Cleveland Division of Police at (216) 621-1234 (24 hours a day) or this Police District' s Detective Unit at (216) 623-_____ with any additional information on the Missing Person or to report that the Missing Person has returned.

To receive a status on the investigation of the reported Missing Person, please call this Police District' s Detective Unit at (216) 623-_____.

Failure to report a returned or located Missing Person will result in that person being continuously maintained in our records as a Missing Person.

Officer:_____ Car #:_____
Print name/badge #

District:___ Zone:_____ RMS#_____ Date:_____


Person Reported Missing
Adult GPO 6.2.10
Juvenile GPO 6.2.17
Check for Special Circumstances (ie: Endangered Adult, Suicidal etc.)
NCIC Forms (2 Hours) & RMS Report
Next of Kin Release & Photos
Broadcast CCS
Search Conducted
Investigative Checklist for First Responders
Reporting Person Information Sheet
Check for Special Circumstances or Tender Age (Under 14, Endangered etc)
NCIC Forms (2 Hours) & RMS Report
Parental Release & Photos
Broadcast CCS
Search Conducted
Investigative Checklist for First Responders
Reporting Person Information Sheet
IF SPECIAL CIRCUMSTANCES EXIST: Supervisor Responds and Coordinates Investigation
Decision made on Follow Up for Continued Investigation
Special Programs if Required:
Missing Child/Missing Endangered or Elderly Adult Alert
A Child Is Missing Information Form
Police and Community Alert
ALERT: Call to Truckers
Amber Alert
Combined Abduction Response Team
If Continued Investigation Required:
Assign ZC beyond the original shift If circumstances warrant
Supplement Missing Person Reports
Follow Up Searches
Detective Unit Coordination
Commander Notified
P.I.O. Notified
Deputy Chief Notified
Other Agencies Contacted
Warrant Unit
Detention center
Report Intake/Review (Hospital List)
Medical Examiners Office
Alzheimer's Association
Coast Guard or Public Safety Marine Patrol
District Liaison
Opens investigative file
Maintains original release form
Receives original of photos & duplicate of NCIC forms
Obtains dental records/DNA sample after 21 days
Assures all supplements are added to investigative file
Maintains Database of District MP
Missing Person Liaison
Assure validation procedures for NCIC/LEADS are completed
Keep copy of release forms
Gets copy of photos and original of NCIC Forms
After 21 days receives DNA sample info/dental records
Notifies District if MP is returned

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 1	7.1.01

SUBJECT:	
MALE/FEMALE/JUVENILE PRISONER TRANSFERS	
ASSOCIATED MANUAL:	RELATED ORDERS: 7.1.05
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To establish Cleveland Division of Police guidelines to govern the transportation of male, female and juvenile prisoners.

POLICY: The Division of Police shall transport male, female and juvenile prisoners in separate vehicles and only transport them together as a last resort.

PROCEDURES:

I. Officers shall transport male, female and juvenile prisoners separately **unless** all prisoners are handcuffed in a two-officer vehicle with the non-driving officer continually monitoring the prisoners **and** II, III or IV apply.

II. Officers are transporting the prisoners from the scene of a crime in instances arising from the same criminal conduct (e.g. mass arrests or a male and female arrested for the same auto theft).

III. Officers are transporting the prisoners from one Division jail to another Division jail or from a Division jail to another agency's jail to ensure that jail standards are maintained.

IV. Officers are transporting a prisoner for emergency medical treatment and transporting male, females, and juveniles together is due to medical necessity. All prisoners must be handcuffed unless the medical condition would make handcuffing impractical.

EFL/TAH/LM/mg/cld
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
DECEMBER 07, 2004	DECEMBER 31, 2007	1 of 1	7.1.02

SUBJECT:	
PRISONER PROPERTY	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

This General Police Order is rescinded.

(This page left intentionally blank)

MM/TAH/JCO/mg
Policy and Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 01, 2002	DECEMBER 31, 2007	1 of 1	7.1.03

SUBJECT:	
PRISONERS AT RISK FOR SUICIDE	
ASSOCIATED MANUAS:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

This General Police Order is rescinded.

(This page left intentionally blank)

MM/TAH/JCO/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
FEBRUARY 12, 2003	DECEMBER 31, 2007	1 of 2	7.1.04

SUBJECT:	
PRISONER PROPERTY INVENTORIES	
ASSOCIATED MANUAL:	RELATED ORDERS:
	2.3.10
CHIEF OF POLICE:	
Michael McGrath, Chief	

This General Police Order is rescinded.

(This page left intentionally blank)

MM/TAH/JCO/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	August 30, 2011	1 of 1	7.1.05

SUBJECT:	
PRISONER SUPERVISION AND RESTRAINTS	
ASSOCIATED MANUAL:	RELATED ORDERS: 2.1.01
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive Changes are in Italic

PURPOSE: To provide guidelines for members of the Cleveland Division of Police *on prisoner supervision and the use of* restraints.

POLICY: Members shall use only the amount of force or restraint necessary to control an uncooperative and/or violent prisoner. Use of force shall comply with the Division's *Use of Force policy*. Corporal or any other form of punishment is prohibited. "Hog-tying" is <u>not</u> an acceptable restraint.

PROCEDURES:

I. Officer(s) shall first attempt verbal persuasion tactics and warnings to gain prisoner cooperation. If verbal persuasion and warnings do not gain compliance, the officer(s) shall obtain assistance to gain the prisoner's cooperation through a show of force. If a show of force does not gain compliance, the officers shall use physical holds.

II. Arresting officers shall handcuff felony prisoners and use discretion in handcuffing misdemeanor prisoners *and persons who are being taken into custody based solely on mental health issues*.

III. Officers shall double-lock handcuffs to prevent tightening unless extraordinary circumstances prevent the double locking of the cuffs.

IV. Conveying officers shall immediately transfer a prisoner who fails to demonstrate a functional level of consciousness (voluntary movement, speech, normal color, and breathing) to the nearest hospital for evaluation and/or treatment.

V. If any neck restraint is used to effect an arrest, officers shall **immediately** transport the prisoner to the nearest hospital and comply with the provisions found in the Use of Force General Police Order.

MM/LM/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 01, 2002	DECEMBER 31, 2007	1 of 4	7.1.06

SUBJECT:	
ADULT PRISONER BOOKING	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Changes are in italics

PURPOSE: To establish procedures to book adult prisoners *and establish police supervisory responsibilities regarding same*.

POLICY: The Cleveland Division of Police complies with laws related to prisoner booking.

PROCEDURES:

I. Officers shall legibly complete the pre-booking form (Appendix). This pre-booking form shall include the offense and offense code.

II. Present the pre-booking forms to a *Corrections Officer (CO)* upon arrival at the Central Prison Unit (CPU).

III. Ensure that all prisoners are handcuffed prior to entering CPU.

IV. Notify the Communication Control Section (CCS) upon arrival and departure at the Justice Center.

V. Accompany the prisoner from the sally port to the CPU via the prisoner elevator. When the prisoner arrives on the sixth floor, one officer shall **immediately** return to P-1 and remove the police vehicle from the sally port.

VI. Search the prisoner in the presence of a *Corrections Officer* and complete a property receipt.

A. Officers shall conduct a thorough prisoner property inventory once the prisoner is within the jail facility.

1. This search includes, but is not limited to, searching all garments (excluding undergarments) including pockets and the contents of the pockets. Pocket contents include but are not limited to, wallets and

other containers; the search of any purse, fanny pack or other such articles designed to store items; the removal and search of footwear; the search of any other item found on a person.

2. Containers, locked or unlocked, found on a person when arrested and conveyed into a secure police facility shall be inventoried to assure that no unsafe items, including weapons or dangerous ordnance are stored.

3. Personal items that can be used as a weapon or as an instrument to attempt suicide (shoelaces, belts, eyeglasses, etc.) shall be removed from the person prior to placing them into the jail population.

B. This search is made to protect a prisoner's property, deter false claims of theft, and promote jail security.

VII. Completion of Prisoner Property Bags

A. During booking, the arresting officer shall thoroughly search the prisoner and Take custody of all property. Prisoner property is divided into three categories: 1) property 2) medication and 3) evidence or contraband.

B. The arresting officers shall also check the property bag for defects and that both numbers on the bag match. The arresting officer(s) shall then <u>legibly</u> print the prisoner property bag number on the upper right hand side of the Booking Information Form.

C. The officer shall confiscate the prisoner's property, including clothing, which may be used in a suicide attempt (belts, laces, ties, drawstrings, etc.) and place the items into the prisoner property bag.

D. Officers shall only take a coat that may be used in a suicide attempt. All coats must be thoroughly searched (seams, pockets, hoods, linings, etc.) for contraband, property, and/or evidence. In cases where clothing bears possible evidence of a crime incident to arrest (bullet holes, knife cuts, body fluids, etc.), it shall be confiscated as evidence.

E. Prisoner money shall be counted by the arresting officer(s) in the presence of the *Corrections Supervisor*, at the time of booking and shall be enumerated in dollar amounts on the cash line. If space is available, the arresting officer(s) shall enumerate in long hand the dollar and cents amounts and totals (i.e. One fifty dollar bill, three five dollar bills, one quarter, two pennies) to the right of

the PERSONAL PROPERTY line and to the left of the Division emblem or on the miscellaneous line. All listings of cash recorded, whether in numerical or written amount, must be clearly legible to avoid miscalculations when entered in the Record Management System during on-line booking.

F. The arresting officer shall legibly print the prisoners' property on the bag; have the prisoner sign the bag above the "from whom taken", then place the property into the bag. If a prisoner refuses to sign the prisoner property bag, the arresting officer shall write, "refused" and initial with their badge number. The arresting officer shall then have the *Corrections Supervisor* review the contents of the bag and the prisoner property receipt. After the *Corrections Supervisor* has approved the receipt and property bag contents the *Corrections Supervisor* shall sign with name and badge number next to the "refused" comment. All property taken from all detainees shall be objectively described on the property bag, property receipt, and property logbooks.

G. The officer shall legibly print medication on the prisoner property bag and place it in the open pouch on the back of the bag.

H. The arresting officer shall seal prisoner property bags containing less than $20.00. Prisoner property bags with $20.00 or more shall be sealed in the presence of the *Corrections Supervisor*

I. The arresting officer(s) shall legibly print the list of evidence or contraband on the "Property Held in Evidence" receipt (pink) and shall mark, tag and enter the property into evidence.

J. If the arresting officer is unable to return to book the prisoner, the conveying officer(s) shall assume booking responsibilities.

K. In those circumstances where a Corrections Supervisor is not present to oversee the acceptance of prisoner property, a Division of Police supervisor shall handle those duties as outlined above in Section VII.

L. Division of Police supervisors will continue to have responsibility for maintaining order and handling emergencies in any district housing prisoners.

M. Any non-emergency issue involving a Division of Correction employee or a Division of Correction policy or procedure shall be referred to the on duty Division of Correction Supervisor at CPU.

N. *Division of Police supervisors may recommend discipline for Division of Correction employees as the need may arise.*

1. The recommendation shall be made via a Form 1 stating the circumstances of the recommendation.

2. The Form 1 and any supporting documentation shall be forwarded through the chain of command to the Chief's Office for forwarding, as needed, to the Commissioner of the Division of Correction.

MM/TAH/JCO/ajg
Policy & Procedures Unit
APPENDIX

CLEVELAND DIVISION OF POLICE
Booking Information Form

REPORT NUMBER: _____

Arrest #: _____ Booking #: _____ Property Bag #: _____

Check One: ☐ Adult ☐ Juvenile Orig. Agcy: _____ Chg. Agcy: _____

Arrest Date: _____ Time: _____ Arrest Type: _____

Arrested by: # _____ # _____ Agency: _____ Car#: _____

Last Name: _____ First Name: _____ MI: _____

Arrest Location: _____ Zone: _____

Arrested with: _____

Check One: ☐ Felony ☐ Misdemeanor ☐ Felony & Misdemeanor

Arrest Result of Warrant (check one): ☐ Yes ☐ No

ARRESTEE INFORMATION

Address: _____ City: _____ State: _____ Zip: _____

Home Phone: ( ) _____ Work: ( ) _____ Race: _____ Gender: _____

DOB: _____ Height: _____ Weight: _____ Hair: _____ Eyes: _____ Build: _____

Complexion: _____ DL#/ST: _____ SSN: _____ Age: _____

Basis for Caution: _____ Resisted Arrest (check one): ☐ Yes ☐ No

Occupation: _____ School (Juvenile): _____

Marital Status: _____ POB: _____ Gang Member of: _____

Employer Information:

Name: _____ Address: _____

City: _____ State: _____ Zip: _____ Position: _____

Alias Information:

Name: _____ Type: _____ DOB: _____ SSN: _____

Known Associates: _____

Emergency Contact:

Name: _____ Relationship: _____ Phone: ( ) _____

Address: _____ City: _____ State: _____ Zip: _____

Other Agency:

Brought in by 1#: _____ If not CPD #: _____ Agency: _____

Brought in by 2#: _____ If not CPD #: _____ Agency: _____

Vehicle Information:

Lot#: _____ VIU: _____ Plate: _____ Make: _____ Model: _____

Offense #1: _____ Code: _____ Date of Offense: _____

Relationship to Victim: _____

Warrant Information: _____

Additional Information: _____

Offense #2: _____ Code: _____ Date of Offense: _____

Relationship to Victim: _____

Warrant Information: _____

Additional Information: _____

Hold For: _____

SPOUSE / NEXT OF KIN / JUVENILE PARENT NOTIFICATIONS:

Name: _____ Address: _____ City: _____

State: _____ Phone #: ( ) _____ Relationship: _____

Notified (Juvenile): ☐Yes ☐No Date: _____ Time: _____ By: _____ # _____

Foreign National: Did arresting officer notify Foreign Consulate/Embassy? ☐ Yes ☐ No

Date: _____ Time: _____ By: _____ # _____ Embassy: _____

PRISONER MEDICAL INFORMATION:

MEDICAL CONDITION	Y N R U P.O.	Y N R U Jailer	COMMENTS P.O.	COMMENTS Jailer
Recent head injury? When? Was it treated?				
Conditions: Heart, Epilepsy, Diabetes, Asthma?				
Contagious diseases: Tuberculosis, Hepatitis, AIDS?				
Are you presently under medical or psychiatric care?				
What are you under medical or psychiatric care for?				
Personal physician, clinic or hospital?				
Are you presently taking any medication? What?				
Are you allergic to any medication? What?				
Are you on a special diet prescribed by a doctor?				
Female, are you pregnant? In what month?				
Do you have a medical condition we should be aware of?				
Do you have a Medical Assistance card? Number?				
Do you have medical insurance? Company?				

OFFICER / JAILER OBSERVATIONS

Any obvious physical or mental handicaps?				
Appears under the influence of alcohol and/or drugs?				
Combative, aggressive, emotionally upset?				
Behavior suggests risk of suicide?				
Prior history of suicide attempts?				
Injuries, trauma, bleeding, swelling and/or bruises?				
In obvious need of medical care?				
Requesting medical care?				
Refused medical care?				
Rash, lice, scabies, jaundice or other skin disease?				

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 01, 2002	DECEMBER 31, 2007	1 of 2	7.1.07

SUBJECT:	
ADULT PRISONER PROCESSING	
ASSOCIATED MANUAL:	RELATED ORDERS
CHIEF OF POLICE: *Michael McGrath, Chief*	

Changes in italics

PURPOSE: To establish guidelines for processing adult prisoners.

POLICY: It is the policy of the Cleveland Division of Police to comply with state law as it relates to adult offenders and ensure positive identification of all arrested suspects.

PROCEDURES:

I. Arresting officers shall transport the following adult offenders to the *Division of Correction* Central Prison Unit (CPU) for processing:

A. Those arrested for any felony or an escalating misdemeanor. An escalating misdemeanor is defined as a criminal act which is a misdemeanor on the first offense and which may be a felony on a subsequent offense.

B. Those arrested for *escalating* misdemeanor acts, offenses or local ordinances substantially equivalent to the Ohio Revised Codes:

1. Failure to Provide for a Functionally Impaired Person

2. Aggravated Menacing

3. Corruption of a Minor

4. Sexual Imposition

5. Importuning

6. Voyeurism

7. Prostitution; After Positive HIV Test

RESCINDED 07-11-18

8. Disseminating Matter Harmful to Juveniles

9. Contributing to the Unruliness or Delinquency of a Child

10. Trafficking in Drugs

11. Illegal Manufacture of Drugs or Cultivation of Marijuana

12. Adulteration of Food

13. All other escalating misdemeanors

C. Those arrested for any criminal offense who cannot be positively identified.

RESCINDED 07-11-18

MM/TAH/JCO/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 05, 2005	DECEMBER 31, 2007	1of 2	7.1.08

SUBJECT:
UTILIZATION /DISTRIBUTION OF SLAP PRINT CARDS AND PREBOOKING FORMS.

ASSOCIATED MANUAL:	RELATED ORDERS:

CHIEF OF POLICE:
Michael McGrath, Chief

RESCINDED EFF. 01/01/18
SEE COUNTY JAIL POLICIES

PURPOSE: To set guidelines to improve the process of booking, and processing prisoners.

POLICY: The Cleveland Division of Police shall use two separate Slap Print cards.

PROCEDURES:

I. The Record Management System (RMS) requires the implementation of a Slap Print card to be completed during the On Line Booking process. To improve the process of booking, housing and processing prisoners, two separate Slap Print cards shall be used.

A. All misdemeanor prisoners shall have an ink imprint of the four fingers of their right hand imprinted on the white Slap Print card with the **black** lettering (C of C 71-2738). The arresting/transporting officer shall:

1. Take the ink impression on the card, and

2. Complete the required information: name, date of birth, social security number, sex, race, date/time of booking, and the badge number of the officer taking the ink impressions.

3. Affix the Slap Print card to the original Booking Information Form (pre-booking form) and attach to the booking card. All documentation shall accompany the prisoner while in the care and custody of Cleveland Division of Police/*Cleveland Division of Correction (CDOC)*.

B. All felony prisoners and certain misdemeanor prisoners (see Escalating Misdemeanor Offenses, DN 07-290, September 12, 2007) shall have the four fingers of their right hand imprinted on a white Felony Slap Print card with the **red** lettering (C of C 71-2757). The arresting/transporting officer shall:

1. Take the ink impression on the card, and

2. Complete the required information: name, date of birth, social security number, sex, race, date/time of booking, and the badge number of the officer taking the ink impressions.

3. Affix the Slap Print card to the original Booking Information Form (pre-booking form) and the booking card. All documentation shall accompany the prisoner for processing and while in the care and custody of Cleveland Division of Police/*CDOC*.

II. The detective assigned to Prisoner Processing shall stamp the Slap Print card and booking cards with the "SIU Processed" stamp after taking fingerprints and photographs.

III. District officers in charge (OIC) shall coordinate the transport of prisoners requiring processing, with the *Corrections Supervisor*, to insure that all prisoners are processed within acceptable time limits.

IV. The Slap Print and booking cards shall accompany the prisoner until released from Division of Police/*CDOC custody*.

V. The Crime Scene and Records Unit shall maintain slap cards for later fingerprint review. Felony cards shall be maintained for one year and misdemeanors for five years.

RESCINDED EFF. 01/01/18
SEE COUNTY JAIL POLICIES

MM/TAH/JCO/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
June 27, 2011	May 12, 2015	1 of 6	7.1.09

SUBJECT:	
PRISONER DNA COLLECTION	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

Substantive changes are in italics

PURPOSE: To ensure compliance with State of Ohio requirements to collect DNA samples from all adults arrested for a felony.

POLICY: The Division shall assist the Division of Correction to collect DNA samples from all adults arrested for a felony crime by Division members.

PROCEDURES:

I. The Office of the State of Ohio Attorney General shall provide DNA collection kits for use by the Divisions of Correction and Police. Each kit shall be comprised of a DNA collection instrument (swab), a Demographic Information Card, a Transport Pouch (evidence envelope), and a postage paid pre-addressed envelope.

A. The kits shall be maintained at the Central Prison Unit (CPU).

B. The Deputy Chief of Administrative Operations or their designee shall act as liaison to the Ohio Attorney General to handle all administrative matters related to the collection of DNA from adults arrested for a felony crime by Division members

II. The Demographic Information Card (*member's* responsibility).

A. *The arresting members, while in route to CPU, shall request a check of the offender through the Communications Control Section (CCS). The check will determine whether or not the offender currently has DNA on file with the Ohio DNA Databank. Checks shall be requested over the Warrant talk group and be conducted by the CCS dispatcher through the Ohio Law Enforcement Gateway (OHLEG) or by Computerized Criminal History (CCH) check through the Law Enforcement Automated Data System (LEADS). CCH checks shall be performed only by personnel with the proper certification. If the check reveals that the offender has a positive DNA flag (DNA is registered in the Ohio DNA Databank) then a DNA sample or card is <u>not</u> required, and a Demographic Information Card need <u>not</u> be completed.*

RESCINDED EFF. 01/01/18
SEE COUNTY JAIL POLICIES

B. *If a check for DNA registration cannot be accomplished or if the check reveals that the offender has a negative DNA flag (DNA has not been collected for the Ohio DNA Offender Databank) the arresting members shall complete the Demographic Information Card with the requested information as indicated at CPU and provide the card and collection kit, as well as the Booking Information Form ("Pre-booker"), to the booking officer.*

C. The "ITN#" is the Incident Tracking Number and is found on the ten-print card submitted to the Bureau of Criminal Identification and Investigation (BCI) (added during processing).

D. *The "BCI#" if available shall be provided by CCS personnel when completing the DNA registration check through either OHLEG or CCH.*

E. Indicate in the "Offender Verified By" section how the offender was positively identified (to be completed by the Division of Police unless the offender is brought in as a "John Doe").

F. The "Qualifying Offense" section requires the numerical Ohio Revised Code offense (e.g. an offense of Rape requires "2907.02" to be written in that section, do not write out the word "rape"). If the offender is being booked on more than one felony offense, the other offense(s) shall be noted on the back of the Demographic Information Card by name and offense code.

G. Indicate in the "Sample Collected per" section that the offender is an "Arrestee".

H. Record the date and the ORI number where indicated.

1. *Members completing the Demographic Information Card shall place the Cleveland Division of Police ORI (OHCLP0000) in the collecting agency space when members of the Division complete the booking, DNA collection, and Demographic Information Card.*

2. *When members of the Cleveland Division of Police complete the booking, DNA collection, and Demographic Information Card for another agency's arrest the Cleveland Division of Police ORI shall still be used. A notation next to the Cleveland Division of Police ORI shall read "on behalf of (arresting agency)." An example would be "OHCLP0000 on behalf of RTA PD" for a Regional Transit Authority Police Department arrest that Cleveland Division of Police members are booking.*

RESCINDED EFF. 01/01/18
SEE COUNTY JAIL POLICIES

3. *Other agencies booking, collecting DNA, and housing their prisoners at the Central Prison Unit (CPU) shall use their own ORI on the Demographic Information Card in the collecting agency space.*

I. The arresting *member* shall obtain the offender's right thumb print using black ink, and place it in the space indicated. If the right thumb print is of poor quality, the print shall be taken again and be placed on the back of the card. Any prints on the back of the card shall be labeled for what they are (e.g. right thumb, left ring finger). If the right thumb is not available for printing for any reason (missing, disfigured), then another finger shall be used and labeled appropriately.

J. Simple corrections may be made to the Demographic Information Card by a single strike through the incorrect information and writing the correct information above or below the erroneous entry. The backside of the card may be used if more room is needed to make the correction. All corrections shall be noted by the officer's initials and badge number.

K. Under no circumstances shall an offender be permitted to make any corrections to the Demographic Information Card.

III. DNA Collection Procedures (*Arresting members* Responsibility).

A. Prior to collecting a DNA sample, *the member* shall verify that the offender has been positively identified.

B. During *the booking process*, the *member(s)* shall:

1. Wear protective latex or latex-like gloves whenever handling the buccal DNA collector (swab).

2. Print the name of the offender and the offender's ITN number on the handle of the swab where indicated. If neither is available, the last four numbers of the offender's Social Security number are to be used.

3. Exercise caution to avoid cross-contaminating the swab by coughing, sneezing, or talking over the collection portion of the swab.

4. Instruct the offender on how to obtain the sample, give the offender the DNA collector, and observe the process.

a. The offender shall open mouth wide and place the collector portion of the swab flat against the inside of the offender's cheek.

RESCINDED EFF. 01/01/18
SEE COUNTY JAIL POLICIES

b. Beginning at the back of the mouth, the offender shall drag the swab firmly against the inside of the cheek toward the opening of the mouth. When done correctly, there will be a noticeable bulge in the cheek areas being swabbed.

c. The offender shall repeat this movement seven times, always moving in the same direction. The offender shall NOT rub the collector back and forth or in circles.

d. Upon completion, the offender shall hand the DNA collector back to the *member*. The *member* shall push the plastic slide cover over the collection paper.

5. Place the swab into the biohazard envelope labeled "Transport Pouch." It is important that the *member* does not remove the desiccant from the pouch (if one is present) as that serves as a drying agent to protect the sample from humidity.

6. The *member* collecting the sample shall print *their name* and sign in the space indicated on the Demographic Information Card.

7. *The member* shall then seal and label the pouch with the *officer's full* name, badge, and date; *and transfer the pouch to the Correction Officer (CO) who shall proceed with the next steps in the process.*

8. Place the pouch and the original Demographic Information Card into the pre-printed mailing envelope.

9. Seal the envelope and place the envelope in the designated area located in the processing room for the collection of said envelopes.

10. *Enter the envelope and offender information in the DNA envelope Logbook located with the DNA envelopes.*

11. If for any reason a sealed envelope needs to be opened (e.g. to correct a mistake, to insert an item mistakenly left out), the envelope may be re-opened. Upon resealing the envelope, the *member* shall on the outside of the mailing envelope briefly state why it was reopened, and then initial and date across where the envelope was opened and resealed.

RESCINDED EFF. 01/01/18
SEE COUNTY JAIL POLICIES

C. The Division messenger shall pick up the DNA sample *envelopes* from CPU every business day and mail them daily. *When picking-up the envelopes, the Division of Police messenger shall verify the number and information on the envelopes picked-up against those listed in the DNA Logbook. Discrepancies shall be immediately reported to the messenger's Record Section supervisor who will notify the Inspection Unit*.

IV. Requests to retake a DNA sample or to correct a Demographic Information Card shall be handled by the designated Division liaison to the Ohio Attorney General.

A. If the liaison cannot comply with the request because the offender is no longer in the custody of the Divisions of Police or Correction, then the liaison shall send an e-mail to the Ohio Attorney General advising of such.

B. E-mail communications with the Ohio Attorney General regarding above requests that cannot be satisfied shall be documented by printing a copy of the sent and received e-mails and filing same for future reference.

V. The *Inspection Unit* shall conduct a quarterly audit of a random sample of completed DNA collections, ensuring compliance with this order.

VI. *Offenders who refuse to submit to DNA specimen requests shall be advised of the consequences of refusing to voluntarily submit to the DNA swab procedure.*

A. *The consequences include:*

1. *Prior to release on the felony charges, the offender shall appear before a municipal judge for not providing a DNA sample by swab.*

2. *The municipal judge may:*

a. *Order that the offender remain in custody for contempt of court until a voluntary sample is provided.*

b. *Order that a DNA sample be taken by other means.*

B. *The offender shall be offered another opportunity to voluntarily submit to the DNA swab procedures. If the offender refuses again the following procedures shall be followed:*

RESCINDED EFF. 01/01/19
SEE COUNTY JAIL POLICIES

1. *The arresting member(s) shall note the refusal in the Record Management System (RMS) report narrative and request the detective following-up on the felony charge to file a Motion to Show Cause. The pre-booking form shall have "DNA Refusal" written on top of it.*

2. *The CO entering the booking information into the RMS system shall document the "DNA Refusal."*

3. *The detective handling the felony case shall offer the offender a final chance to provide a voluntary DNA sample. If the offender still refuses, the detective shall fill out and notarize the affidavit for Motion to Show Cause (Attached) and when consulting with the prosecutor on the felony charge(s) request that a Motion to Show Cause is filed with the court.*

VII. *Members shall dispose of Prisoner DNA Kits that are incomplete. The incomplete kits can be disposed of in any waste basket. Members shall document the disposal of the incomplete DNA kits on the Demographic Information Card and RMS report. Incomplete DNA Kits include those:*

A. *Opened and not used.*

B. *Partially used and the prisoner refuses to provide a DNA sample.*

C. *Where information in the kit was incorrect.*

D. *Where mistakes or errors were made in securing the kit.*

RESCINDED EFF. 01/01/16
SEE COUNTY JAIL POLICIES

CDW/jsb
Policy & Procedures Unit
Attachment

IN THE CLEVELAND MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO

STATE OF OHIO	)	JUDGE RONALD B. ADRINE
CUYAHOGA COUNTY	)	
	)	
	)	
	)	**AFFIDAVIT**
	)	
	)	_____
	)	

I, _____, being duly sworn, depose and state as follows:

1. I am a(n) _____ with the Cleveland Police Department.
2. The Defendant, _____, was arrested on _____ for a felony offense of _____.
3. This arrest corresponds with Cleveland Police RMS number _____
4. The Defendant was requested to submit to a DNA sample as required by O.R.C. 2901.07(B)(1)(a) on _____, 20__.
5. The Defendant refused to submit to a DNA sample.

_____

(Det./Officer_____Badge_____)

SWORN TO BEFORE ME and subscribed in my presence this _____ day of _____, 20____.

_____

Notary Public

RESCINDED EFF. 01/01/18
SEE COUNTY JAIL POLICIES

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 01, 2002	September 23, 2015	1 of 3	7.2.01

SUBJECT:	
GUARDING PRISONERS AT HOSPITALS	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

Substantive changes are italicized

PURPOSE: To establish guidelines for prisoner *transport to and* guard details at hospitals.

POLICY: The Division shall maintain safe and secure conditions *when transporting to and guarding* prisoners at hospitals *while ensuring minimal* disruption to hospital *operations*.

PROCEDURES:

I. Prisoners who require hospitalization shall remain in the hospital where initially treated. The district of arrest shall provide the guard detail; however, the *district the hospital is in* shall provide *the* supervision and relief for the *guard detail*.

II. *When a prisoner, already being housed at the Central Prison Unit (CPU), needs to be transported to a medical facility for treatment, the following shall apply:*

A. *When the prisoner requires immediate emergency transport by EMS, the Third District shall respond, transport, and initiate the guard detail. The district of arrest shall provide the guard detail, relieving the Third District officers as soon as possible. Radio assignments to relieve a guard detail initiated this way shall be a Priority 2 assignment.*

B. *When the prisoner does not require immediate emergency transport by EMS, the district the prisoner was arrested in shall respond to CPU and transport the prisoner in a zone car.*

III. *When a city-wide specialized unit transports a prisoner to the hospital, prior to the prisoner being booked into CPU, and the prisoner is confined, the city-wide specialized unit shall initiate the guard detail and the district the prisoner was arrested in shall relieve the guard detail as described in section II. A.*

IV. No officer shall be assigned to guard more than two prisoners, and then, only if both are in the same hospital room.

V. *When a guard detail commences, the transporting officer shall notify the hospital security office of the detail and any special security requirements. The guard detail shall*:

A. *Keep the prisoner in sight and not leave the prisoner's room or the assigned post directly outside the prisoner's room, unless relieved*.

B. If the prisoner is not totally incapacitated, secure the prisoner's leg *or arm* to a fixed area of the bed.

C. *When a prisoner is being moved within the hospital:*

1. *Secure the prisoner to the conveyance*.

2. *Remain as close to the prisoner as practical without interfering with hospital personnel transporting or treating the prisoner.*

3. If an elevator is used, position the prisoner so they do not face the elevator doors and only allow police or hospital personnel on the elevator *with the prisoner*.

D. Not interfere with the duties of hospital personnel, nor allow hospital personnel to dictate their duties.

E. Keep portable radios at a low volume when in the hospital.

VI. Supervisor responsibilities.

A. At the commencement of *a guard* detail, the sector supervisor of the arresting district or the officer-in-charge (OIC) of the arresting unit shall:

1. Complete *the pre-structured* Form-1 (*Attachment*), *excluding the "TERMINATED:" section.*

2. *Forward the original Form-1 to the Cleveland Division of Correction (CDOC) and keep a copy at the district. If the guard detail is initiated by a city-wide specialized unit, a Form-1 copy shall go to the district*

that relieved the city-wide specialized unit. The Form-1 copies shall be kept in the OIC's office until the guard detail is terminated.

B. The sector supervisor assigned to the *sector the hospital is in* shall check the *guard detail* at least once during *that supervisor's* tour of duty. The *guard detail's supervisor* shall ensure that the *sector supervisor assigned to the sector the hospital is in* is aware of the guard detail.

C. When the guard detail terminates, the *OIC of the personnel providing the guard detail* shall:

1. *Ensure* the hospital security office is *notified*.

2. Forward *the completed pre-structured* Form-1 (*Attachment*) to the CDOC.

VII. Visitations *during hospital guard details*.

A. *Prisoner visitation requires the visitor to* obtain a pass, C of C 71-27, from the Bureau of Special Investigations (BSI) *Central Charging Office*.

B. BSI's *Central Charging Office* shall give prior notification to the *guard detail* at the hospital that a visitation pass has been issued.

C. Visitors who present a pass must present identification and sign the back of the pass. Upon visitation completion, the *guard detail* shall discard the pass.

D. *The guard detail shall*:

1. *Ensure visitors are searched for weapons and contraband before the visitation.*

2. *Note the visitors name and time of visit on their Daily Duty Report.*

E. Only one visitor per room (even if there are two prisoners in the room). Visitation shall not exceed 15 minutes.

CDW/jeh
Policy Unit
Attachment

C OF C 71-1

DIVISION OF POLICE

CLEVELAND, OHIO

DIVISIONAL INFORMATION

DIST. ZONE _____

EXAMINED BY: _____ **RANK** _____ _____ 20 _____

FROM: **TO:**

SUBJECT: Prisoner Hospital Detail (per G.P.O. 7.2.01)

COPIES TO: Chief s Office, Field Ops, Records, Unit Files, Security Services (At Start & Termination of Detail)

Sir:

A detail has been established at _____ Hospital. Room# _____

PRISONER/ PATIENT

NAME _____ ADDRESS _____

AGE _____ SEX _____ D.O.B. _____

ADMITTED: DATE _____ TIME _____ HOURS

NATURE OF INJURY/ILLNESS _____

ADMITTING DOCTOR _____

TERMINATED: DATE _____ TIME _____ HOURS

REASON FOR TERMINATION _____

VICTIM:

NAME _____ TYPE OF CRIME _____

DATE _____ COMPLAINT (RMS)# _____

NAME OF BUSINESS
OR COMPANY _____ ADDRESS _____

UNIT/ DETECTIVE INVESTIGATING (Felony only) _____

REMARKS: (Wanted c/w any other crimes, Warrants, Etc.)

RESPECTFULLY,

_____

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 01, 2002	DECEMBER 31, 2007	1 of 1	7.2.02

SUBJECT:	
USE OF "REFERRAL OF PRISONER FOR HOSPITAL SERVICE" FORM	
ASSOCIATED MANUAL:	RELATED ORDERS: 7.2.03
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To provide guidelines to complete the Cleveland Division of Police "Referral of Prisoner for Hospital Service" Form (C of C 71-100 6/2007).

POLICY: A "Referral of Prisoner for Hospital Service" Form shall be completed when a prisoner is taken to the hospital.

PROCEDURES:

I. Officers shall complete a "Referral of Prisoner for Hospital Service" Form for prisoners treated at a hospital, and for prisoners taken to a hospital for medical service who refuse treatment. The form shall accompany the prisoner to the hospital. The top part of the form shall be completed and signed by the transporting officer. The "HOSPITAL" portion shall be completed and signed by the doctor. The "DISPOSITION" portion shall be completed and signed by the booking *Corrections Officer* when the form is returned to the jail facility.

II. Distribution of "Referral of Prisoner for Hospital Service" Form.

A. **White and Yellow copies –** forwarded to the *Cleveland Division of Corrections* for billing and documentation.

B. **Pink copy –** returned to the district for placement in the district files.

C. **Goldenrod copy –** left at the hospital.

MM/TAH/JCO/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 01, 2002	DECEMBER 31, 2007	1 of 3	7.2.03

SUBJECT:	
PRISONER MEDICAL AND MENTAL HEALTH NEEDS	
ASSOCIATED MANUAL:	RELATED ORDERS: 7.2.02
CHIEF OF POLICE: *Michael McGrath, Chief*	

Changes in italics

PURPOSE: To provide guidelines for the expedient and safe care of prisoners in police custody who are in need of treatment for illness/injury or psychiatric evaluation.

POLICY: The Cleveland Division of Police shall respond promptly to medical and mental health needs of prisoners in its *custody*.

PROCEDURES:

I. To expedite the care of prisoners conveyed to the emergency room for treatment.

A. Officers who convey prisoners to hospitals shall search, handcuff or place them in other suitable restraints, before entering the emergency room, and if possible avoid prisoner contact with the public.

B. Officers conveying prisoners to the emergency room shall report IMMEDIATELY to the registration clerk. The clerk will notify the emergency room staff that the prisoner and officers are present and direct them to the patient care area to complete required biographical and medical information for registration.

C. At least one police officer shall remain with the prisoner at all times except during physical exam/treatment by the medical staff. During these examinations, the officers shall remain within quick and easy access of the treatment room. *At the discretion of a supervisor*, male officers shall guard male prisoners and female officers shall guard female prisoners.

D. *Conveying officers shall not book any prisoner who they know, or should reasonably know, is in need of immediate medical assistance. Conveying officers shall comply with a Correction Supervisor's directive if advised to provide medical assistance to a prisoner prior to the prisoner being booked.*

E. Conveying officers shall complete a Referral of Prisoners for Hospital Service Form. The *Corrections Supervisor* will not accept prisoners who have received medical treatment unless this form is complete.

F. Officers shall immediately convey to jail a discharged prisoner not held for further evaluation or treatment.

G. To ensure that all prisoners receive the appropriate medical care, District OIC's shall coordinate with the Central Prison Unit (CPU) Corrections Supervisor the transport of prisoners requiring medical attention.

II. Prisoners needing psychiatric evaluation (general guidelines)

A. If officers believe a prisoner needs psychiatric evaluation or treatment they shall contact Mental Health Services Inc. through Communication Control Section (CCS). Mental Health Services Inc. may provide outreach crisis service/consultation or suggest where the officers may convey the prisoner for treatment. If necessary the Mobile Crisis Team (MCT) of Mental Health Services Inc. may meet the officers at a hospital or another location.

B. Upon arrival at the hospital the conveying officers shall proceed to the emergency room and notify the receptionist of their arrival. The receptionist will instruct the officers where to take the prisoner.

C. At least one police officer shall remain with the prisoner at all times except during interview/examination/treatment by the staff. During this time, the officer(s) shall remain within quick and easy access of the treatment room.

D. If the prisoner is admitted to the hospital, the officers shall contact their supervisor to arrange for a prisoner guard.

E. Officers shall complete the Police Referral for Psychiatric Evaluation Form, which the hospital staff will provide.

F. If the prisoner will be admitted to another hospital, the officers shall notify CCS and their supervisor of the transfer and transport the prisoner to the receiving facility. The supervisor shall arrange for a prisoner guard.

G. Officers shall immediately convey a prisoner to jail when discharged from the hospital and not held for further evaluation/treatment at another facility.

III. Prisoners conveyed to St. Vincent Charity Hospital for psychiatric evaluation

A. Conveying officers shall go to the psychiatric emergency room, opposite the registration clerk, and ring the doorbell.

B. Officers will be met by hospital security at the psychiatric emergency room entrance. Officers shall *secure their weapon prior to entering a secure area.*

C. At least one police officer shall remain with the prisoner at all times except during the interview/treatment by the staff. During this time, the officer(s) shall remain within quick and easy access of the area.

D. Officers shall complete the Police Referral for Psychiatric Evaluation form, which the hospital staff will provide.

E. If a prisoner is admitted to St. Vincent Charity Hospital, the officers shall contact their supervisor to arrange for a prisoner guard.

IV. Prisoners requiring both medical treatment and psychiatric evaluation

A. Officers shall convey a prisoner who exhibits immediate and serious medical problems (e.g., overdosed on a harmful substance, severe bleeding, head injury, etc.) or indications of a psychiatric emergency, to the nearest medical emergency facility first. Transport to another hospital for psychiatric evaluation shall be next. The hospital handling the medical emergency may also be equipped to handle the psychiatric evaluation.

B. Before leaving the hospital, officers may contact Mental Health Services, Inc. through CCS, for alternatives to meet the prisoner's mental health needs, if none are available at the current site.

C. If officers have a prisoner with an illness or injury that is not immediate and serious, they may contact Mental Health Services through CCS to determine which hospital the prisoner shall be taken to. The procedures listed in Section I of this GPO shall be followed initially. The officers shall inform the registration clerk and the emergency room staff that the prisoner needs a psychiatric evaluation. The officers shall follow the directions of emergency room staff regarding the prisoner's psychiatric evaluation.

Note: The Mobile Crisis Team is a resource. Final responsibility to determine where to convey the prisoner rests with the officers, and/or their supervisor.

MM/TAH/JCO/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 16, 2007	DECEMBER 31, 2007	1 of 1	7.2.04

SUBJECT:	
PRESCRIPTION MEDICATION PURCHASE FOR DETAINEES	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

This General Police Order is rescinded.

(This page left intentionally blank)

MM/TAH/JCO/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	March 26, 2015	1 of 8	8.1.01

SUBJECT:	
DAMAGE TO CITY VEHICLES	
ASSOCIATED MANUAL:	RELATED ORDERS: 1.1.15, *1.3.16*, 8.1.05
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

Substantive changes are italicized

PURPOSE: To set guidelines for the investigation of motor vehicle crashes (MVCs) involving *City of Cleveland vehicles, MVCs involving Division of Police personnel,* and any damage to *Division* vehicles.

POLICY: The Division shall investigate *MVCs that involve City personnel operating City vehicles, MVCs that involve Division members, and damage to Division vehicles.*

PROCEDURES:

I. When a City-owned vehicle (excluding Cleveland Metropolitan School District vehicles) is involved in an MVC, the Communications Control Section (CCS) shall dispatch a supervisor to the scene. That supervisor shall:

A. *Confirm the location of the crash and determine if the Accident Investigation Unit (AIU) is needed. If AIU is needed, advise CCS to request AIU respond to the scene.*

B. Ensure a Zone Car or SR Car remains on scene to assist AIU with the investigation.

C. *Complete a supervisory investigation for Division of Police vehicles only. Investigations for non-Divisional vehicles are the responsibility of the involved City employee's supervisor.*

II. AIU officers shall complete the OH-1 and Form-10 reports and photograph the damage. If AIU is unable to respond, the on-scene supervisor shall ensure that the OH-1 and the Form-10 reports are completed and request that the Crime Scene and Record Unit (CSRU) respond to the scene for photos. Investigating officers shall complete the reports before reporting off duty.

III. *If the MVC, involving a City-owned vehicle, occurs outside the jurisdiction of the City of Cleveland, a CCS supervisor shall note the severity and distance to the crash scene. The CCS supervisor and the sector supervisor from the sector closest to the crash shall determine if and to what extent a Division of Police response is warranted. If a consensus cannot be reached, the CCS supervisor shall notify the Inspection Unit who will make the response determination.*

IV. For the purposes of this order, a supervisory investigative Form-1 shall include a synopsis of the circumstances surrounding the crash, interviews of involved members and witnesses, reported injuries or no reported injuries, extent of damage, were the vehicles legally operated or parked, driver license status, proof of insurance, scene and damage photographs, CCS recordings, AVL information, video recordings, observations related to suspected impairments, any other information the investigating supervisor feels is relevant and a clear recommendation as to whether the crash was preventable or non-preventable and cite supporting reasons.

V. If a Division of Police vehicle is involved in an MVC or damaged by any means, the involved member shall notify CCS and obtain an incident number. An on-duty supervisor from the unit to which the vehicle is assigned shall complete the investigation. If no supervisor from the affected unit is on-duty, a supervisor from the district of occurrence shall investigate. If the crash occurs outside of the City of Cleveland, the member's immediate supervisor shall complete the investigation.

A. The CCS shall immediately notify the investigating supervisor's commander.

B. The driver of the vehicle shall immediately complete the EAC-1 report (attached). If the driver is unable to complete the report, the investigating supervisor shall assign another member to do so. *An EAC-1 is required whenever a crash or damage occurs, regardless of value.*

C. If there are injured members of the Division of Police, separate injury packages are required for each injured member.

D. The driver, passenger, and any witnessing members shall complete Form-1s describing what occurred. If the driver or passenger is unable to complete the report, the supervisor shall note this fact in their investigation and include their statement(s) as part of the supervisor's Form-1.

E. If there are any civilian witnesses, a Driver/Witness Accident Statement Form shall be completed for each.

F. If the driver claims that a defect caused the crash, the investigating supervisor shall have the vehicle immediately taken out of service, a Bad Order Form completed, and towed to the Charles V. Carr Municipal Center (East 55th Street Garage). The Bad Order Form shall be used to request an inspection for investigation purposes. AIU shall note that a defect has been reported in their Form-10 and shall *ensure* that the results of that inspection are entered in their final reports.

G. If the incident requires a control number, as described in *section* V.I., the investigating supervisor shall forward the EAC-1 report to the commander's office. The commander's administrative officer shall contact the OIC of AIU or the Hit Skip Unit by telephone, Monday through Friday, 0800 to 1500 hours, to report the crash. AIU shall assign the investigation a control number. The administrative officer shall place the control number in the assigned space on the EAC-1 along with the incident number assigned by CCS at time of reporting under the control number. The administrative officer shall then return the EAC-1 to the investigating supervisor.

H. If an unoccupied Division vehicle is involved in an MVC, the member in custodial care as defined in GPO 8.1.05 shall be considered the *"driver"* for investigative purposes.

I. The investigating supervisor shall submit a complete investigative package to the commander within one week of the crash. The investigative package shall include:

1. For crashes taking place on any public roadway or starting on a public roadway and continuing onto private property, or completely on private property:

    a. A supervisory investigative Form-1 titled: MVC/On-Duty/Officer (driver's name and badge).

    b. Control Number (write on top right corner of all investigation pages).

    c. Photocopy of OH-1 Crash Report.

        1. If the combined damage for the involved vehicles is estimated under $1000.00, ensure the "PDO Under State Reportable Amount" box has an "x" placed in it on Page 1 of the OH-1 Report.

2. For Private Property crashes, ensure the "Private Property" box has an "x" placed in it on Page 1 of the OH-1 Report.

3. For Hit-Skip crashes, ensure the "Hit Skip" field is properly classified as solved or unsolved on Page 1 of the OH-1 Report. Refer to GPO 8.1.04 for directives on handling Hit Skip crash investigations.

d. Form-10 Supplement Report.

e. Driver, passengers and witness Form-1s and any Driver/Witness Accident Statements.

f. EAC-1 Report.

g. Copy of the Hit Skip card (if applicable and available).

h. Any photographs or any other multimedia evidence gathered by the investigating officer(s) taken of the crash scene or vehicle(s) involved, unless it is an investigating officer from AIU or CSRU, in which case a notation of the investigating unit number or name and badge is sufficient.

i. A copy of the Vehicle Pursuit Form and associated Offense/Incident reports if the crash is proximately caused by a vehicular pursuit.

2. For non-crash related damage discovered to a stationary Division vehicles of unknown origin, or noncriminal in nature:

a. *A control number is <u>not</u> required for these types of incidents.*

b. A supervisory investigative Form-1 titled: Damage to City Property/MV/Car # and "P" Code.

c. RMS "Damage to City Property/MV" report.

d. Form-1s from any reporting officer(s) and/or from any officers who had control of the vehicle during the investigative period in question.

e. EAC-1 Report.

f. Any photographs or any other multimedia evidence gathered by the investigating officer(s) taken of the crash scene or vehicle(s) involved, unless it is an investigating officer from AIU or CSRU, in which case a notation of the investigating unit number or name and badge is sufficient.

3. For damage to a Division vehicle deliberately caused either by a criminal act of a suspect or a police intervention:

a. *A control number is not required for these types of incidents.*

b. A supervisory investigative Form-1 titled: Damage to City Property/MV/Intentional Act/Car # and "P" Code.

c. "Damage to City Property/MV" shall be added to the RMS title.

d. A Form-10 Supplement Report is required <u>only</u> for vehicles that were in motion (e.g. felonious assault or police intervention) at the time the damage occurred. A Form-10 is not required for damage done to parked/stopped vehicles.

e. Driver, passengers and witness Form-1s and any Driver/Witness Accident Statements.

f. EAC-1 Report.

g. Any photographs or any other multimedia evidence gathered by the investigating officer(s) taken of the crash scene or vehicle(s) involved, unless it is an investigating officer from AIU or CSRU, in which case a notation of the investigating unit number or name and badge is sufficient.

h. A copy of the Vehicle Pursuit Form if the crash is proximately caused by a vehicular pursuit.

4. For alleged crashes, or if contact is confirmed but no damage is visible (i.e. taps another car), it shall be investigated as a crash following the *procedures described in section V.I.1.*, except an OH-1 shall not be required. The supervisory investigative Form-1 shall include "No Visible Damage" in the title. (e.g. MVC/On-Duty/Officer name/No Visible Damage).

J. In instances where a related sequence of events (as during a prolonged vehicular pursuit) results in multiple crashes, investigating supervisors shall ensure that each crash involving a Division vehicle is individually assessed and individually documented as appropriate. The documentation may include a combination of several OH-1 reports, damage to property reports, and/or felonious assault reports.

K. Supervisors shall ensure that all protocols and procedures related to Post-Crash Alcohol and Drug Testing are followed. Refer to General Police Order 1.1.15 Alcohol and Drug Policy. Supervisors shall note, that as of this order's effective date, mandatory Post-Crash Alcohol and Drug Testing is not applicable to members of the Cleveland Police Patrolmen's Association (CPPA). This exception may change as changes to the CPPA collective bargaining agreement may indicate otherwise. However, supervisors shall order a drug/alcohol test if reasonable suspicion exists that any member is abusing illegal drugs or misusing legal drugs or using alcohol while on duty.

L. Commanders shall forward the complete package, along with a recommendation and comments, to their respective deputy chief. Upon that deputy chief's review and recommendation, the package shall be forwarded directly to the Bureau of Traffic to be scheduled for a Traffic Safety Analysis Panel (TSAP) hearing if required as per G.P.O. 8.1.05.

M. AIU shall be the final destination for all MVC and damage to city vehicle investigations that involve Division members.

N. The Chief has final authority to determine disciplinary action.

VI. Upon completion of the investigation, the Bureau of Traffic shall forward necessary reports to the Employee Accident Control Office and shall prepare the necessary investigative packages for monthly meetings of the TSAP. Traffic crashes and crashes involving unoccupied Division vehicles are subject to TSAP review. Intentional acts or unknown *causes of* damage (non-crash related) are not subject to TSAP review.

VII. Per Ohio Revised Code 3937.41, Prohibiting Consideration of Work-related Accidents, law enforcement officers who are involved in motor vehicle crashes while engaged in the performance of their duties shall not have the crash count against their driving records, and no insurer may deny coverage or raise premiums as a result of such motor vehicle crash. The Record Section, upon receiving an OH-1 involving an on-duty MVC, shall initiate the requisite documentation to ensure compliance with ORC 3937.41.

VIII. When a member of the Division of Police is involved in an off-duty motor vehicle crash, the following procedures shall apply.

A. If a crash occurs inside the City, a supervisor and a basic patrol car shall be dispatched to the scene.

1. The responding Zone Car or SR Car shall:

a. Complete a thorough and unbiased investigation of the crash and all the circumstances surrounding it.

b. Complete an OH-1.

c. Ensure the involved member remains on scene until the supervisor arrives, unless the member is being immediately transported to a medical facility.

2. The responding supervisor shall:

a. *Notify the Inspection Unit via CCS. The Inspection Unit shall determine if the crash requires a Bureau of Integrity Control call-up.*

b. Interview the involved member while on scene, unless the member is being immediately transported to a medical facility. If the member was transported to a medical facility prior to the supervisor's arrival the supervisor shall:

1. Respond to the medical facility and interview the involved member there.

2. Note in the supervisory investigative Form-1 if the member is unable to provide a statement because of their medical condition.

c. Complete a supervisory investigation Form-1 titled: MVC/Off-Duty/Officer: (name and badge of driver).

d. The investigating supervisor shall, within one week of the crash, forward the supervisory investigative Form-1, with a copy of the OH-1, through the chain of command to their respective deputy chief. Upon that deputy chief's review and recommendation, the package shall be forwarded to AIU.

B. If the crash occurs outside the City and the member is cited, arrested, or summoned to court, the member shall complete a Form-1 and forward it through the chain of command to their respective deputy chief *for review*.

1. *If the deputy chief determines that there is cause for disciplinary and/or non-disciplinary action:*

   a. *The deputy chief shall direct the involved member's commander to effect the disciplinary and/or non-disciplinary action.*

   b. *The disciplinary and/or non-disciplinary action shall be forwarded through the chain of command to the Chief's Office for review and final disposition.*

   c. *After final disposition, the Form-1 shall be forwarded to the Inspection Unit for filing.*

2. *If the deputy chief determines that there is no cause for further action, then the deputy chief shall forward the Form-1 directly to the Inspection Unit for filing.*

IX. Section VIII of this order shall apply when a member of the Division of Police is involved in a duty related crash while operating a non-Division owned vehicle. "Duty related crash" may include call up incidents, but does not include reporting for prosecutor consultations, *lunch breaks***,** or court appearances. The title of the supervisory investigative Form-1 in this instance shall read: MVC/Off-Duty-Duty Related/ Officer: name and badge of driver.

X. Members shall not utilize personal vehicles while on-duty unless required for a call-up situation or upon approval of a supervisor.

CDW/jeh
Accident Investigation Unit/Policy & Procedures Unit
Attachment (EAC-1)

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
December 9, 2012	September 10, 2012	1 of 5	8.1.02

SUBJECT:	
OH-1 TRAFFIC ACCIDENT REPORTS, SUPPLEMENTS AND VIOLATION ENFORCEMENT	
ASSOCIATED MANUAL:	RELATED ORDERS: 8.1.01, 8.1.03, 8.1.04
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are italicized

PURPOSE: To provide an accompaniment to the Traffic *Crash Report Procedure Manual* (*TCRPM*) in the proper completion the OH-1 Traffic Accident Report (OH-1) and to document enforcement procedures for traffic accident violations. An example OH-1 form is provided as attachments C-F of this order.

POLICY: Officers of the Cleveland Division of Police shall complete an OH-1 *for all motor vehicle crashes investigated by the Division, including private property and Property Damage Only (PDO) accidents with damage estimates under the Ohio reportable dollar amount. Unless a fatality occurs, these incidents remain local and are not sent to the Ohio Department of Public Safety (ODPS).*

When possible, officers shall identify the unit at fault and issue a citation, make a physical arrest when appropriate, or warn the motorist based on probable cause developed from physical evidence and/or witness information present at the time.

The *TCRPM* is an integral part of this directive. Commanders shall obtain copies from the Supply Unit and distribute them to officers who complete or review OH-1s. Supervisory officers shall ensure that personnel under their command complete OH-1s.

PROCEDURES:

I. Officers shall print legibly using black ballpoint pen, and mark only in designated boxes using block letters. Officers shall not *smear or fold OH-1s*. Officers shall not mark areas on the OH-1 report that are not used.

A. *Reporting officers shall leave the Local Report Number field blank. The Record Section shall complete this field.*

B. The National Crime Information Center (N.C.I.C.) has designated **CLP00** for the Division of Police.

C. Enter **CLEVELAND PD** to indicate the reporting agency.

D. Show the motorist/non-motorist who has the most causative bearing on the crash by unit number (01, 02, etc). **Enter '98' for animals** involved. **Enter '99' for no error determined.**

E. Enter numerical crash date by the following: **MMDDYYYY** (i.e.: August 14, 2000 is 08142000).

F. Enter '**18**' as the County #.

G. *Mark an "X" in the PDO (Property Damage Only) field if the crash damage is estimated at under $1000.00 and there is no injury. These reports remain local reports and are not sent to the ODPS.*

H. *Enter the latitude and longitude of the location of the crash (at area of impact). This can be obtained via MDC, various websites or the Communications Control Section (CCS). This entry is required by the State of Ohio.*

I. *Enter the CAD Number in the Local Information Field on Page 1.*

J. *Do not include social security numbers anywhere on the OH-1.*

K. *Officers shall place an "x" in the "Proof of Insurance" field and enter the insurance carrier's name in the "Insurance Company" field <u>only when presented with documentation of proof of insurance</u>. Otherwise these fields shall be left blank. Absent positive documentation, officers shall note the motorist's claim of insurance and insurance carrier's name in the "Narrative" field. Enter the insurance policy number in the box provided only if the number appears on the proof of insurance. Otherwise leave blank.*

II. *Submission of OH-1:*

A. *OH-1 crash investigations shall be stapled once in the top left corner of the OH-1 <u>above</u> the perforation line, and delivered to the Record Section in the following order for each investigation:*

1. *Traffic Crash Report Page (OH-1)*

2. *Unit Page(s) (OH-1U)*

3. *Motorist/Non-Motorist/Occupant Page(s) (OH-1M)*

4. *Occupant / Witness Addendum Page(s) (OH-1P)*

5. *Any supplemental reports (e.g.: OH-2, OH-3, Form-10)*

B. *Accidents reported at different neighborhood police districts by involved parties shall be considered incomplete OH-1 reports. Officers taking such reports shall clearly write "INCOMPLETE" above the perforation on Page 1 of the OH-1.*

C. *Supervisory officers shall promptly review the OH-1s, print name and date in the appropriate section, and ensure that the OH-1s are delivered to the Record Section within the required three days, without exception.*

D. *All original OH-1s that are generated by the Division of Police shall be logged onto an OH-1 Report Log Sheet (Attachment G).*

E. *The original log sheet and a copy shall accompany the delivery of OH-1s. The log sheet and OH-1s shall be delivered daily to the Record Section.*

F. *The Officer in Charge (OIC) of the Record Section, or their designee, shall sign both copies of the OH-1 Report Log Sheet, keeping the original for the Record Section. The delivering officer shall return one copy of the OH-1 Report Log Sheet for district records.*

G. *Commanders of the districts shall ensure that the OH-1 Report Log Sheet is properly completed, a copy is created, and that the log sheets and the original OH-1s are delivered daily to the Record Section.*

III. Violation Enforcement:

A. When a physical arrest is made or a citation is issued, the officer shall enter the offense most directly related to the crash on the report in the boxes Offense Charged, Offense Description and the Citation Number on the OH-1. Other offenses are listed in the Narrative Section of the report.

B. If there are statements available from involved parties and witnesses, officers shall utilize the *Driver/Witness Accident Statement Form c of c 71-1-E (Attachment A) and the OH-3 (Attachment B).*

IV. Officers shall take enforcement action as appropriate if a pedestrian is involved in a traffic accident and is intoxicated or has violated a pedestrian related ordinance.

V. Officers **shall not** issue citations when traffic related felony offenses are charged.

VI. When a citation is issued, (UTT or Juvenile), district personnel shall make a copy of the OH-1, attach it to the citation, and forward via locked box to the *Municipal Clerk of Courts Office.*

VII. OH-1 Corrections and/or Additional Information

A. Corrections *and Additional Information*

1. Corrections after an initial OH-1 report has been submitted shall be made by using an OH-1 face sheet and the appropriate page of the report on which the incorrect information was originally entered.

2. Parties who claim to be involved and who wish to make a supplement to the original OH-1 that contradicts the narrative or substance of the original OH-1 shall be directed to the original officer making the initial OH-1 report. Compelling new information may be directed to a supervisor who in turn can use their discretion to approve a supplement to the original OH-1. The supervisor's name and badge shall be noted in the narrative. Simple corrections supported by documentation may be made by any police officer.

3. A check box that reads, "Supplement (Correction or addition to an existing report sent to ODPS)" is located on the face sheet below the narrative, left of the diagram box. To correct information the officer shall X this box and include any pages that contain corrected information.

4. Complete all boxes with an asterisk (*) for a supplement. Those boxes are: Local Report Number, NCIC#, Reporting Agency, Date of Crash, City Name, and County #.

5. *With the exception of the boxes with an asterisk, complete only the boxes that need changing. Put the new information in the box(es) and make a note at the end of the Narrative Section advising what data was changed.*

6. Resubmit according to the guidelines of the original report.

VIII. Questions not addressed in the *TCRPM* regarding the OH-1 may be directed to the Police Academy or the Accident Investigation Unit (AIU).

MM/jpo/ajg
Field Operations/ Policy & Procedures Unit
Attachments A-G

CLEVELAND DIVISION OF POLICE

Driver/Witness Accident Statement Form

RMS Incident #: _____ File #: _____

Date: _____ Time: _____ Location: _____

Vehicles Involved (to be completed by investigating officer)

Driver #: _____ Name: _____

DOB: _____ DL#: _____ State: _____

Vehicle Make: _____ License Plate: _____ State: _____ Vehicle Year: _____

Driver #: _____ Name: _____

DOB: _____ DL#: _____ State: _____

Vehicle Make: _____ License Plate: _____ State: _____ Vehicle Year: _____

Driver #: _____ Name: _____

DOB: _____ DL#: _____ State: _____

Vehicle Make: _____ License Plate: _____ State: _____ Vehicle Year: _____

o Driver / o Witness Information

Name: _____ Address: _____

City: _____ State: _____ Zip Code: _____

Home Telephone: _____ Work Telephone: _____

Mobile Phone: _____ Pager Number: _____

DOB: _____ DL#: _____ State: _____

OHIO DEPARTMENT OF PUBLIC SAFETY
EDUCATION • SERVICE • PROTECTION

TRAFFIC CRASH WITNESS STATEMENT

LOCAL REPORT NUMBER	REPORTING AGENCY	DATE OF CRASH M D Y

FOR LOCAL USE ONLY – DO NOT SUBMIT TO THE STATE EXCEPT FOR FATAL CRASHES

I, _____ HEREBY MAKE THIS VOLUNTARY STATEMENT TO
PRINTED

_____ AT _____
OFFICER'S NAME LOCATION

ADDRESS OF WITNESS	PHONE

SIGNATURE OF WITNESS	OFFICER'S SIGNATURE
X	X

Traffic Crash Report

OHIO Department of Public Safety — Education · Service · Protection

Local Information

Local Report Number *

Crash Severity: 1 - Fatal; 2 - Injury; 3 - PDO

Hit/Skip: 1 - Solved; 2 - Unsolved

☐ Photos Taken ☐ OH-2 ☐ OH-1P ☐ OH-3 ☐ Other

☐ PDO Under State Reportable Dollar Amount

☐ Private Property

Reporting Agency NCIC *

Reporting Agency Name *

Number of Units

Unit in error: 98 - Animal; 99 - Unknown

County *

☐ City * ☐ Village * ☐ Township *

City, Village, Township *

Crash Date *

Time of Crash

Day of Week

Degrees / Minutes / Seconds

Latitude 0 / // Longitude 0 / //

OR

Decimal Degrees

Latitude . Longitude .

Roadway Division: ☐ Divided ☐ Undivided

Divided Lane Direction of Travel: N - Northbound; E - Eastbound; S - Southbound; W - Westbound

Number of Thru Lanes

Road Types or Milepost [2]

AL - Alley; AV - Avenue; BL - Boulevard; CR - Circle; CT - Court; DR - Drive; HE - Heights; HW - Highway; LA - Lane; MP - Milepost; PK - Parkway; PI - Pike; PL - Place; RD - Road; SQ - Square; ST - Street; TE - Terrace; TL - Trail; WA - Way

Location Route Type [1]

Location Route Number

Loc Prefix: N, S, E, W

Location Road Name

Location Road Type [2]

Route Types [1]

IR - Interstate Route (inc. turnpike); US - US Route; SR - State Route; CR - Numbered County Route; TR - Numbered Township Route

Distance From Reference: ☐ Miles ☐ Feet ☐ Yards

Dir From Ref: N, S, E, W

OF

Reference Route Type [1]

Reference Route Number

Ref Prefix: N, S, E, W

Reference Name (Road, Milepost, House #)

Reference Road Type [2]

Reference Point Used: 1 - Intersection; 2 - Mile Post; 3 - House Number

Crash Location: 01 - Not an intersection; 02 - Four-way Intersection; 03 - T-Intersection; 04 - Y-Intersection; 05 - Traffic Circle/Roundabout; 06 - Five-point, or more; 07 - On Ramp; 08 - Off Ramp; 09 - Crossover; 10 - Driveway/Alley Access; 11 - Railway Grade Crossing; 12 - Shared-Use Paths or Trails; 99 - Unknown

☐ Intersection Related

Location of First Harmful Event: 1 - On Roadway; 2 - On Shoulder; 3 - In Median; 4 - On Roadside; 5 - On Gore; 6 - Outside Trafficway; 9 - Unknown

Road Contour: 1 - Straight Level; 2 - Straight Grade; 3 - Curve Level; 4 - Curve Grade; 9 - Unknown

Road Conditions — Primary / Secondary: 01 - Dry; 02 - Wet; 03 - Snow; 04 - Ice; 05 - Sand, Mud, Dirt, Oil, Gravel; 06 - Water (Standing, Moving); 07 - Slush; 08 - Debris*; 09 - Rut, Holes, Bumps, Uneven Pavement*; 10 - Other; 99 - Unknown

* Secondary Condition Only

Manner of Crash Collision/Impact: 1 - Not Collision Between Two Motor Vehicles In Transport; 2 - Rear-End; 3 - Head-On; 4 - Rear-to-Rear; 5 - Backing; 6 - Angle; 7 - Sideswipe, Same Direction; 8 - Sideswipe, Opposite Direction; 9 - Unknown

Weather: 1 - Clear; 2 - Cloudy; 3 - Fog, Smog, Smoke; 4 - Rain; 5 - Sleet, Hail; 6 - Snow; 7 - Severe Crosswinds; 8 - Blowing Sand, Soil, Dirt, Snow; 9 - Other/Unknown

Road Surface: 1 - Concrete; 2 - Blacktop, Bituminous, Asphalt; 3 - Brick/Block; 4 - Slag, Gravel, Stone; 5 - Dirt; 6 - Other

Light Conditions — Primary / Secondary: 1 - Daylight; 2 - Dawn; 3 - Dusk; 4 - Dark - Lighted Roadway; 5 - Dark - Roadway Not Lighted; 6 - Dark - Unknown Roadway Lighting; 7 - Glare*; 8 - Other; 9 - Unknown

* Secondary Condition Only

☐ School Zone Related

School Bus Related: ☐ Yes, School Bus Directly Involved ☐ Yes, School Bus Indirectly Involved

☐ Work Zone Related

☐ Workers Present

☐ Law Enforcement Present (Officer/Vehicle)

☐ Law Enforcement Present (Vehicle Only)

Type of Work Zone: 1 - Lane Closure; 2 - Lane Shift/Crossover; 3 - Work on Shoulder or Median; 4 - Intermittent or Moving Work; 5 - Other

Location of Crash in Work Zone: 1 - Before the First Work Zone Warning Sign; 2 - Advance Warning Area; 3 - Transition Area; 4 - Activity Area; 5 - Termination Area

Narrative

Diagram

Write an "N" on the compass diagram to indicate the direction of north.

Report Taken By: ☐ Police Agency ☐ Motorist

☐ Supplement (Correction or Addition to an Existing Report Sent to ODPS)

Date Crash Reported | Time Crash Reported | Dispatch Time | Arrival Time | Time Cleared | Other Investigation Time | Total Minutes

Officer's Name * | Officer's Badge Number | Checked By | Page of

REVISED EFF. 01/01/20
SEE OMBV FORM HSY8304 OHIO

OHIO DEPARTMENT OF PUBLIC SAFETY
EDUCATION · SERVICE · PROTECTION

UNIT

Local Report Number

Unit Number | Owner Name: Last, First, Middle (☐ Same As Driver) | Owner Phone Number - inc. area code (☐ Same As Driver)

Damage Scale
1 - None
2 - Minor
3 - Functional
4 - Disabling
9 - Unknown

Damaged Area
Front, Rear, 02, 03, 04, 05, 06, 07, 08, 09, 10

Owner Address: City, State, Zip (☐ Same As Driver)

LP State | License Plate Number | Vehicle Identification Number | # Occupants

Vehicle Year | Vehicle Make | Vehicle Model | Vehicle Color

☐ Proof of Insurance Shown | Insurance Company | Policy Number | Towed By

Carrier Name, Address, City, State, Zip | Carrier Phone- include area code

US DOT

HM Placard ID No.

HM Class Number

Vehicle Weight GVWR/GCWR
1 - Less Than or Equal to 10k Lbs.
2 - 10,001 to 26,000 Lbs
3 - More Than 26,000 Lbs.

☐ Hazardous Material Released

Cargo Body Type
01 - No Cargo Body Type/Not Applicable
02 - Bus/Van (9-15 Seats, Inc Driver)
03 - Bus (16+ Seats, Inc Driver)
04 - Vehicle Towing Another Vehicle
05 - Logging
06 - Intermodal Container Chassis
07 - Cargo Van/Enclosed Box
08 - Grain, Chips, Gravel
09 - Pole
10 - Cargo Tank
11 - Flat Bed
12 - Dump
13 - Concrete Mixer
14 - Auto Transporter
15 - Garbage/Refuse
99 - Other/Unknown

Trafficway Description
1 - Two-Way, Not Divided
2 - Two-Way, Not Divided, Continuous Left Turn Lane
3 - Two-Way, Divided, Unprotected(Painted or Grass >4 Ft.) Median
4 - Two-Way, Divided, Positive Median Barrier
5 - One-Way Trafficway

☐ Hit / Skip Unit

Non-Motorist Location Prior to Impact
01 - Intersection - Marked Crosswalk
02 - Intersection - No Crosswalk
03 - Intersection - Other
04 - Midblock - Marked Crosswalk
05 - Travel Lane - Other Location
06 - Bicycle Lane
07 - Shoulder/Roadside
08 - Sidewalk
09 - Median/Crossing Island
10 - Driveway Access
11 - Shared-Use Path or Trail
12 - Non-Trafficway Area
99 - Other/Unknown

Type of Use
1 - Personal
2 - Commercial
3 - Government

☐ In Emergency Response

Unit Type
99 - Unknown or Hit / Skip

Passenger Vehicles (less than 9 passengers)
01 - Sub-Compact
02 - Compact
03 - Mid Size
04 - Full Size
05 - Minivan
06 - Sport Utility Vehicle
07 - Pickup
08 - Van
09 - Motorcycle
10 - Motorized Bicycle
11 - Snowmobile/ATV
12 - Other Passenger Vehicle

Med/Heavy Trucks or Combo Units > 10k lbs
13 - Single Unit Truck or Van 2axle, 6 tires
14 - Single Unit Truck; 3+ axles
15 - Single Unit Truck / Trailer
16 - Truck/Tractor (Bobtail)
17 - Tractor/Semi-Trailer
18 - Tractor/Double
19 - Tractor/Triples
20 - Other Med/Heavy Vehicle

Bus/Van/Limo (9 or More Including Driver)
21 - Bus/Van (9-15 Seats, Inc Driver)
22 - Bus (16+ Seats, Inc Driver)

Non-Motorist
23 - Animal with Rider
24 - Animal with Buggy, Wagon, Surrey
25 - Bicycle/Pedacyclist
26 - Pedestrian/Skater
27 - Other Non-Motorist

☐ Has HM Placard

Special Function
01 - None
02 - Taxi
03 - Rental Truck (Over 10k Lbs)
04 - Bus - School (Public or Private)
05 - Bus - Transit
06 - Bus - Charter
07 - Bus - Shuttle
08 - Bus - Other
09 - Ambulance
10 - Fire
11 - Highway/Maintenance
12 - Military
13 - Police
14 - Public Utility
15 - Other Government
16 - Construction Equip.
17 - Farm Vehicle
18 - Farm Equipment
19 - Motorhome
20 - Golf Cart
21 - Train
22 - Other (Explain in Narrative)

Most Damaged Area / Impact Area
01 - None
02 - Center Front
03 - Right Front
04 - Right Side
05 - Right Rear
06 - Rear Center
07 - Left Rear
08 - Left Side
09 - Left Front
10 - Top and Windows
11 - Undercarriage
12 - Load/Trailer
13 - Total(All Areas)
14 - Other
99 - Unknown

Action
1 - Non-Contact
2 - Non-Collision
3 - Striking
4 - Struck
5 - Striking/Struck
9 - Unknown

Pre-Crash Actions
99 - Unknown

Motorist
01 - Straight Ahead
02 - Backing
03 - Changing Lanes
04 - Overtaking/Passing
05 - Making Right Turn
06 - Making Left Turn
07 - Making U-Turn
08 - Entering Traffic Lane
09 - Leaving Traffic Lane
10 - Parked
11 - Slowing or Stopped in Traffic
12 - Driverless
13 - Negotiating a Curve
14 - Other Motorist Action

Non-Motorist
15 - Entering or Crossing Specified Location
16 - Walking, Running, Jogging, Playing, Cycling
17 - Working
18 - Pushing Vehicle
19 - Approaching or Leaving Vehicle
20 - Standing
21 - Other Non-Motorist Action

Contributing Circumstances

Primary / Secondary
99 - Unknown

Motorist
01 - None
02 - Failure to Yield
03 - Ran Red Light
04 - Ran Stop Sign
05 - Exceeded Speed Limit
06 - Unsafe Speed
07 - Improper Turn
08 - Left of Center
09 - Followed Too Closely/ACDA
10 - Improper Lane Change /Passing/Off Road
11 - Improper Backing
12 - Improper Start From Parked Position
13 - Stopped or Parked Illegally
14 - Operating Vehicle in Negligent Manner
15 - Swerving to Avoid (Due to External Conditions)
16 - Wrong Side/Wrong Way
17 - Failure to Control
18 - Vision Obstruction
19 - Operating Defective Equipment
20 - Load Shifting/Falling/Spilling
21 - Other Improper Action

Non-Motorist
22 - None
23 - Improper Crossing
24 - Darting
25 - Lying and/or Illegally in Roadway
26 - Failure to Yield Right of Way
27 - Not Visible (Dark Clothing)
28 - Inattentive
29 - Failure to Obey Traffic Signs /Signals/Officer
30 - Wrong Side of the Road
31 - Other Non-Motorist Action

Vehicle Defects
01 - Turn Signals
02 - Head Lamps
03 - Tail Lamps
04 - Brakes
05 - Steering
06 - Tire Blowout
07 - Worn or Slick tires
08 - Trailer Equipment Defective
09 - Motor Trouble
10 - Disabled From Prior Accident
11 - Other Defects

Sequence of Events
1 2 3 4 5 6
First Harmful Event
Most Harmful Event
99 - Unknown

Non-Collision Events
01 - Overturn/Rollover
02 - Fire/Explosion
03 - Immersion
04 - Jackknife
05 - Cargo/Equipment Loss or Shift
06 - Equipment Failure (Blown Tire, Brake Failure, etc)
07 - Separation of Units
08 - Ran Off Road Right
09 - Ran Off Road Left
10 - Cross Median
11 - Cross Center Line Opposite Direction of Travel
12 - Downhill Runaway
13 - Other Non-Collision

Collision with Person, Vehicle or Object Not Fixed
14 - Pedestrian
15 - Pedalcycle
16 - Railway Vehicle (Train,Engine)
17 - Animal - Farm
18 - Animal - Deer
19 - Animal - Other
20 - Motor Vehicle in Transport
21 - Parked Motor Vehicle
22 - Work Zone Maintenance Equipment
23 - Struck by Falling, Shifting Cargo or Anything Set in Motion by a Motor Vehicle
24 - Other Movable Object

Collision With Fixed Object
25 - Impact Attenuator/Crash Cushion
26 - Bridge Overhead Structure
27 - Bridge Pier or Abutment
28 - Bridge Parapet
29 - Bridge Rail
30 - Guardrail Face
31 - Guardrail End
32 - Portable Barrier
33 - Median Cable Barrier
34 - Median Guardrail Barrier
35 - Median Concrete Barrier
36 - Median Other Barrier
37 - Traffic Sign Post
38 - Overhead Sign Post
39 - Light/Luminaries Support
40 - Utility Pole
41 - Other Post, Pole or Support
42 - Culvert
43 - Curb
44 - Ditch
45 - Embankment
46 - Fence
47 - Mailbox
48 - Tree
49 - Fire Hydrant
50 - Work Zone Maintenance Equipment
51 - Wall, Building, Tunnel
52 - Other Fixed Object

Unit Speed
☐ Stated
☐ Estimated

Posted Speed

Traffic Control
01 - No Controls
02 - Stop Sign
03 - Yield Sign
04 - Traffic Signal
05 - Traffic Flashers
06 - School Zone
07 - Railroad Crossbucks
08 - Railroad Flashers
09 - Railroad Gates
10 - Construction Barricade
11 - Person (Flagger, Officer)
12 - Pavement Markings
13 - Crosswalk Lines
14 - Walk/Don't Walk
15 - Other
16 - Not Reported

Unit Direction
From | To
1 - North
2 - South
3 - East
4 - West
5 - Northeast
6 - Northwest
7 - Southeast
8 - Southwest
9 - Unknown

REVISED EFF 01/01/19
SEE UMPW FORM HSY8304 OH1U

OHIO DEPARTMENT OF PUBLIC SAFETY
EDUCATION • SERVICE • PROTECTION

MOTORIST / NON-MOTORIST / OCCUPANT

LOCAL REPORT NUMBER

MOTORIST/NON-MOTORIST

UNIT NUMBER | NAME: LAST, FIRST, MIDDLE | DATE OF BIRTH | AGE | GENDER (F - FEMALE, M - MALE)

ADDRESS, CITY, STATE, ZIP | CONTACT PHONE- INCLUDE AREA CODE

INJURIES | INJURED TAKEN BY | EMS AGENCY | MEDICAL FACILITY INJURED TAKEN TO | SAFETY EQUIPMENT USED | DOT COMPLIANT MOTORCYCLE HELMET | SEATING POSITION | AIR BAG USAGE | EJECTION | TRAPPED

OL STATE | OPERATOR LICENSE NUMBER | OL CLASS | NO VALID OL | M/C END. | CONDITION | ALCOHOL/DRUG SUSPECTED | ALCOHOL TEST STATUS | ALCOHOL TEST TYPE | ALCOHOL TEST VALUE | DRUG TEST STATUS | DRUG TEST TYPE

OFFENSE CHARGED (LOCAL CODE) | OFFENSE DESCRIPTION | CITATION NUMBER | HANDS-FREE DEVICE USED | DRIVER DISTRACTED BY

MOTORIST/NON-MOTORIST

UNIT NUMBER | NAME: LAST, FIRST, MIDDLE | DATE OF BIRTH | AGE | GENDER (F - FEMALE, M - MALE)

ADDRESS, CITY, STATE, ZIP | CONTACT PHONE- INCLUDE AREA CODE

INJURIES | INJURED TAKEN BY | EMS AGENCY | MEDICAL FACILITY INJURED TAKEN TO | SAFETY EQUIPMENT USED | DOT COMPLIANT MOTORCYCLE HELMET | SEATING POSITION | AIR BAG USAGE | EJECTION | TRAPPED

OL STATE | OPERATOR LICENSE NUMBER | OL CLASS | NO VALID OL | M/C END. | CONDITION | ALCOHOL/DRUG SUSPECTED | ALCOHOL TEST STATUS | ALCOHOL TEST TYPE | ALCOHOL TEST VALUE | DRUG TEST STATUS | DRUG TEST TYPE

OFFENSE CHARGED (LOCAL CODE) | OFFENSE DESCRIPTION | CITATION NUMBER | HANDS-FREE DEVICE USED | DRIVER DISTRACTED BY

INJURIES
1 - NO INJURY / NONE REPORTED
2 - POSSIBLE
3 - NON-INCAPACITATING
4 - INCAPACITATING
5 - FATAL

INJURED TAKEN BY
1 - NOT TRANSPORTED / TREATED AT SCENE
2 - EMS
3 - POLICE
4 - OTHER
9 - UNKNOWN

SAFETY EQUIPMENT USED

MOTORIST
01 - NONE USED - VEHICLE OCCUPANT
02 - SHOULDER BELT ONLY USED
03 - LAP BELT ONLY USED
04 - SHOULDER AND LAP BELT USED
05 - CHILD RESTRAINT SYSTEM-FORWARD FACING
06 - CHILD RESTRAINT SYSTEM- REAR FACING
07 - BOOSTER SEAT
08 - HELMET USED
99 - UNKNOWN SAFETY EQUIPMENT

NON-MOTORIST
09 - NONE USED
10 - HELMET USED
11 - PROTECTIVE PADS USED (ELBOWS,KNEES, ETC)
12 - REFLECTIVE CLOTHING
13 - LIGHTING
14 - OTHER

SEATING POSITION
01 - FRONT - LEFT SIDE (MOTORCYCLE DRIVER)
02 - FRONT - MIDDLE
03 - FRONT - RIGHT SIDE
04 - SECOND - LEFT SIDE (MOTORCYCLE PASSENGER)
05 - SECOND - MIDDLE
06 - SECOND - RIGHT SIDE
07 - THIRD - LEFT SIDE (MOTORCYCLE SIDE CAR)
08 - THIRD - MIDDLE
09 - THIRD - RIGHT SIDE
10 - SLEEPER SECTION OF CAB (TRUCK)
11 - PASSENGER IN OTHER ENCLOSED CARGO AREA (NON-TRAILING UNIT SUCH AS A BUS, PICK-UP WITH CAP)
12 - PASSENGER IN UNENCLOSED CARGO AREA
13 - TRAILING UNIT
14 - RIDING ON VEHICLE EXTERIOR (NON-TRAILING UNIT)
15 - NON-MOTORIST
16 - OTHER
99 - UNKNOWN

AIR BAG USAGE
1 - NOT DEPLOYED
2 - DEPLOYED FRONT
3 - DEPLOYED SIDE
4 - DEPLOYED BOTH FRONT/SIDE
5 - NOT APPLICABLE
9 - DEPLOYMENT UNKNOWN

EJECTION
1 - NOT EJECTED
2 - TOTALLY EJECTED
3 - PARTIALLY EJECTED
4 - NOT APPLICABLE

TRAPPED
1 - NOT TRAPPED
2 - EXTRICATED BY MECHANICAL MEANS
3 - EXTRICATED BY NON-MECHANICAL MEANS

OPERATOR LICENSE CLASS
1 - CLASS A
2 - CLASS B
3 - CLASS C
4 - REGULAR CLASS (OHIO IS "D")
5 - MC/MOPED ONLY

CONDITION
1 - APPARENTLY NORMAL
2 - PHYSICAL IMPAIRMENT
3 - EMOTIONAL (DEPRESSED, ANGRY, DISTURBED)
4 - ILLNESS
5 - FELL ASLEEP, FAINTED, FATIGUED
6 - UNDER THE INFLUENCE OF MEDICATIONS, DRUGS, ALCOHOL
7 - OTHER

ALCOHOL/DRUG SUSPECTED
1 - NONE
2 - YES - ALCOHOL SUSPECTED
3 - YES - HBD NOT IMPAIRED
4 - YES - DRUGS SUSPECTED
5 - YES - ALCOHOL AND DRUGS SUSPECTED

ALCOHOL TEST STATUS
1 - NONE GIVEN
2 - TEST REFUSED
3 - TEST GIVEN, CONTAMINATED SAMPLE/UNUSABLE
4 - TEST GIVEN, RESULTS KNOWN
5 - TEST GIVEN, RESULTS UNKNOWN

ALCOHOL TEST TYPE
1 - NONE
2 - BLOOD
3 - URINE
4 - BREATH
5 - OTHER

DRUG TEST STATUS
1 - NONE GIVEN
2 - TEST REFUSED
3 - TEST GIVEN, CONTAMINATED SAMPLE/UNUSABLE
4 - TEST GIVEN, RESULTS KNOWN
5 - TEST GIVEN, RESULTS UNKNOWN

DRUG TEST TYPE
1 - NONE
2 - BLOOD
3 - URINE
4 - OTHER

DRIVER DISTRACTED BY
1 - NO DISTRACTION REPORTED
2 - PHONE
3 - TEXTING/E-MAILING
4 - ELECTRONIC COMMUNICATION DEVICE
5 - OTHER ELECTRONIC DEVICE (NAVIGATION DEVICE, RADIO, DVD)
6 - OTHER INSIDE THE VEHICLE
7 - EXTERNAL DISTRACTION

OCCUPANT

UNIT NUMBER | NAME: LAST, FIRST, MIDDLE | DATE OF BIRTH | AGE | GENDER (F - FEMALE, M - MALE)

ADDRESS, CITY, STATE, ZIP | CONTACT PHONE- INCLUDE AREA CODE

INJURIES | INJURED TAKEN BY | EMS AGENCY | MEDICAL FACILITY INJURED TAKEN TO | SAFETY EQUIPMENT USED | DOT COMPLIANT MOTORCYCLE HELMET | SEATING POSITION | AIR BAG USAGE | EJECTION | TRAPPED

OCCUPANT

UNIT NUMBER | NAME: LAST, FIRST, MIDDLE | DATE OF BIRTH | AGE | GENDER (F - FEMALE, M - MALE)

ADDRESS, CITY, STATE, ZIP | CONTACT PHONE- INCLUDE AREA CODE

INJURIES | INJURED TAKEN BY | EMS AGENCY | MEDICAL FACILITY INJURED TAKEN TO | SAFETY EQUIPMENT USED | DOT COMPLIANT MOTORCYCLE HELMET | SEATING POSITION | AIR BAG USAGE | EJECTION | TRAPPED

PAGE OF

REVISED EFF. 01/01/19
SEE OHBT FORM HSY8304 OH1K

OHIO DEPARTMENT OF PUBLIC SAFETY
EDUCATION · SERVICE · PROTECTION

Occupant / Witness Addendum

Local Report Number

Occupant	Unit Number	Name: Last, First, Middle	Date of Birth	Age	Gender (F - Female, M - Male)

Address, City, State, Zip	Contact Phone- include area code

Injuries	Injured Taken By	EMS Agency	Medical Facility Injured Taken To	Safety Equipment Used	DOT Compliant Motorcycle Helmet	Seating Position	Air Bag Usage	Ejection	Trapped
					☐				

Occupant	Unit Number	Name: Last, First, Middle	Date of Birth	Age	Gender (F - Female, M - Male)

Address, City, State, Zip	Contact Phone- include area code

Injuries	Injured Taken By	EMS Agency	Medical Facility Injured Taken To	Safety Equipment Used	DOT Compliant Motorcycle Helmet	Seating Position	Air Bag Usage	Ejection	Trapped
					☐				

Occupant	Unit Number	Name: Last, First, Middle	Date of Birth	Age	Gender (F - Female, M - Male)

Address, City, State, Zip	Contact Phone- include area code

Injuries	Injured Taken By	EMS Agency	Medical Facility Injured Taken To	Safety Equipment Used	DOT Compliant Motorcycle Helmet	Seating Position	Air Bag Usage	Ejection	Trapped
					☐				

Occupant	Unit Number	Name: Last, First, Middle	Date of Birth	Age	Gender (F - Female, M - Male)

Address, City, State, Zip	Contact Phone- include area code

Injuries	Injured Taken By	EMS Agency	Medical Facility Injured Taken To	Safety Equipment Used	DOT Compliant Motorcycle Helmet	Seating Position	Air Bag Usage	Ejection	Trapped
					☐				

Occupant	Unit Number	Name: Last, First, Middle	Date of Birth	Age	Gender (F - Female, M - Male)

Address, City, State, Zip	Contact Phone- include area code

Injuries	Injured Taken By	EMS Agency	Medical Facility Injured Taken To	Safety Equipment Used	DOT Compliant Motorcycle Helmet	Seating Position	Air Bag Usage	Ejection	Trapped
					☐				

Occupant	Unit Number	Name: Last, First, Middle	Date of Birth	Age	Gender (F - Female, M - Male)

Address, City, State, Zip	Contact Phone- include area code

Injuries	Injured Taken By	EMS Agency	Medical Facility Injured Taken To	Safety Equipment Used	DOT Compliant Motorcycle Helmet	Seating Position	Air Bag Usage	Ejection	Trapped
					☐				

Injuries
1 - No Injury / None Reported
2 - Possible
3 - Non-Incapacitating
4 - Incapacitating
5 - Fatal

Injured Taken By
1 - Not Transported / Treated at Scene
2 - EMS
3 - Police
4 - Other
9 - Unknown

Safety Equipment Used

Motorist
01 - None Used - Vehicle Occupant
02 - Shoulder Belt Only Used
03 - Lap Belt Only Used
04 - Shoulder and Lap Belt Used
05 - Child Restraint System-Forward Facing
06 - Child Restraint System- Rear Facing
07 - Booster Seat
08 - Helmet Used
99 - Unknown Safety Equipment

Non-Motorist
09 - None Used
10 - Helmet Used
11 - Protective Pads Used (Elbows,Knees, Etc)
12 - Reflective Clothing
13 - Lighting
14 - Other

Seating Position
01 - Front - Left Side (Motorcycle Driver)
02 - Front - Middle
03 - Front - Right Side
04 - Second - Left Side (Motorcycle Passenger)
05 - Second - Middle
06 - Second - Right Side
07 - Third - Left Side (Motorcycle Side Car)
08 - Third - Middle
09 - Third - Right Side
10 - Sleeper Section of Cab (Truck)
11 - Passenger in Other Enclosed Cargo Area (Non-Trailing Unit Such as a Bus, Pick-up with Cap)
12 - Passenger in Unenclosed Cargo Area
13 - Trailing Unit
14 - Riding on Vehicle Exterior (Non-Trailing Unit)
15 - Non-Motorist
16 - Other
99 - Unknown

Air Bag Usage
1 - Not Deployed
2 - Deployed Front
3 - Deployed Side
4 - Deployed Both Front/Side
5 - Not Applicable
9 - Deployment Unknown

Ejection
1 - Not Ejected
2 - Totally Ejected
3 - Partially Ejected
4 - Not Applicable

Trapped
1 - Not Trapped
2 - Extricated by Mechanical Means
3 - Extricated by Non-Mechanical Means

REVISED EFF. 01/01/19
SEE OMBV FORM HSY8304 OH10

OH-1 REPORT LOG

Date of Accident	Involved Persons (Last Names Only)	Reporting Officer's Badge Number

REVISED EFF. 01/01/19
SEE OMBV FORM HSY8304 OH1U

Date Delivered: _____

Delivered by: _____ Received by: _____

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 5	8.1.03

SUBJECT:	
FORM-10 REPORTS FOR ACCIDENT INVESTIGATIONS	
ASSOCIATED MANUAL:	RELATED ORDERS: 6.1.02, 8.1.02
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To state information that must be included in an accident investigation Form-10 Report.

POLICY: The Cleveland Division of Police uses the Form-10 Supplementary Report (appendix A) for highly detailed information regarding fatal accidents, serious non-fatal accidents, accidents involving City of Cleveland vehicles or when otherwise directed by a supervisor. The Form-10 provides the basis for the follow-up investigation of serious motor vehicle accidents. Complete and accurate information enhances the chance of successful prosecution.

PROCEDURES: Investigators shall attach the Form-10 to the Ohio Traffic Accident Report (OH-1). When conducting an accident investigation requiring a Form-10 Report, the investigating officer shall type the following information in a narrative format on the Form-10.

I. Assignment Paragraph

A brief statement of day, date, time, assignment, working in company with ___, received assignment to respond to a location for a type of accident.

II. Arrival on Scene

A complete statement of what the investigator found upon arrival on scene, including information learned from witnesses and other public safety responders.

A. Victim(s), location and/or position upon arrival

B. Vehicles involved, location and/or position

1. Year, make, model, color, license plate

2. Listing and computer check

3. Description of damage

C. Operator(s) of the involved units

1. Physical condition

2. Signs of intoxication

D. Non-involved vehicles; location, position (year, make, model, color, license plate)

E. Mechanical condition of involved vehicles (process tow vehicles with a pre-accident deficiency to Lot #2)

F. Point of original contact

1. Physical evidence indicating the initial impact of the involved traffic units

2. Secondary impacts indicated

G. Final position of the involved traffic units

H. Physical evidence pertinent to the investigation

1. Location of marks on the roadway – skids, scrapes, and gauges

2. Condition and function of traffic control devices

3. Road conditions and/or defects

4. Weather condition

III. Measurements

Officers shall measure with available equipment. If no measuring equipment is available, measure in paces, walking naturally with even steps. Establish a reference point and measure the following.

A. Roadway width, number of lanes

B. Point of original contact and secondary impacts

C. Skid-marks, yaw (slide slip marks), tire impressions

D. Final position of all involved units, victims, evidentiary items

E. Non-involved vehicles

IV. Photographs

Photograph the accident scene and evidence found in the travel path of the vehicle and from a distance that captures the whole scene and in 20-foot increments to final rest.

A. Record location, number of rolls, number of exposures per roll, type of film, exposure time, lens opening, and officer taking the photos.

B. Include photos of the following

1. Marks and debris on the roadway

2. Damage to vehicles and other involved objects

3. Final position of vehicles

4. Path of involved units (motor vehicle, pedestrians, etc.) prior to the incident

V. Witnesses

List all witnesses and their contact information. Obtain a hand written statement from each driver and witness with the Driver/Witness Accident Statement Form, C of C 71-1-E (appendix B). Officers shall ensure witnesses understand the importance of accuracy and completeness when providing their name, address, telephone numbers (home and work), and/or pager numbers. If a statement is not obtained, officers shall state reason.

VI. Driver(s)

A. Physical and/or behavioral impairments

1. Alcohol
2. Drugs and/or medicines
3. Carbon monoxide
4. Drowsiness and sleep
5. Other (blackouts, seizures, etc.)

B. Statement obtained or refused - admits driving or not

C. Injury or hospitalization of drivers

VII. Hospital

A. Condition of drivers/victim(s)

B. Type of injury and seriousness of the injury

C. Transported to which hospital by what means

D. Name of treating physician and statements made by medical personnel

E. Physical or behavioral impairments

VIII. Notifications

A. Relatives (include the phone number and the name of the person notified)

B. Accident Investigation Unit (AIU) (include the name of the person notified)

C. Communication Control Section (include the name of the person notified)

D. Hospitalized persons or bodies taken to the coroner's, without family notification, shall be placed on the Hospital List with the name of person notified.

IX. Synopsis

A short summary of what occurred. This shall include strict and factual information obtained by the investigating officers. Opinions shall not be included.

X. Disposition

Arrests, tows (VIU number), incident reports and numbered, citation(s) and facts to the prosecutor.

XI. Attachments and Forwarding

A. Completed OH-1 Report

B. Witness statements

C. Field sketch (post-accident situation map) and notes from on scene investigation

D. The entire package shall be delivered to the AIU and AIU shall be contacted by telephone and provided with basic accident information if the package is not complete by shift's-end.

EFL/TAH/LM/cld
Policy & Procedures Unit
APPENDIX

SUPPLEMENTARY REPORT

CLEVELAND DIVISION OF POLICE

Complaint #:

Subject or Crime _____ Date of this Report _____

Company or Owner	Address	Phone	Age	Sex	Race	M/S
Victim	Address	Phone	Age	Sex	Race	M/S

Address of Occurrence | Type of Place | Zone

Time of Occurrence | Date of Occurrence | Day of Week

Secured by | Address | Phone | Time | Day | Date

Discovered by | Address | Phone | Time | Day | Date

Page _____ of _____ Page Report

Follow-up Report θ

C OF C 71-10 REV. 9/01

Investigating Officers | Platoon | Car | Approved By

Weather θ Clear θ Rain θ Cloudy θ Snow Temp_____° F Wind_____mph

θ AIU θ CS&RU θ Requested θ Not Requested θ On Scene

Assignment Received from: θ Radio θ District θ Det. Bur. θ Other

Time Assigned | Time Completed

CLEVELAND DIVISION OF POLICE

Driver/Witness Accident Statement Form

RMS Incident #: _____ File #: _____

Date: _____ Time: _____ Location: _____

Vehicles Involved (to be completed by investigating officer)

Driver #: _____ Name: _____

DOB: _____ DL#: _____ State: _____

Vehicle Make: _____ License Plate: _____ State: _____ Vehicle Year: _____

Driver #: _____ Name: _____

DOB: _____ DL#: _____ State: _____

Vehicle Make: _____ License Plate: _____ State: _____ Vehicle Year: _____

Driver #: _____ Name: _____

DOB: _____ DL#: _____ State: _____

Vehicle Make: _____ License Plate: _____ State: _____ Vehicle Year: _____

o Driver / o Witness Information

Name: _____ Address: _____

City: _____ State: _____ Zip Code: _____

Home Telephone: _____ Work Telephone: _____

Mobile Phone: _____ Pager Number: _____

DOB: _____ DL#: _____ State: _____

STATEMENT

I, (print full name) _____ , hereby make this voluntary

statement at _____ .
(location where statement is given)

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Signature:_____ Date:_____

Investigated by:_____ Car #:_____

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 21, 2011	May 14, 2014	1 of 4	8.1.04

SUBJECT:	
HIT SKIP INVESTIGATIONS	
ASSOCIATED MANUAL:	RELATED ORDERS: 8.1.02
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

This General Police Order (GPO) has been revised in its entirety

PURPOSE: To set guidelines for the investigation of hit skip crashes.

POLICY: The Cleveland Division of Police shall thoroughly investigate and document hit skip crashes. Officers investigating a hit skip shall adhere to the following protocol in completing an OH-1 and Hit Skip Card as part of the investigation.

Members of the Division shall follow the guidelines of Ohio Senate Bill 77 and shall not present a "single photograph" of an "unknown" suspect when attempting to identify a hit skip driver.

PROCEDURES:

I. Based on Division needs, members shall conduct thorough field investigations of hit skips until there are no further leads to follow-up on, or the available leads have provided as much information as possible.

II. The Hit Skip Card is used to track and follow up on hit skip crashes and shall be completed in addition to an OH-1 report for <u>all</u> hit skips (solved or unsolved) reported to the Division of Police.

A. Completion of the Hit Skip Card is largely self explanatory. It is utilized to thoroughly document the field investigation and shall be used for suspect information and descriptions, possible license plates, witness information, tow information, and RMS/CAD number etc.

B. Suspect and vehicle information on the Hit Skip Card shall be as detailed as possible. Additional information regarding the field investigation may be added to the back of the Hit Skip Card.

C. The Hit Skip Unit may be consulted for advice in completing the Hit Skip Card and hit skip field investigations.

III. UNSOLVED hit skips: Further investigation is needed because the suspect auto and/or driver have not been positively identified. The below reports are required following the field investigation:

A. OH-1 Report

1. The crash shall be properly coded as an "Unsolved" hit skip on page 1 in upper right corner of the OH-1.

2. The suspect vehicle of an unsolved hit skip shall be identified on the OH-1 by a unit number only. Officers shall NOT enter any hit skip suspect vehicle/driver information (driver's name, address, vehicle type, or license plate number) on the OH-1. This information is reserved for the Hit Skip Card only. The Hit Skip Unit will complete a supplemental report amending the original OH-1 after the investigation is completed.

a. The State of Ohio mandates that certain entries be made on the OH-1 report for unsolved hit skips. Members shall refer to the OH-1 manual for guidance.

b. The remainder of the OH-1 shall be completed in accordance with current Division procedures.

B. The Hit Skip Card shall include all investigative action taken, stapled to the OH-1, and forwarded to the Record File Section.

C. Unsolved hit skip case disposition

1. When there are suspect leads, members shall advise the victim they may contact the Hit Skip Unit 10 days after the crash is reported for case information and updates.

2. Unsolved hit skips with no suspect leads, No Further Info (NFI)

a. NFI cases are those where the field investigation reveals no leads identifying a driver or suspect auto.

b. Victims shall be advised of the following:

1. The Division of Police will retain their file for 5 years should a suspect be later identified.

2. Contact their insurance carrier for claim filing.

IV. SOLVED hit skips: The driver and the suspect vehicle have been positively identified and no further investigative follow-up is needed. The below reports are required following the field investigation:

A. OH-1 Report

1. The crash must be properly coded as a "Solved" hit skip on page 1 upper right corner of the OH-1.

2. Members shall complete the OH-1 report in full, listing the suspect vehicle on the OH-1 by a unit number and including positively identified driver and vehicle information.

a. Enforcement actions shall be taken and properly documented in accordance with GPO 8.1.02.

b. The remainder of the OH-1 report shall be completed in accordance with current procedures.

B. Hit Skip Card

1. The Hit Skip Card shall be used to document confirmed suspect information, license plates, witness information, etc.

2. Members shall make notations on the Hit Skip Card about how the hit skip was solved. Any additional information regarding the field investigation may be added to the back of the Hit Skip Card.

3. The Hit Skip Card shall be completed, attached to the OH-1, and forwarded to the Record Section.

V. Hit Skip Tow Procedures

A. A suspect auto that is towed in connection with a hit skip shall be marked as a "HIT SKIP" in the "Reason for Tow" field and the Tow Channel dispatcher shall also be made aware to enter the tow as a "HIT SKIP".

B. A victim auto that is towed in connection with a hit skip crash shall be marked as towed in connection with an "ACCIDENT" in the "Reason for Tow" field.

C. Hit skips involving serious injuries (i.e. broken bones, internal injuries etc) may rise to the level of felony hit skip. A supervisor shall be consulted to either have the Accident Investigation Unit (AIU) respond to the scene or process tow the suspect auto to Lot 2 for physical evidence (fingerprints, blood samples, hair etc). Members shall fax a copy of the OH-1 and Hit Skip Card for potential felony hit skips to the Hit Skip Unit prior to reporting off.

D. Evidence taken from hit skip crashes (including photographs) shall be marked, tagged and entered in accordance with current procedures and noted on the Hit Skip Card.

VI. Victims of all hit skips shall be advised that:

A. The Hit Skip Unit will review all hit skips, solved and unsolved.

B. A copy of the crash report will be available from Accident Records or a free copy from the City of Cleveland website 7 to 10 days after the crash is reported.

C. Victims may contact the Hit Skip Unit 7 to 10 days after the crash is reported to add suspect or witness information, or for case information and guidance.

VII. Supervisors shall carefully review hit skip reports and ensure compliance.

VIII. The Hit Skip Unit shall track hit skips and be the clearinghouse for all hit skips in the City of Cleveland.

IX. Hit Skip Cards shall be available at the Supply Unit.

CDW/jeh
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
April 6, 2011		1 of 3	8.1.05

SUBJECT:	
TRAFFIC SAFETY ANALYSIS PANEL (TSAP)	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To set guidelines for the Traffic Safety Analysis Panel (TSAP).

POLICY: The Cleveland Division of Police shall review all traffic accidents that involve on-duty Division personnel operating or having custodial care of Division vehicles.

DEFINITIONS:

Traffic Safety Analysis Panel: TSAP is an administrative review mechanism within the Cleveland Division of Police responsible for reviewing all traffic accidents involving Division vehicles operated by or in the custody of sworn officers.

The TSAP shall consist of the following members:

- Commissioner of the Bureau of Traffic (Chairman)
- Officer in Charge (OIC) of the Accident Investigation Unit
- Assistant Director of Public Safety
- Executive Officer of Field Operations
- Commander of Special Services
- Patrol Officer (selected randomly each month from neighborhood Districts)
- A second patrol officer shall be selected monthly to serve as an observer and will assume voting duties the following month.
- Employee Accident Control representative.

Officer: Shall have the same meaning as in the Manual Rules and Regulations.

Police Vehicle: Any vehicle owned, leased, donated or confiscated by the City of Cleveland for use in any police function. This includes unmarked or undercover vehicles that may not have a “P code” assigned.

Custodial Care: Shall mean the officer who is actually operating or assigned to a Division vehicle, either permanently or for the date of occurrence.

PROCEDURES:

I. When a City-owned police vehicle is involved in a traffic accident, a supervisory investigation and reports shall be completed in conformance with General Police Order 8.1.01. Only traffic accidents are subject to TSAP review. Unknown damage or intentional acts shall not be subjected to TSAP hearings.

II. The commander and deputy chief from the involved member's chain of command shall review the investigation and make recommendations. Investigations shall then be forwarded to the Bureau of Traffic to be scheduled for a TSAP hearing.

III. The TSAP shall meet on the third Thursday of each month to review the accidents scheduled for that month's hearing. When panel members are unable to attend due to illness, vacations etc., the Commissioner of the Bureau of Traffic may designate an alternate or postpone the hearing to a new date.

A. The Commissioner of the Bureau of Traffic shall cause copies of reports and investigations under the assigned control number to be disseminated to the panel members to allow sufficient time for review prior to panel meetings.

B. At its formal meeting, the panel shall review the accident, supervisory investigation and recommendations, with particular attention directed to the following:

1. The thoroughness of the investigation

2. Whether conclusions reached and the endorsements of superior officers are consistent with the reported facts.

C. After a review of the available information, the panel will determine, by majority vote, whether the incident was preventable or non-preventable.

1. **Non Preventable** incidents shall include those in which the operator could not have reasonably avoided or prevented the accident in any manner.

2. **Preventable** incidents shall include those which could have been avoided or prevented through the application of good driving practices, reasonable evasive action of the operator and sound application of Divisional policies, including but not limited to emergency driving procedures.

IV. The findings and recommendations of each case that TSAP reviews shall be reduced to writing and presented to the Chief of Police for final disposition and determination if corrective or disciplinary action will be taken.

V. TSAP rulings are internal recommendations with no responsibility for determining if an incident is criminal or civil in nature.

VI. The Chairperson of TSAP may table any case that may result in the criminal prosecution or citation of an officer until the case is adjudicated in court.

VII. The Bureau of Traffic shall maintain TSAP files in accordance with record retention policies and shall forward a copy of TSAP findings to the Training Section for the creation of a statistical profile on the causes of accidents and utilize this data for training purposes.

MM/LM/JCO/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
JUNE 16, 2003	MAY 30, 2003	1 of 9	8.2.01

SUBJECT:	
VEHICLE TOW OR RELEASE	
ASSOCIATED MANUAL: DISTRICT, CCS, IMPOUND	RELATED ORDERS: 4.1.01
CHIEF OF POLICE: *Kevin A Kilbane, Acting Chief*	

Revisions are in Italic.

PURPOSE: To establish guidelines for towing or releasing motor vehicles.

POLICY: The Cleveland Division of Police shall ensure that motor vehicles are properly towed.

PROCEDURES:

I. Vehicle/Tow Supplement

A. Use the Vehicle/Tow Supplement Form (Appendix A) to tow privately owned vehicles.

B. Obtain a LEADS check from the district dispatcher or Mobile Data Computer and provide the badge number of the employee performing the check to Channel Seven.

C. Vehicles should not be towed without first performing a LEADS check for stolen. The only exception to this shall be for members of the Bureau of Traffic when specifically exempted by the Traffic Commissioner.

D. Complete the "Vehicle Damage" section for each vehicle towed. A description of vehicle damage is necessary to protect the officers involved and limit claims against the City. If there is no damage, enter the word "NONE".

E. Property Inventory

1. Complete the "Property Inventory" section for each vehicle towed. Vehicles are inventoried to protect citizens and the Division from false

claims. Inventories shall contain a description of property. If there is no property, enter the word "NONE".

2. In the inventory include property found in unlocked closed containers and a description of the container.

3. When conducting inventories, officers shall not open locked containers, trunks, glove boxes or consoles unless they have a key to do so or the vehicle is equipped with an electronic device allowing access to a locked section of the vehicle.

4. The Vehicle/Tow Supplement shall reflect whether or not the trunk, glove box or console is locked and shall describe any locked container.

5. If a locked vehicle is being towed without access to a key, the vehicle shall not be inventoried unless valuables are seen in plain view or access to the passenger compartment is required to complete the tow.

6. **If possible, prior to towing, remove from the vehicle property such as jewelry, cameras, radios, televisions, golf clubs, cellular phones, computers, radar detectors or other valuables.** Tag and enter removed property in the district or unit property book and forward the property to the Property Unit. Complete a Record Management System (RMS) report for the property. Show that a RMS report was completed in the "Property Inventory" section of the Vehicle/Tow Supplement.

F. Private Property Authorization (Vehicles **Not** "Junk")

1. Cleveland Codified Ordinance (CCO) 405.02(b)(1) authorizes members to tow vehicles from private property when the owner, manager or lessee of the **private residential** or **private agricultural property** complains that the vehicle has been parked on the premises for a minimum of four hours.

2. The owner, manager, or lessee of the property must sign an affidavit (Appendix B) to verify that requirements in Section **I, F** have been met.

3. CMHA Estates are public property and the authority to tow is governed by parking laws related to public property. CCO 405.02(a) and 405.02(b)(2).

4. "Private Residential Property" as defined in The Ohio Revised Code (ORC) 4513.60(A)(3) does **not** include property with more than three separate households residing in structure(s) on the property.

5. Do **not** tow vehicles from private property posted as a "private tow-away zone". The vehicle may be ticketed. The owner or their agent may remove the vehicle.

G. Distribution

1. Original (white): VIU copy

   a) Private Property Tows: staple the affidavit to the VIU copy.

   b) Vehicles towed in connection with a crime: a copy of the original (white) shall be included as a page of the crime report and faxed to the report center.

2. Duplicate (canary): Tow agency copy.

3. Triplicate (pink): Owner copy. Give this copy to the tow truck driver. The tow agency forwards it to the Impound Lot officer, and it is given to the owner when the vehicle is claimed.

II. Vehicles that Require Processing

A. Complete the Vehicle Processing Request Form. The officer recovering the vehicle makes the recovery report, unless the VIN cannot be verified.

1. Tow all "burnouts" with <u>unverified</u> VINs to Lot Six.

2. "Burnouts" with <u>verified</u> VINs are towed to the appropriate Lot according to established Division towing procedures.

3. Other vehicles with unverified VINs are towed to Lot Two.

B. Officers shall complete the Form-1 section of the Vehicle Processing Request Form stating details surrounding the request for processing.

C. If a vehicle will be processed for evidence, an officer shall follow the towed vehicle to Lot Two to maintain the chain of evidence.

III. Information for Communication Control Section (CCS) Channel Seven:

A. Name, badge and car numbers of officer requesting the tow.

B. Location of vehicle.

C. Year, make, model, license number and Vehicle Identification Number (VIN).

D. Owner information and condition of the vehicle for suspected stolen and stolen recoveries.

E. Property in vehicle.

F. Reason for the tow.

G. *If the vehicle is being towed in connection with a Use of Deadly Force Incident, officers shall notify Channel Seven and mark "U.D.F. Incident" in the Form-1 section of the Vehicle Processing Request Form.*

H. Whether or not the vehicle will be processed.

I. Extra services required (dolly, flatbed, linkage disconnect, wheels, winch, etc.).

J. Officers requesting tows shall notify Channel Seven upon the arrival of the tow truck.

K. Officers shall notify Channel Seven when the tow truck has not arrived within 30 minutes of the request.

IV. Custody of Vehicles

Officers who request a tow shall remain at the scene until the tow truck arrives, unless required to leave due to urgent police business. The tow truck driver shall sign the Vehicle/Tow Supplement **before** the vehicle is released for towing. If the officers are required to leave the scene before the tow truck arrives, they shall return to the location of the vehicle as soon as possible or another police vehicle shall be dispatched to complete the vehicle tow.

V. Fatal and Serious Non-Fatal Accidents

A. The Accident Investigation Unit (AIU) shall complete the on scene investigation. If further processing of the vehicle(s) is required, the vehicle(s) shall be towed for processing.

B. *Vehicles towed in connection with a fatal accident shall be towed to Lot 2.*

VI. Emergency Tows

A. Emergency tows are requested only when a vehicle poses an immediate danger to the safety of officers and/or citizens (i.e. a vehicle blocking substantial traffic or a vehicle positioned in such a manner that it presents a clear accident risk).

B. The officer notifies Channel Seven of the need for an emergency tow, provides the exact location, make, model and color of the vehicle, and advises whether or not the vehicle will roll.

C. The CCS tow dispatcher shall process the emergency tow request immediately.

D. Once the tow truck moves the vehicle to a non-hazardous location, the officer shall provide the CCS tow dispatcher with the remaining required tow information and receive a VIU number.

VII. Towing Vehicles for Safekeeping

A. The vehicle must be legally parked ***and*** *in danger of damage by obstructing safety forces or public works.*

B. *A vehicle, abandoned due to a medical emergency, may be towed for safekeeping*.

C. Officers shall conduct a LEADS inquiry for license plate information of the vehicle being towed.

D. When the residence of the vehicle's owner is obtained, if owner lives in the area, officers shall make a good faith attempt to contact the owner by proceeding to the address or having CCS call the owner by telephone, so the owner may move the vehicle.

E. If attempts to locate the owner fail, the vehicle shall be towed for safekeeping. No PINs will be issued under these tow conditions.

F. Tows for safekeeping need the approval of a supervisor. The towing officer shall note the name of the supervisor on the Vehicle/Tow Supplement.

G. Vehicles towed for safekeeping shall be towed to Lot Two. Safekeeping vehicles are not "held".

H. Vehicles towed for safekeeping require a Vehicle Processing Request Form. Officers shall circle "Other", write safekeeping next to it on the Vehicle Processing Request Form, and report the details of the tow on the information Form-1 section.

VIII. Officers are required to release a vehicle and cancel the tow when **all** of the following conditions exist:

A. The owner or person claiming possession of the vehicle arrives prior to the tow and produces identification to the satisfaction of the towing officer that they are entitled to possession of the vehicle.

B. The officer feels the owner or other claiming possession is capable of safely taking such possession.

C. The officer feels the flow of traffic will not be unreasonably impeded.

D. The towing officer feels the health; safety or welfare of the public will not be adversely affected.

E. The vehicle has less than four outstanding parking infractions, judgments, or citations.

IX. *Assessment of "Dropped Tow" Fees.*

A. *If the release of a vehicle (described in Section VIII) occurs after the tow truck has arrived and* ***activity to remove the vehicle has commenced****, officers shall:*

1. *Issue a PIN to the owner/operator under the appropriate City Ordinance that has been violated.*

2. *Complete the Vehicle/Tow Supplement form in its entirety.*

3. *In the top left corner of the form write "Tow cancelled in c/w 405.11".*

4. *If a VIU identification number has been issued, place a line through it to indicate that the tow has been cancelled.*

5. *If the tow request was made through CCS, notify the tow dispatcher that the vehicle was released on scene and the tow has been cancelled in accord with CCO 405.11*

6. *In the "additional description" section of the Vehicle/Tow Supplement enter the name, address, and social security number of the person to whom the vehicle is released and write "Vehicle released to" and obtain a signature.*

7. *Advise the person that payment of the "dropped tow" fee may be made in person at the Municipal Clerk of Courts office.*

8. *Officers shall distribute:*

   a) *The original (white) to their Officer-in-Charge (OIC) for review and forwarding to the Impound Unit.*

   b) *The duplicate (Canary) to the tow truck operator.*

   c) *The triplicate (pink) to the owner or person taking possession of the vehicle as a record of the incident.*

B. *The OIC of the Impound Unit Shall:*

1. *Maintain a file of all Vehicle/Tow Supplement forms and Vehicle Impound Unit Tow Record forms received in connection with incomplete tows.*

2. *Cause a copy of each Vehicle/Tow Supplement to be delivered daily to the Municipal Clerk of Courts office.*

X. Abandoned Motor Vehicles

A. Tow abandoned motor vehicles on city streets to city contracted impound lots using city contracted tow companies.

B. Use the half-page, neon-orange, Abandoned Vehicle Warning Form to mark a vehicle when determining its status as abandoned for 72 hours. Record the date, time, location, and vehicle license number on the warning form. Use the space in the lower right corner of the form to give the vehicle owner the officer's name, badge, assignment, and telephone number. The forms are available through the Supply Unit.

C. Use a grease pencil to mark the date and time on the vehicle tires.

D. If the vehicle has not been removed after 72 hours, the officer may tow the vehicle for violation of CCO 451.25.

XI. Junk Motor Vehicles

A. A junk motor vehicle is a motor vehicle that meets **all** of the following requirements:

1. Left on private property for more than 72 hours without permission of the property owner, on a public street or other property open to the public for purposes of vehicular travel or parking, or upon or within the right-of-way of any road or highway, for 48 hours or longer;

2. Three years old or older;

3. Extensively damaged, including, but not limited to any of the following: missing wheels, tires, motor or transmission;

4. Apparently inoperable;

5. Has a fair market value of $1,500 or less.

B. CCO 451.27, Notice to Cover or Remove Junk Motor Vehicles, requires that junk motor vehicles (as defined by Section XI) left on private property for more than 72 hours with the permission of the person who has possession of such property must be covered in a garage or other suitable structure. The first offense is a Minor Misdemeanor. Enforcement of this ordinance requires owner notification.

C. Officers who have knowledge of a suspected junk motor vehicle left uncovered, in the open, on private property shall utilize the Housing Code Violation Warning Form and follow established Division procedures.

D. Junk Motor Vehicles on City Streets

1. Officers shall tow junk motor vehicles on city streets to city contracted impound lots using city contracted tow companies.

2. Basic patrol personnel shall notify the District Junker Detail (DJD) personnel of the location make, model, license plate number and location of abandoned or junk motor vehicles on city streets. If the DJD is unavailable, officers may forward the information to the District administrative officer who shall ensure that the DJD receives the information.

VEHICLE/TOW SUPPLEMENT

V.I.U. NO. | TOW CALLED | TOW ARRIVED | TOW CLEARED | RMS NUMBER

VEHICLE

NO. | LICENSE | STATE | TYPE | STICKER | MO/YR

VIN | YR | MAKE | MODEL | STYLE | COLOR (L) TOP | INTERIOR BOTTOM

ADDITIONAL DESCRIPTION | VALUE

AT TIME OF THEFT - VEHICLE EQUIPPED WITH
☐ RADIO ☐ CASSETTE ☐ CD ☐ SPARE ☐ PROPERTY ORIGINAL: ☐ ENGINE ☐ VIN ☐ TRANS.

INSURANCE CO. | VEHICLE ASSOC. WITH SUSPECT # | VEHICLE ASSOC. WITH VICTIM # | OWNERSHIP VERIFIED BY ☐ RECEIPT ☐ TITLE ☐ CCC #

LISTED OWNER BY PLATE | ADDRESS (NO. STREET, APT., CITY, STATE, ZIP) | PHONE (____)

LISTED OWNER BY IF DIFFERENT THAN PLATE | ADDRESS (NO. STREET, APT., CITY, STATE, ZIP)

OPERATOR IF DIFFERENT THAN OWNER | ADDRESS (NO. STREET, APT., CITY, STATE, ZIP) | PHONE (____)

OWNER HAS ☐ KEYS ☐ TITLE ☐ REGISTRATION | OWNER NOTIFIED OF TOW | DATE | TIME | HOW (O)

TOW INFORMATION

IF CRIME INVOLVED AND VEHICLE TURNED OVER TO OWNER ON SCENE, COMPLETE VEHICLE SECTION OF THE CRIME REPORT AND LIST DAMAGE/STOLEN PARTS IN THE PROPERTY SECTION. LIST ANY OTHER INFORMATION IN THE NARRATIVE.

COMPUTER CHK_____ TERM NO._____

LOCATION OF AUTO | TYPE PLACE (A) | AREA | SECTION

HOW STOLEN
☐ 01 MOTOR RUNNING KEYS IN CAR
☐ 02 UNLOCKED
☐ 03 DUPLICATE KEY USED
☐ 04 WINDOW BROKEN
☐ 05 TOWED
☐ 06 HOT WIRE
☐ 07 SLIM JIM COAT HANGER
☐ 08 TUMBLERS REMOVED
☐ 09 COLUMN PEELED
☐ 10 IGNITION PUNCHED

RECOVERY CONDITION ☐ WRECKED ☐ DAMAGED ☐ GOOD ☐ BURNED ☐ STRIPPED (LIST IN NARR.)

REQUIRES ☐ DOLLY ☐ WHEELS ☐ FLAT BED ☐ LINK DISC

VEHICLE PARTS ☐ BATTERY ☐ RADIATOR ☐ ENGINE ☐ A/C ☐ RADIO ☐ TAPE ☐ CD ☐ KEYS ☐ TRANS

OK TO RELEASE VEHICLE ☐ Y ☐ N

OK RELEASE CONTENTS ☐ Y ☐ N

NO. WHEEL COVERS_____ NO. WHEELS/TIRES_____

☐ VEHICLE LOCKED ☐ GLOVE BOX LOCKED ☐ TRUNK LOCKED

TOW HOOKUP ☐ FRONT ☐ REAR

DAMAGE AT TIME OF TOW: FRONT | REAR | LEFT | RIGHT

DAMAGE OF TIME OF TOW: INTERIOR | WINDOWS | PROPERTY INVENTORY PASSENGER COMP.

PROPERTY INVENTORY: TRUNK | GLOVE BOX

REASON FOR TOW
☐ PARKING ☐ ACCIDENT ☐ ARREST ☐ HIT-SKIP ☐ HOLD AS EVIDENCE ☐ JUNK ☐ PRIVATE PROPERTY
☐ STOLEN ☐ SUSPECTED STOLEN ☐ PROCESS ☐ IMPROPER REGISTRATION ☐ SAFEKEEPING

TICKET NO._____ VIOLATION AND NO._____

OFFICER REQUESTING TOW | BADGE | CAR | DATE | TIME

TOWING AGENCY | CPD LOT # | ADDRESS

CERTIFICATION: I hereby certify that the information in this form has been dilligently reviewed and that this information accurately reflects the identification and condition of the motor vehicle listed above and that the receipt of this vehicle and the above listed property is hereby acknowledged.

TOW TRUCK DRIVER | DATE | TIME

FIELD REPORT COPY - WHITE VIU COPY - PINK TOW AGENCY - CANARY

c of c 71-175 rev 5/00

Authority to Remove Vehicles(s) from Private Residential or Agricultural Property

I, _____ , Address:_____ ,

Phone:_____ , being the o owner o manager o lessee of property

located at _____ do hereby certify that permission has not been given to any person to park the above described vehicle on said property (residential property is defined as three (3) or less households) and that the vehicle has been there more than four (4) hours. I authorize the Cleveland Division of Police to remove or cause said vehicle to be removed.

Signature:_____ Date:_____

Complainant ID type:_____ Complainant SSN:_____

VIU #:_____ License Plate:_____

VIN:_____

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 3	8.2.02

SUBJECT:	
DRIVER LICENSE CHECKPOINT	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To provide guidelines to conduct driver license checkpoints that are minimally intrusive and effective in protecting citizens from unqualified or illegal drivers.

POLICY: The Division of Police shall use driver license checkpoints to deter driving without a valid license. A driver license checkpoint uses a brief traffic stop to determine license status and is not for vehicle safety checks.

PROCEDURE:

I. The District Commander or Traffic Commissioner shall:

A. Plan the time and location of the driver license checkpoint and consider the traffic problems in the area. The physical characteristics of the area selected must allow for checkpoint activity without creating a traffic hazard.

B. Designate a superior officer the Checkpoint OIC.

C. Ensure the site is identifiable as an official police activity with an adequate number of police vehicles, uniformed officers, and traffic control devices.

D. Request media notification through the chain of command.

II. The Checkpoint OIC shall:

A. Conduct a pre-checkpoint briefing for assigned officers, which includes safety procedures and a review of motorist interaction with an emphasis on courtesy.

B. Establish a driver license checkpoint that contains two screening areas.

1. The primary screening area is a roadway section where vehicles will initially be stopped.
2. The secondary screening area is a safe, off the travel portion of the roadway where drivers who could not produce a driver license will be

detained for further investigation: LEADS checks, citations, arrests, vehicle tows, etc.

3. Ensure well lit, reflective warning signs are conspicuously placed to give motorists advanced notice of the driver license checkpoint and allow traffic through the checkpoint at a safe speed.

C. Supervise the driver license checkpoint and ensure that all personnel and equipment are in place and ready to proceed before the first vehicle is stopped.

D. Temporarily or permanently close down the operation if traffic congestion or circumstances arise that warrants discontinuing the operation.

E. Ensure that a chronological written log of stopped vehicles is kept along with enforcement action.

F. Predetermine a neutral selection sequence to stop motorists. Example: One in every five motorists will be stopped.

G. Change the selection sequence if necessitated by traffic volume or checkpoint capacity. Document the change, note the time and the reason for the change.

H. Provide a post checkpoint briefing for detailed officers to discuss improving the effectiveness of the checkpoint.

I. Complete a written post checkpoint report and forward it through the chain of command to the Deputy Chief of Field Operations. It shall include the location, date, and time of the checkpoint, a list of assigned personnel, arrests/citations totals, a description of any unusual events, and suggestions for improvement. Attach the checkpoint vehicle stopped log to this report.

III. Officers shall:

A. Wear the orange reflective safety vest.

B. Stop selected motorists at the primary screening area according to the predetermined neutral selection sequence. Uniformly apply the selection sequence and not vary from it unless directed by the checkpoint OIC.

C. Greet the driver with a standardized statement. The statement will briefly explain the purpose of the checkpoint, estimate the time of delay, and request to view the motorists drivers license.

D. Direct motorists who display a valid driver license to proceed safely.

E. Not delay a motorist more than briefly (approximately 45 seconds) in the primary screening area unless the motorist does not display a valid driver license or the officer:

1. Receives legal consent from the motorist.

2. Articulates reasonable suspicion that a crime has been or is being committed. Example: The motorist shows signs of impairment.

3. Observes a misdemeanor occurring in their presence or the law allows for a probable cause arrest for a misdemeanor.

4. Has probable cause to believe that a felony has occurred.

IV. If the officer contact with a motorist results in one or more of the above, divert the motorist to the secondary screening area. In the secondary screening area, determine the license status of the driver via a LEADS check. If the driver does not have a valid driver license, take appropriate action. However, if the driver has a valid license but it is not in their possession, do not issue a citation.

V. The checkpoint OIC shall assign officers with vehicles at both ends of the checkpoint to observe traffic entering and leaving the checkpoint. If these officers observe illegal activity, they shall describe such behavior to the Checkpoint OIC. Officers may follow and stop motorists **only** after receiving permission from the Checkpoint OIC.

VI. Motorists who have not been selected by the selection sequence, but show signs of obvious impairment, shall be investigated in the secondary screening area. Officers shall not allow obviously impaired motorists to drive within the checkpoint area.

VII. Avoiding a checkpoint is not sufficient reason to justify stopping a motorist. Probable cause or reasonable suspicion of criminal activity or traffic related violations must occur for officers to stop a motorist outside of the sequentially selected stops. Officers shall not pursue motorists that avoid the checkpoint by making a legal turn, absent indicators of impairment or probable cause.

EFL/TAH/LM/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 1, 2002	10/13/09	1 of 5	8.2.03

SUBJECT:	
UNIFORM TRAFFIC TICKETS (UTT)	
ASSOCIATED MANUAL:	RELATED ORDERS: 3.4.01, 3.4.14, 3.4.17
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are in italics

PURPOSE: To establish guidelines to complete the Uniform Traffic Ticket (UTT). To establish a means of positive identification for traffic violators cited for a traffic offense for which the violator can be arrested but is not arrested.

POLICY: The Cleveland Division of Police shall issue the UTT as listed in Part 4 of the Cleveland Codified Ordinances (CCO). The use of Title 45 of the Ohio Revised Code is limited to cases where a comparable CCO does not exist.

Per Ohio Revised Code 2935.26, officers may arrest a violator that refuses to sign the citation.

With the exception of *Operating a Vehicle Under the Influence of Alcohol or Drugs (OVI)* offenses, officers may obtain a thumbprint from a violator in lieu of arresting for an arrestable traffic offense.

Officers shall not issue a UTT when a Misdemeanor Summons or Minor Misdemeanor Citation is the appropriate enforcement instrument.

DEFINITION:

Arrestable Traffic Offense: A traffic offense with a misdemeanor classification higher than a minor misdemeanor (M-4 through M-1), with the exception of Cleveland Codified Ordinance 433.03 - Speed in excess of 25 mph over the posted limit or in excess of fifteen mph over limit in a school zone, a fourth degree misdemeanor.

PROCEDURES:

I. Determining Driver Status:

A. When issuing a UTT an officer shall determine the driving status of violator through the radio dispatcher.

B. Officers unable to complete a driving status check due to dispatch notifying the officer that the computer is "down" shall note such information in the "Remarks" section of the UTT, including the date and time of such notification.

II. *Thumbprint*

A. *Officers citing a violator in lieu of arresting the violator for an arrestable traffic offense shall obtain a thumbprint of the violator in all instances where the violator cannot produce satisfactory identification*. The officer shall place the print in the designated space on the back of the white copy of the Uniform Traffic Ticket (UTT).

B. Officers shall arrest violators who refuse the thumbprint procedure.

C. If a violator denies being the person cited during court proceedings, the prosecutor shall request the bailiff to contact the Crime Scene and Records Unit (CS&RU) and request a fingerprint analyst to respond to the courtroom. CS&RU shall provide a fingerprint analyst upon request.

III. Proof of Financial Responsibility:

A. If a violator is unable to show proof of financial responsibility, advise them:

1. To mail a copy of proof with the fine; or

2. To bring proof to show to personnel at the Clerk of Courts office when paying the fine; or

3. To show the judge or magistrate at court and,

4. That a violator who fails to show proof will result in the suspension of their driver’s license.

B. Lack of financial responsibility proof does not make an offense non-waiverable.

C. Offense Section shall list the violation(s) and reference the Cleveland Codified Ordinances.

IV. Adult Court Dates on the UTT

A. Court dates shall be set for 14 days from date of issuance of a (non-arrest) misdemeanor traffic offense(s). *Courtroom appearances shall be set for 1330 hours in Court Room 3-B.*

B. The court date shall be set for within five *court business* days of issuance *of Driving Under Suspension (DUS) with a vehicle seizure under ORC 4507.38*.

C. Violators who are issued a UTT for a misdemeanor traffic offense <u>and</u> are also arrested for an unrelated offense shall have a UTT court date set for 14 days from the date of issuance.

D. Violators who are arrested for an arrestable traffic offense shall have their court date scheduled for the next business day's court date. All other non-arrestable UTT's issued contemporaneously with the traffic offense for which the violator is being arrested shall also have their court date scheduled for the next business day's court date.

E. For violators arrested for *Operating a Motor Vehicle While Intoxicated (OVI)*, the next scheduled court date shall be within five *calendar* days from the date of issuance.

F. UTTs issued on Saturday shall have their court date for a Friday, 13 days from the date of issuance. *UTTs issued on a Sunday shall have their court date set for a Monday, 15 days from the date of issuance*.

G. In instances where the scheduled court date falls on a holiday, the court date shall be set for the next date that the court is in session after that holiday.

H. *Officers shall refer to Divisional Notices that are issued periodically to inform them of changes and deviations from the standard court schedule.*

I. *In instances where a UTT and Minor Misdemeanor Citation (MMC) are being issued concurrently to the same offender, the court appearances shall be set for 0830 hours in Court Room 3-C.*

J. In instances where *a UTT and/or MMC are issued to an offender concurrent with the offender's arrest for a felony, the issuing officer shall forgo setting a court date but rather will indicate "felony arrest" in the space for court date. The charging detective shall handle any UTT's and/or MMC's.*

V. Officers shall complete the back of the white copy of the UTT for juvenile traffic offenses. The court date for juvenile violators shall be set as follows:

A. Juveniles who are cited and/or physically arrested (booked) and released shall have their court date set for 0900 hours 14 days from the date of issuance.

B. Juveniles cited for DUI, whether booked and released or turned over to the Juvenile Court authorities, shall have their court date set for the next business day's court date at 0900 hours.

C. No court date shall be assigned for UTT violations of juveniles admitted to the juvenile detention facility on charges unrelated to the UTT.

D. In juvenile cases where a scheduled court date falls on a Saturday, Sunday or court holiday, the court date shall be set for the next date that court is in session.

VI. *If an issued UTT contains a substantive error (such as an inaccurate court date) that requires notification of the violator, the officer shall correct the error and contact the violator to advise them of any changes. The officer contacting the violator shall make a notation on the UTT of the date and time of notification as well as a notation of the name and badge of the officer making the notification.*

VII. *The Ohio Revised Code requires officers issuing Uniform Traffic Tickets (UTTs) to personally serve the UTT to the violator. Only in* ***very limited circumstances*** *may an officer issue a summons in lieu of a UTT. Examples of limited circumstances include instances where additional investigation is necessary, or the violator is not present due to having been transported to a hospital for injuries, or the offense involves Unlawful Entrustment. Issuing a summons in lieu of a UTT for the sake of expediency or even a priority assignment is <u>not</u> legally sufficient to avoid personal service on the violator. The officer issuing a summons in lieu of a UTT shall use the "Remarks" section of the UTT to articulate the reason for issuing a summons.*

VIII. *UTT with enhanced moving violations*

A. *Officers who cite violators who have prior enhanced moving violations such as speed, failure to control, etc. with one or two prior offenses/convictions within the previous 12 months may cite new moving violations as a fourth or third degree misdemeanor. Violators* ***must*** *be given notice of the offense level with which they are being charged. M-4 or M-3 tickets must be marked as such and the reason for enhancement clearly stated on the UTT.*

B. *A moving violation enhancement, to be properly charged at higher penalty, must include the offense, offense and conviction date, court and new offense level. A complete and correct enhancement shall be noted as follows: Speed, 5-05-08 and 5-29-08, Cleveland, M-4. The M-4 or M-3 designation must be written large enough and circled so the violator and the Clerk's Office can easily notice the enhancement.*

C. *Prior offenses of OVI must also be noted on the UTT. This is particularly important in the case of a refusal where higher penalties attach when a defendant has a prior conviction. In almost all circumstances, two charges of OVI shall be present - to wit 433.01A1 the standard OVI observation and 433.01A2-9 (alcohol result)/4511.19A1(j)(i-x) (drug result) or for a refusal prior conviction 4511.19A2. The only time a violator will have a single charge of OVI is when it is the violator's first ever OVI offense and they refuse a test. In this instance only the standard OVI observation is charged.*

IX. *In circumstances when more than one officer is involved in the citation or summons of a violator for a traffic violation and/or misdemeanor citation where a UTT and/or MMC is being issued, officers shall **not** split the writing of UTT's or MMC's. Only **one** officer's name shall appear on the citing or summonsing instruments.*

X. *Completed UTT's (as well as MMC's) must be turned in at the end of each shift. The on-duty OIC receiving the UTT's/MMC's shall review each UTT/MMC for correctness and affix their initials and badge number in the lower right hand area of the UTT to indicate their review. UTT's/MMC's needing corrections shall be returned to the issuing officer for the proper corrections.*

XI. *UTT's (and MMC's) shall not be "held" by the issuing officer or the administrative officer logging in the tickets. UTT's (and MMC's) must be forwarded expeditiously in the Lock Boxes on a daily basis to the Clerk of Courts.*

MM/TAH/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 4	8.2.04

SUBJECT:	
SOBRIETY CHECKPOINTS	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To provide guidelines to conduct sobriety checkpoints that are minimally intrusive and maximize deterrent effects on those who drive under the influence of alcohol or drugs.

POLICY: The Cleveland Division of Police shall use sobriety checkpoints to deter driving under the influence of alcohol or drugs. Sobriety checkpoints deter this behavior by increasing a motorist's perceived risk of detection and arrest. They are not vehicle safety checks and are not expected to yield a high number of citations.

DEFINITION: A sobriety checkpoint is a brief random traffic stop during which a few standard questions are asked relevant to sobriety.

PROCEDURES:

I. Pre-Checkpoint activities

A. Planning: Sobriety checkpoints shall be planned in advance. The District Commander/Traffic Commissioner shall determine the time and location of the sobriety checkpoint and shall consider the history of alcohol-related crashes and DUI violations in the area and request media notification. The physical characteristics of the area must allow for a checkpoint without creating a traffic hazard.

B. Checkpoint Officer in Charge (OIC): The Commander/Commissioner shall designate a superior officer the Checkpoint OIC. The Checkpoint OIC shall oversee the operation of the sobriety checkpoint. If traffic congestion or circumstances arise, that warrants discontinuation the checkpoint OIC shall temporarily or permanently close the operation.

C. The sobriety checkpoint shall allow for two screening areas.

1. The primary screening area is a roadway section used to stop vehicles initially.

2. The secondary screening area is a safe, off the travel portion of the roadway used to investigate detained vehicles and/or drivers, to conduct field sobriety tests, issue citations, affect arrests, and tow vehicles.

D. The Checkpoint OIC shall provide a pre-checkpoint briefing for assigned officers and include an overview of impaired driver characteristics, checkpoint safety procedures and officer/motorist interaction that emphasizes courtesy.

E. Physical layout: checkpoints shall be equipped with distant signage warning that a sobriety checkpoint is ahead. The checkpoint area must have flashing lights and permanently burning flares. An avoidance route for drivers who wish to avoid the checkpoint shall be provided following the initial warning, but before the driver reaches the checkpoint greeting station.

II. Conducting the Checkpoint

A. Safety:

1. The Checkpoint OIC shall supervise the sobriety checkpoint, ensure that personnel and equipment are placed, and ready before the first vehicle stop. Officers shall wear the orange traffic vest.

2. Motorists shall be given advance notice of the sobriety checkpoint with well-lit reflective signs conspicuously posted. The warning signs shall be placed to allow traffic through the checkpoint at a safe speed.

3. The Commander/Commissioner shall ensure that an adequate number of police vehicles, uniformed officers, and traffic control devices identify the site as an official police activity.

B. Stop-Ratio: Selected motorists are stopped at the primary screening area according to a pre-determined neutral stop-ratio. The stop-ratio shall be applied uniformly. Officers shall not vary the ratio. Only the Checkpoint OIC shall change the stop ratio if traffic volume or checkpoint capacity

necessitates. The OIC shall document the change noting the time of and reason for the change.

C. Vehicle Log: The Checkpoint OIC shall ensure that a chronological written log is kept of vehicles stopped and shall include enforcement action taken.

D. Primary Screening: Vehicles selected for a sobriety check shall follow a pre-determined stop-ratio.

E. The officer shall greet the driver with a standardized statement that briefly explains the checkpoint purpose, estimates the delay time, and contains a request to view the driver license. While interviewing, the officer shall look for signs of driver impairment (odor, slurred speech, lack of physical coordination, unusual eye movements, disorientation, etc). Drivers who do not display signs of impairment shall be directed to proceed safely. The primary screening shall not delay a motorist briefly (approximately 45 seconds) unless the officer:

1. Receives legal consent from the driver.

2. Articulates reasonable suspicion that a crime has been or is being committed (i.e. signs of impairment).

3. Observes a misdemeanor or the law allows a probable cause misdemeanor arrest.

4. Has probable cause to believe that a felony has occurred.

F. Secondary Screening: If the officer contact with the driver results in one of the above, the driver shall be diverted to the secondary screening area for alcohol/drug impairment screening. (If impairment is obvious, the officer shall remove the driver from the vehicle and walk the driver to the secondary screening area and another officer shall move the suspect vehicle to the secondary screening area.) Officers shall use standard field sobriety tests. Drivers who cannot demonstrate driving fitness shall be arrested and transported to a booking facility.

G. Observation of Motorist: Officers with marked vehicles shall be assigned at either end of the checkpoint to observe traffic entering and leaving the checkpoint. They shall watch for drivers who exhibit impaired behavior, i.e.

switching drivers, placing contraband under the seat, or making illegal turns to avoid the checkpoint. Officers shall describe such behavior to the Checkpoint OIC. Only after receiving permission from the Checkpoint OIC may officers follow and stop such motorists.

Drivers, <u>not</u> selected by stop-ratio, who show signs of obvious impairment, shall be investigated in the secondary screening area. Officers shall not allow obviously impaired drivers to drive within the checkpoint area.

H. Avoiding a checkpoint is not sufficient reason to justify stopping a driver. Probable cause or reasonable suspicion of criminal activity or traffic related violations must occur to stop a vehicle outside of the sequentially selected stops. Motorists, who avoid the checkpoint by making a **legal** turn, absent indicators of impairment or probable cause shall not be pursued.

III. Post Checkpoint Activities

A. The Checkpoint OIC shall conduct a checkpoint debriefing for detailed officers to discuss improving future effectiveness for sobriety checkpoints.

B. The Checkpoint OIC shall make a written report and forward it through the chain of command to the Deputy Chief of Field Operations. It shall include the checkpoint location, date, and time, personnel assigned, arrest/citation totals, a description of unusual events, and suggestions to improve future checkpoints.

C. The vehicle log shall be attached to the report.

EFL/TAH/LM/pmz
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
JANUARY 19, 2007	JANUARY 17, 2007	1 of 5	8.2.05

SUBJECT:	
OPERATING A VEHICLE WHILE INTOXICATED (OVI)	
ASSOCIATED MANUAL: DISTRICT, CRIME SCENE & RECORDS	RELATED ORDERS: 3.4.14
CHIEF OF POLICE: *Michael McGrath, Chief*	

Revisions are printed in Italic.

PURPOSE: To establish procedures for OVI enforcement.

POLICY: It is the policy of the Division of Police to detect and arrest drivers when there is probable cause to believe they are operating vehicles while under the influence of alcohol and or drugs.

PROCEDURES:

I. Felony OVI

Certain prior convictions make OVI a felony. Three or more OVI convictions in the last six years, any prior felony OVI, any previous conviction in the last six years for OVI related Involuntary Manslaughter, Aggravated Vehicular Homicide, Vehicular Homicide, or Aggravated Vehicular Assault makes the current OVI a felony. ***If prior convictions exist to warrant a charge of felony OVI, citations are not issued to the violator for OVI/DUI. The citation shall be filled out and the white, green, pink, and yellow copies forwarded with the booking papers.***
If a felony is warranted; the detectives shall hold the citations. They shall not issue them to the prosecutor. If there is no felony the detectives can issue the completed pre- written citation with all the correct information to the prosecutor.
Check the LEADS printout to ascertain prior convictions. If LEADS is down, or the offender has a fresh conviction that has not shown up, the offender shall be charged with ONLY a misdemeanor. If it is later learned that a felony charge is appropriate the detectives shall nolle the misdemeanor and make a felony charge, provided the case has not yet been disposed. The Record Management System (RMS) report must include the prior conviction particulars in the narrative. District detectives must be provided with a copy of the RMS Report and the LEADS printout.

II. The BMV Form 2255 must be completed for all OVI arrests. The BMV 2255 is titled, "Report of Peace Officer, Administrative License Suspension/Notice of Possible CDL Disqualification, Immobilization/Forfeiture." Rev.7/06.

III. The following must be forwarded with the booking card.

A. Goldenrod copy of Form BMV 2255

B. Alcohol Influence Form

C. BAC Data Master print-out and form if applicable

D. LEADS print outs of driver and vehicle

E. White copy of UTT (non felony OVI).

IV. Chemical Tests

A. Every effort shall be made to administer chemical tests within three hours of the violation. The breath test is the primary method used to determine the alcohol concentration. Urine testing shall be used when breath test equipment is unavailable, or if drug use is suspected. A refusal to submit to a urine test shall be treated as a refusal even if the violator has already submitted to a breath test.

B. Blood tests shall only be used when breath and urine tests are unavailable, or it appears that medical treatment will extend beyond two hours. If violators are dead, unconscious, or otherwise incapable to refuse, they are deemed not to have withdrawn consent; therefore, a blood sample may be obtained.

C. Urine and blood samples:
Samples shall be immediately transported to SIU (or Central Prison Unit when SIU is closed) using the re-sealable specimen transport bag. The white copy of Form BVM 2255 and the ORIGINAL Alcohol/Drug Influence Report shall accompany samples.

V. Citations

Violators arrested for OVI shall be cited for CCO 433.01 (a) (1) *unless they are*

being arrested for a Felony OVI. If being arrested for a felony OVI proceed as stated in Section I. Set court dates within five days from the date of issuance. Depending on the age of the violator, the type of test, and the results, violators shall be cited for additional charges as listed below. Because the results of urine and blood tests are not known, officers shall complete the citation assuming the alcohol content is above the statutory level of presumed impairment**.**

Age of Violator	**Type of Test**	**Results**	**Charge**
All ages	Refusal	N/A	CCO 433.01 (a) (1)
21 and over	Breath	.08 or more but less than .17	CCO 433.01 (a) (4)
21 and over	Urine	.11 or more but less than .238	CCO 433.01 (a) (5)
21 and over	Blood(whole)	.08% or more but less than .17%	CCO 433.01 (a) (2)
21 and over	Blood(whole)	.17% or more	CCO 433.01 (a) (6)
21 and over	Breath	.17 or more	CCO 433.01 (a) (8)
21 and over	Urine	.238 or more	CCO 433.01 (a) (9)
Under 21	Breath	.02 but less than .08	CCO 433.01 (b)(3)
Under 21	Urine	.028 but less than .11	CCO 433.01 (b)(4)
Under 21	Blood	.02% but less than **.08%**	CCO 433.01 (b)(1)
21 and over	Blood serum or plasma	.96 or more but less than .204	CCO 433.01 (a)(3)
21 and over	Blood serum or plasma	.204 or more	CCO 433.01(a)(7)

VI. Drug per-se chemical tests-Juvenile and Adult

	Drug per se levels 4511.19 (J)		
DRUG	URINE	Whole Blood/ Serum/Plasma	4511.19(j)
Amphetamine	> 500ng/mL	>100 ng/mL	(J)(1)
Cocaine	>150ng/mL	>50 ng/mL	(J)(2)
Cocaine Metabolite	> 150ng/mL	>50 ng/mL	(J)(3)
Heroin	>2000ng/mL	>50 ng/mL	(J)(4)
Heroin Metabolite 6 monoacetyl morphine	> 10ng/mL	>10 ng/mL	(J)(5)
L.S.D.	>25ng/mL	>10 ng/mL	(J)(6)
Marihuana	>10ng/mL	>2 ng/mL	(J)(7)
Marihuana Metabolite	>15ng/mL	>5 ng/mL	(J)(8)(I)
Marihuana Metabolite	>35ng/mL	>50 ng/mL	(J)(8)(II)
Methamphetamine	>500ng/mL	>100 ng/mL	(J)(9)
Phencyclidine	>25ng/mL	>10 ng/mL	(J)(10)

VII. Marihuana Metabolites

A. If an officer has evidence of impairment **AND** charges 4511.19(A)(1)(a) based roadside field sobriety tests and other indicia of impairment charge with 4511.19(J)(8)(I).

B. If an officer has no evidence of impairment and does not charge 4511.19(A)(1)(a) charge with 4511.19(J)(8)(II).

VIII. BMV 2255 Administrative License Suspension.

A. The three hour time limit for obtaining a chemical test or tests does not extend the two hour time limit in which an officer must request and a person consents or refuses to a chemical test.

B. ALS warnings remain two hours from the alleged violation.

IX. Seizure/forfeiture of vehicle: If the violator has one or two OVI convictions within the last six years, and the violator is the owner, the vehicle shall be towed for an OVI seizure. If the violator has three or more OVI convictions within the last six years, and the violator is the owner, the vehicle shall be towed for OVI forfeiture. Channel Seven must be advised of the hold and a notation must be made on the tow sheet. **If the violator does not have any OVI convictions the violator's vehicle may be towed, but do not place a hold on the vehicle.**

X. Administrative License Suspension: When a driver refuses a chemical test or tests over the legal limit the driver shall have their license immediately seized and suspended. This is an Administrative License Suspension (ALS).

A. Persons under 21 who submit to a breath test, which results in a BAC of .02 to below .08, shall **not** have their license suspended.

B. **When using urine or blood tests results are not immediately known so an administrative license suspension cannot be imposed. The BMV 2255 still must be completed.**

C. In ALS cases, the seized driver license shall be mailed to the Bureau of Motor Vehicles along with the white copy of the Form BMV 2255. Pre-printed envelopes for this purpose are available from the Supply Unit.

Glassine envelopes shall not be used for forwarding licenses to the BMV.

D. Violators who test below the legal limit shall not have their driving privileges administratively suspended.

E. If the license is unavailable for surrender, the violator shall be charged with "Failure to Display an Operator's License" and the white copy of the Form BMV 2255 shall be mailed to the Bureau of Motor Vehicles without the license.

1. If the violator does have a driver license but it is unavailable for surrender the officer shall cite the offender for "Failure to Display a Driver License", CCO 435.06.

2. If the violator does not have or never had a valid driver license they should be cited for "Driver License Required", CCO 435.01

F. The above three hour time limit does not extend the two hour time limit specified in 4511.192 when an officer requests and a person consents or refuses a chemical test using the BMV 2255. ALS warnings remain two hours from the alleged violation. Commercial Driver License: A driver of a commercial motor vehicle who also holds a Commercial Driver License (CDL) and is arrested for OVI shall be cited for Ohio Revised Code 4506.15, Driving a Commercial Vehicle While Having a Prohibited Concentration of Alcohol, instead of CCO 433.01.

XI. Commercial Driver License: A driver of a commercial vehicle who also holds a Commercial Driver License (CDL) and is arrested for OVI shall be cited for Ohio Revised Code 4506.15, Driving a Commercial Vehicle While Having A Prohibited Concentration of Alcohol, instead of CCO 433.01.

MM/TAH/JCO/RS/pmz
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	**10/16/08**	1 of 2	8.2.06

SUBJECT:	
SNOW EMERGENCY RESPONSE	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are in italics

PURPOSE: To establish Cleveland Division of Police procedures during a snow emergency.

POLICY: The Division shall maintain traffic flow during a snow emergency.

DEFINITION: A snow emergency may exist when two or more inches of snow fall in the City of Cleveland or a part of the City during a 24-hour period.

The Director of Public Services has the authority to designate snow emergency streets.

The Director of Public Safety has the authority to declare and end a snow emergency.

PROCEDURES:

I. The Communications Control Section (CCS) shall notify field personnel of the initiation, continuation and termination of a snow emergency. CCS shall maintain a listing of streets designated as snow emergency streets and through streets.

II. Parking is prohibited on snow emergency streets one hour after the media broadcasts a snow emergency.

III. *The Director of Public Safety may prohibit parking on any or all streets designated as through streets and highways by Cleveland Codified Ordinance (CCO) 413.02. During the emergency declared by the Director of Public Safety, no person shall park, or cause or permit to be parked or permit to remain parked, or abandon or leave unattended, any vehicle of any kind or description upon such specified streets. However, vehicles may be parked for a period of not longer than three minutes for actual loading or unloading of passengers or thirty minutes for actual loading or unloading of property if no other ordinance restricting parking as to place or time is violated thereby(CCO 451.17). Vehicles found to be in violation may be impounded.*

IV. Officers shall ticket and tow vehicles parked on a street designated by a sign as a snow emergency street *and any other street as so designated by the Director of Public Safety. Before enforcement action is taken, officers shall contact CCS to verify as necessary whether a particular street is included in the snow parking ban*.

V. *As environmental conditions persist or worsen*, district commanders may use district support personnel to deploy additional details. *The Traffic Commissioner may use any number of Bureau of Traffic members to assist in the snow emergency response.*

VI. Patrol Section officers responsible for responding to radio assignments shall inform CCS of changing conditions and enforce the snow emergency parking ban as time permits. *Patrol Section officers may request CCS to make the appropriate contacts to plow and salt freeways and city streets as necessary*.

MM/TAH/JCO/ajg

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	8.2.07

SUBJECT:	
CITIZEN STOPS	
ASSOCIATED MANUAL:	RELATED ORDERS: 8.2.03
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

RESCINDED EFF. 01/01/20
SEE NEW GPOs 2.02.01-2.02.04

PURPOSE: To ensure proactive enforcement and fair treatment of citizens.

POLICY: Members of the Division of Police shall be vigilant and take appropriate enforcement action. Stopping a citizen constitutes a seizure. **Members shall not stop a person only due to the person's race, ethnicity, religion, gender, or sexual orientation.** Members shall treat all persons with proper courtesy and dignity, and shall speak and act professionally. Officers shall **not** stop a person without the ability to articulate suspicion for the stop.

PROCEDURES:

I. When conducting a stop, officers shall consider the following suspect factors:

A. Appearance

B. Actions

C. Demeanor

D. Officer's prior knowledge

E. Area

F. Time of day

G. Prior police training and experience

H. Police purpose

I. Source of information

II. Officers shall inform the person of the reason for the stop.

III. Officers shall not continue to hold a person once they are cited or warned, unless there is reasonable suspicion of further criminal activity.

IV. Officers of the Division shall enforce laws, and detain suspects whenever there is reasonable suspicion that they have committed, are committing, or are about to commit an infraction.

V. Officers shall notify the Communication Control Section (CCS) before every stop. At the conclusion of the stop, the officer shall document the stop and the action taken and report this action to CCS.

VI. Traffic Stop Objectives:

A. Interrupt an ongoing violation of the law.

B. Prevent traffic crashes and hazardous conditions.

C. Have a symbolic effort on other traffic; a police car with a violator pulled over demonstrates to the public that the police are visibly on patrol.

D. Detect evidence of a more serious violation.

E. Have a positive effect on the motorist's future driving behavior by acting in a professional manner.

RESCINDED EFF. 01/01/20
SEE NEW GPOs 2.02.01-2.02.04

EFL/TAH/LM/mg/cld
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
08-09-05		1 of 2	8.2.08

SUBJECT:	
PHOTO ENFORCEMENT PROGRAM	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

RESCINDED EFF. 03/01/15
PROGRAM DISCONTINUED-
DUE OHIO SB 342

PURPOSE: To implement and set guidelines for the Photo Enforcement Program within the Bureau of Traffic.

POLICY: The Cleveland Division of Police has authorization for automated cameras to impose civil penalties for red light and speed violations. The Traffic Commissioner shall implement and monitor the Photo Enforcement Program utilizing red light, fixed speed, and mobile speed enforcement units.

DEFINITION:

Mobile Speed Enforcement Unit means a photographic/digital mobile speed violation-monitoring device consisting of a digital camera, flash, central processing unit, police vehicle, and radar antenna capable of accurately measuring speed violations by motor vehicles. Such Mobile Speed Enforcement Unit shall record the violation information on a photograph of the vehicle.

PROCEDURES:

I. Cleveland Codified Ordinance Section 413.13 authorizes the use of automated cameras to impose civil liability and monetary fines on the owner of a vehicle for failure of the vehicle's operator to stop at a traffic signal displaying a steady red light or for failure of the operator to comply with a speed limit.

II. The violations are recorded photographically at selected intersections using red light, fixed speed, and mobile speed enforcement units. The Bureau of Traffic shall implement and monitor a Photo Enforcement Program using these units in conformance with CCO Section 413.13.

III. The City has the responsibility for the regular maintenance, repair and/or replacement of all camera units. The Traffic Commissioner shall make random checks of the camera systems to ensure that measurement and servicing have been completed accurately.

IV. A sworn member of the Division shall review all red light and speed violations recorded photographically, by an automated camera, before a Notice of Infraction is mailed to a vehicle owner.

V. Officers of the Bureau of Traffic may be assigned to operate a mobile speed enforcement unit according to procedures put in place by the Commissioner of the Bureau of Traffic.

VI. Officers who take police action while assigned to mobile speed enforcement shall inform the district dispatcher of their activities and log the particulars in the Traffic Duty Report.

VII. The Parking Violation Bureau shall answer telephone inquiries regarding a Notice of Infraction received or the Photo Enforcement Program in general and hear all appeals. The Bureau shall also assist alleged violators, scheduling appointments to view violation photographs and answering routine questions. All discovery requests that are part of the adjudication process shall be handled by the Parking Violation Bureau.

RESCINDED EFF. 03/01/15
PROGRAM DISCONTINUED-
DUE OHIO SB 342

MCM/TAH/MAD/pmz
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
JUNE 01, 2008	**February 16, 2010**	1 of 2	8.2.09

SUBJECT:	
OVI BAC BREATH TESTING PROCEDURES AT THE CENTRAL PRISON UNIT	
ASSOCIATED MANUAL:	RELATED ORDERS: 3.4.14, 8.2.05
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To establish Cleveland Division of Police guidelines for conducting breath testing at the Division of Correction Central Prison Unit (CPU) for individuals arrested for Operating a Vehicle while Intoxicated (OVI).

POLICY: It is the policy of the Division of Police to have individuals who are arrested for OVI to submit to a Blood Alcohol Content (BAC) test. The primary method of BAC testing is the breath test.

PROCEDURES:

I. When officers have an individual arrested for OVI that they want tested at CPU they shall inform the Communications Control Section (CCS) of the arrest.

A. The CCS shall notify the Cleveland Division of Correction supervisor at CPU that a subject has been arrested for OVI and will be enroute for booking and testing.

B. Upon arrival of the officers with the OVI offender, the Division of Correction supervisor shall turn on the OVI video recording equipment and set it to record prior to the officers and OVI offender entering the BAC testing area. A Division of Correction supervisor shall ensure that the video recording equipment is recording whenever an officer or the offender is in the BAC testing area, even if this requires that the equipment be turned on and the recording started again if the officer or offender re-enters the area for any reason.

C. Officers shall ensure that the door to the testing area is closed while testing and recording are in progress.

D. Upon completion of the OVI test the Division of Correction supervisor shall stop the recording and turn off the OVI video recording equipment.

II. OVI Breath Testing

A. The BAC testing instrument operator shall complete the BAC DataMaster subject test form and BAC DataMaster evidence ticket. Refer to GPO 8.2.05 for the appropriate procedures.

B. If the subject refuses the breath test, a BAC DataMaster subject test form and BAC DataMaster evidence ticket shall be completed.

C. The BAC testing instrument operator shall place a copy of each OVI citation in the designated basket for the Jail Liaison Officer. The Jail Liaison Officer is a supervisory position directly in the chain of command of the Commander of the Bureau of Administrative Services.

D. The arresting officer shall enter information into the BAC testing logbook as indicated in the logbook.

III. The Jail Liaison Officer shall check the video recording equipment on every business day and copy each video recording of an OVI testing incident from the hard drive of the DVR to a separate compact disk (DVD+R). When the Jail Liaison Officer is not available to perform this function, the Commander of the Bureau of Administrative Services shall assign another supervisor to perform this function.

A. This DVD+R shall be marked as evidence and entered into the property book kept on location in the testing area.

B. The Jail Liaison Officer shall write the CAD number and defendant's first and last name on the DVD+R. A copy of the citation shall be attached to property envelope. Refer to GPO 10.1.3 for the proper completion of the property envelope.

IV. The Jail Liaison Officer shall convey the evidence to the Property Unit.

V. The Jail Liaison Officer shall ensure that the BAC testing area is supplied with all the necessary testing supplies, including but not limited to BAC DataMaster subject test forms, BAC DataMaster evidence ticket, hard bound sequentially number logbooks for recording of BAC tests and evidence information, property/evidence envelopes, DVD+R's and any other supplies as needed.

VI. The Jail Liaison Officer or Bureau of Administrative Services Commander's designee shall be the only persons permitted to remove evidentiary DVD+R's from the BAC testing area.

MM/TAH/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
December 14, 2006	July 23, 2014	1 of 6	9.1.01

SUBJECT:	
COMMUNICATIONS: RADIO PROTOCOL	
ASSOCIATED MANUAL: MANUAL OF RULES - CHAPTER VII, CCS	RELATED ORDERS:
CHIEF OF POLICE: *Calvin D. Williams, Chief*	

Substantive changes are italicized

PURPOSE: To establish guidelines for 24 hour, two-way radio communication between Division on-duty field personnel and the Communications Control Section (CCS).

POLICY: Cleveland Division of Police members shall use the City's 800 MHz radio system for two-way radio communications. *All communications with CCS are recorded*.

PROCEDURES:

I. Talkgroups

A. Each district shall be assigned a Primary and a Tactical talkgroup.

1. The Primary talkgroup shall be used for normal broadcast operations and to report on the air for units working within the district.

2. The Tactical talkgroup shall be used for special district details or undercover work by district support units. The district tactical talkgroup is not monitored continuously.

B. Bureaus, sections, units and the Bureau of Traffic shall use their assigned talkgroups to conduct specific details and activities.

C. Members shall forward requests, through their chain of command to the Bureau of Communications *and Property Control*, to use the Special Events *1* and *Special Events 2* talkgroups.

D. Members shall use only the *City and Public Safety* talkgroups during a large-scale incident or emergency. Field personnel shall not use these talkgroups unless so ordered by a CCS supervisor.

II. *Member* Responsibilities

A. *Members shall be responsible for the proper care, maintenance, serviceability, cleanliness, and safekeeping of their issued portable radio, two batteries, charger, lapel microphone, and carriers.*

B. *Members shall not permanently mark, engrave, or deface any City-issued portable radio, battery, or accessory. Every radio and battery has a unique serial number. Officers are encouraged to note the serial numbers of the equipment issued to them.*

C. *Use of any radio accessory other than those issued by the Division is prohibited.*

D. *Portable radios shall be inspected on a quarterly basis concurrent with the Quarterly Equipment Inspection (Attachment A). Inspection shall include a visual confirmation that the member is in possession of the assigned portable radio and that there are no signs of excessive wear or damage.*

E. *District and unit Officers-in-Charge (OICs) shall maintain a log of and be responsible for inspecting and accounting for spare portable radios and batteries.*

F. *Members whose duties require them to be in contact with the CCS shall maintain their portable radio, with a charged battery, on their person or ready-at-hand.*

G. *Members may use their portable radio while engaged in secondary employment.*

H. *Members shall not use their portable radio to contact CCS for police service when the member is off-duty, unless it is an emergency situation (e.g. shooting, robbery, officer needs assistance) where immediate action is needed. Off-duty members shall contact CCS via phone for all non-emergency communication. Members needing to contact CCS while off-duty or on secondary employment shall:*

1. *Identify themselves to CCS as off-duty and give their name and badge number; and*

2. *State their location and if they are in a uniform or plain clothes; and*

3. *State the nature of assistance required*.

I. *Members* shall notify their OIC *if the portable radio they are using is not the one issued to them and the reason why before* leaving their base. *The OIC will then determine if an investigation or discipline is appropriate.*

1. Immediately after roll call, the OIC shall fax a **District Assignment Line Up Sheet,** (*Attachment B or C*) completed with member's call number, assigned car, rank, badge, RMS number, portable radio ID and mobile data terminal numbers, to CCS. The boxes on the sheet for Taser and/or Crisis Intervention trained members are checked only if the member has completed and maintained the indicated trainings.

2. The OIC shall notify CCS if a member is *not using their assigned portable radio* or changes portable radios after the start of their tour.

J. *Members* shall communicate professionally, using the Division's established phonetic alphabet and military time.

K. Radio transmissions shall be short and concise; the 800 MHz system ends transmissions over 60 seconds.

L. Members shall request, by radio through their district dispatcher:

1. Incident numbers.

2. Animal Control Services.

3. Traffic signal repair or sign replacement.

4. Notifications of a utility company.

5. Information or service from another City department or private organization.

M. If a member loses or has a radio stolen their supervisor shall conduct an investigation and have the CCS supervisor *notify the Office of Radio Communication to have the radio disabled*.

1. *Members needing to obtain a replacement portable radio shall:*

a. *Present their current portable radio to Radio Communications Service Center (4600 Harvard Avenue). If the member has no radio or a damaged radio to exchange, they shall present a Form-1 endorsed by a supervisor and/or a Record Management System (RMS) report detailing the reason for the damage or why there is no equipment to exchange.*

b. *Be issued a portable radio from the cache of spare portable radios and document the exchange on a new "Statement of receipt and acknowledgment of responsibility" sheet which identifies the serial number(s) of any new equipment issued to a member*

c. *Be provided a copy of the "Statement of receipt and acknowledgment of responsibility" sheet. The original will be forwarded by Radio Repair to the Personnel Unit for inclusion in the member's personnel file.*

2. *The master database of portable radio and battery assignments will be updated by Radio Repair and a copy emailed to the Commander of the Bureau of Communications and Property Control monthly.*

III. *In order to keep the master database current, the Commander of the Bureau of Communications and Property Control shall ensure Radio Repair is notified when a member transfers assignment.*

IV. Emergency Alarm

A. 800 MHz mobile and portable radios have an emergency alarm that shall be used only if help is needed immediately; it notifies CCS that a *member* needs assistance.

1. The dispatcher shall send assistance to the *member's* last known location.

2. The emergency alarm **shall** **not** be used to announce a vehicle pursuit.

B. *Deactivating the emergency alarm requires pressing the button for approximately two seconds. A short tone will verify deactivation.*

V. Redundancy / Failure Protocols

The 800 MHz digital system has *two* levels of redundancy: Site Trunking *and* Failsoft. **Field units do not lose the ability to communicate with each other during any level of redundancy.**

A. Level 1: Site Trunking

1. "**Site Trunking"** *is a condition that affects console radios in CCS only*.

2. Field units can communicate with each other and with CCS.

3. CCS shall immediately dispatch *using a backup means of communication*.

B. Level 2: Failsoft

1. "**Failsoft"** will display on mobile and portable radios and beep every *10 seconds*.

2. Each district will be assigned a frequency shared by the Primary *and* Tactical talkgroups.

3. Busy tones may be experienced since there are fewer available frequencies. Members shall keep transmission as brief as possible.

4. CCS shall immediately begin or continue to dispatch using a backup means of communication.

C. *Complete System Failure*

1. In the event of a catastrophic failure of the 800 MHz radio system, where communication between field units and CCS is not possible, cellphones equipped with "direct connect" capability shall be utilized to maintain communication until 800 MHz radio service is restored.

2. *A supply of "direct connect" cellphones (which act much like a two-way radio) is stored at each district station, CCS, and the Bureau of Traffic. During a complete failure of the 800 MHz system, on-duty members assigned to basic patrol and the Bureau of Traffic shall return to their respective headquarters and obtain a "direct connect" capable cellphone. These devices will also be utilized by CCS dispatchers to communicate with district and Bureau of Traffic personnel during the failure.*

3. *Commanders with "direct connect" cellphones assigned to their areas of operation shall be responsible for ensuring the readiness of these devices.*

CDW/jeh
Policy & Procedures Unit
Attachments A, B, and C

Cleveland Division of Police
Quarterly Equipment Inspection Report

District / Bureau: **Quarter Ending**
Platoon / Unit:

Badge #	Officer Last Name	Primary Firearm #	Taser #	Patrol Rifle #	Personal Firearm #	Portable Radio #	Wearable Camera #	Inspecting Supervisor

Respectfully,

Page # 1 OF 1

_____

The above items were inspected under my supervision and all officers are compliant with GPOs : N/A= Not Applicable (Revised 8-7-15)

District Assignment Line Up – Patrol Section

District		Platoon		Day		Date				
Supervisors										
Call#	**Car**	**Rank**	**Name**		**RMS#**	**Radio**	**MDC-T**	**AVL**	**RIFLE**	**CIT**
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
Early Cars					**Hours**					
Call#	**Car**	**Badge**	**Name**		**RMS#**	**Radio**	**MDC-T**	**AVL**	**RIFLE**	**CIT**
							☐	☐	☐	☐
								☐	☐	☐
							☐	☐	☐	☐
								☐	☐	☐
							☐	☐	☐	☐
								☐	☐	☐
							☐	☐	☐	☐
								☐	☐	☐
							☐	☐	☐	☐
								☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
Late Cars					**Hours**					
Call#	**Car**	**Badge**	**Name**		**RMS#**	**Radio**	**MDC-T**	**AVL**	**RIFLE**	**CIT**
							☐	☐	☐	☐
								☐	☐	☐
							☐	☐	☐	☐
								☐	☐	☐
							☐	☐	☐	☐
								☐	☐	☐
							☐	☐	☐	☐
								☐	☐	☐
							☐	☐	☐	☐
								☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐

District Assignment Line Up – Support Unit

District		Unit		Day		Date				
Supervisors										
Call#	**Car**	**Rank**	**Name**		**RMS#**	**Radio**	**MDC-T**	**AVL**	**RIFLE**	**CIT**
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
Hours of Operations From					**Hours to**		**Hours**			
Call#	**Car**	**Badge**	**Name**		**RMS#**	**Radio**	**MDC-T**	**AVL**	**RIFLE**	**CIT**
							☐	☐	☐	☐
								☐	☐	☐
							☐	☐	☐	☐
								☐	☐	☐
							☐	☐	☐	☐
								☐	☐	☐
							☐	☐	☐	☐
								☐	☐	☐
							☐	☐	☐	☐
								☐	☐	☐
							☐	☐	☐	☐
								☐	☐	☐
							☐	☐	☐	☐
								☐	☐	☐
							☐	☐	☐	☐
								☐	☐	☐
							☐	☐	☐	☐
								☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐
							☐	☐	☐	☐

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

DATE OF ISSUE:	REVISED DATE:	NO. PAGES:	NUMBER:
OCTOBER 11, 2005	OCTOBER 07, 2005	1 of 2	9.1.02

SUBJECT:	
MULTIPLE ASSIGNMENT BROADCASTING	
RELATED MANUALS:: SUPPORT & TECH. OPS. 5.02.2	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Changes are printed in Italic

RESCINDED EFF. 02/10/20
SEE NEW GPO 7.01.02

PURPOSE: To establish, classify and prioritize assignments for zone cars that receive multiple assignments from the Communications Control Section (CCS).

POLICY: Within the Cleveland Division of Police, CCS shall prioritize assignments using a code system. The code number shall be the assigned priority code established at the inception of the call for service and CCS shall assign it.

PROCEDURES:

I. The Four Major Priority Categories are:

A. Priority One: Immediate dispatch due to serious physical harm, serious property damage, or a crime in progress.

B. Priority Two: Minimum delay with the potential for serious physical harm, serious property damage, or a crime that has just occurred.

C. Priority Three: Intermediate delay, with potential for minor physical harm, minor property damage, and/or a crime of this nature in progress or that has just occurred.

D. Priority Four: Late dispatch due to a cold crime report, or to check information.

E. The order in which assignments are dispatched does not necessarily reflect the priority of the assignment or the order in which it shall be handled. The priority system classifies and prioritizes calls received at CCS. Calls for service are broadcast to zone cars for response.

F. If a zone car officer questions an assigned priority or other police procedure, the sector supervisor shall answer the question. Officers who receive multiple

assignments with the same priority shall respond based on good judgement and circumstances.

1. Person to person confrontation calls shall receive priority when officers are dealing with multiple assignments because these calls are the most hazardous to the parties involved and to the responding officer.

2. Crimes against property receive a relatively lower priority over crimes against persons.

G. Officers are reminded that a citizen's call for service takes priority over minor on view traffic and parking matters. In these cases officers are to use their open time for enforcement purposes.

II. Officers shall advise their supervisor if they receive multiple priority one assignments or if there is doubt about the proper procedures.

III. Handling of Assignments:

A. Officers shall immediately notify the dispatcher of their arrival. Final dispositions shall be brief and precise, and shall promptly be broadcast to the dispatcher.

B. Zone car personnel shall maintain contact with CCS at all times.

IV. Supervisors shall:

A. Approve all in-house assignments (court appearances, property runs, etc), consider operational needs, and notify CCS.

B. Ensure prompt availability of zone cars after roll call and notify CCS of changes in zone car assignments.

C. Reassign the second Priority One call to another car for immediate response if a zone car receives multiple priority one assignments.

D. Assist dispatchers with the dispatch of pending Priority Two and lower assignments.

RESCINDED EFF. 02/10/20
SEE NEW GPO 7.01.02

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 01, 2002	DECEMBER 31, 2007	1 of 8	9.1.03

SUBJECT:	
DUTIES OF COMMAND AND SUPERIOR OFFICERS	
ASSOCIATED MANUAL:	RELATED ORDERS:
DISTRICT, EMERGENCY OPERATIONS	3.2.04, 3.2.09
CHIEF OF POLICE:	
Michael McGrath, Chief	

PURPOSE: To set Cleveland Division of Police Command and Superior Officer duties.

POLICY: Committed to effective supervision Division Command and Superior Officers shall be fully aware of and completely understand their duties and actively direct and control the work of those they command.

Command and Superior Officers are governed by the Manual of Rules and Regulations, General Police Orders, Division Notices, Memorandums directed to them and operational or procedural guidelines for their specific district, bureau, section or unit and shall cause compliance with the same by members in their command. They shall ensure effective police operations in the units and activities they command.

DEFINITIONS:

Command Officer: An officer appointed as Chief, deputy chief, commander, or traffic commissioner.

Superior Officer: An officer who has attained the rank of captain, lieutenant, or sergeant.

Sector Supervisor: A superior officer who supervises officers assigned to a sector.

Officer-in-Charge (OIC): A superior officer given charge of a unit, section or district facility by the Chief of Police (Chief) or a commanding officer.

PROCEDURES:

I. Command officers, for their area of command, shall:

A. Carry out orders and implement policies of the Chief.

B. Inform the Chief of required personnel and equipment.

C. Provide continuous training and instruction for their personnel.

D. Provide for their personnel's welfare and discipline and advise the Chief of commendations or disciplinary action.

E. Participate in an active public and community relations program.

F. Often and regularly, inspect their personnel, facilities, vehicles, and equipment.

G. Cause orderly processing and timely distribution of reports.

H. Ensure that reports are accurate and complete before they are forwarded.

I. Maintain files and records to control and administer their command.

J. Cause a daily duty assignment list for each of their administrative units to indicate personnel in their command, when and where each officer worked, those absent and the reason for the absence.

K. Prepare and forward a clear and comprehensive monthly report of personnel performance, status, and activities.

L. Forward reports for personnel transferred or detailed.

M. Maintain the following records:

1. Book of General Police Orders

2. Manual of Rules and Regulations

3. Warrant Book

4. Property Book(s)

5. Officer Subpoena Book

6. Book of Divisional Notices

7. Time Book

8. Beat List

9. Equipment Book

N. Maintain a written inventory of their property and equipment.

O. Control the custody of their property, arms, ammunition, and equipment.

P. Obtain city property in the custody of persons who have ended their Division employment. Ensure that such property is delivered to the proper custodian and a receipt is obtained. Ensure that a property report and the receipts are forwarded through channels to the Chief.

Q. Ensure their immediate superior knows of their general whereabouts at all times.

R. Arrange their work days/hours to meet the organizational and operational needs.

S. Be provided a pager to ensure availability at all times.

T. Restrict their personnel's overtime to the minimum hours required to perform official duties essential to meet Division needs.

U. Conduct investigations that require the assistance of an outside agency or another city department's assistance. If an outside agency or another city requests assistance, commanders shall arrange for cooperation and coordination between their personnel and the other agencies and departments.

II. Commanders and the traffic commissioner are responsible for major incidents that occur in their command. Notification shall be made to the appropriate deputy chief and, if necessary, the Chief. They shall personally respond and cause implementation of necessary police actions in matters that include, but are not limited to:

A. Civil disasters;

B. Street and school disorders of serious proportions;

C. Serious or major crimes of public importance;

D. Incidents that affect prominent persons or affect a large number of people;

E. Incidents that have a potential for widespread effects;

F. Missing children of tender years;

G. Serious on-duty or off-duty police personnel incidents involving death, danger of death, serious injury, or the integrity, reputation or image of the Division or its members;

H. Other incidents of a serious nature.

I. If a commander and the traffic commissioner, or more than one commander respond to a major incident the commander/traffic commissioner of the district or bureau responsible to resolve the incident shall assume the "Field Commander" role. Situations that require the Chief to designate a superior officer as "Field Commander"; situations that require SWAT intervention, shall be governed by the Emergency Operation Manual and General Police Orders that direct SWAT.

III. Superior Officers shall:

A. Conduct necessary business within their assignments.

B. Resolve occurrences in their assigned areas.

C. Remain therein except for reasons of police necessity.

D. Complete a Daily Report (Form C of C 71-5) at the end of each tour of duty. The report shall document the start and quit times of the superior officer, and a brief synopsis of the actions of that officer during their tour of duty.

E. Limit overtime as stated above.

F. Maximize time spent in on-street supervisory activity when they are responsible for line supervision.

1. Promptly respond to assignments from the Communications Control Section (CCS). Without being assigned, respond to those assignments that may require their attention.

2. When three or more patrol officers are dispatched to an assignment, a CCS dispatcher shall dispatch a sector supervisor to the scene. When conditions at the scene stabilize, the sector supervisor shall advise CCS which zone cars shall remain on the scene and which returned to service.

G. The on scene, field supervisor shall, when necessary, advise the Officer-in-Charge (OIC) of CCS to notify the commander of the affected district or bureau. The field supervisor or the commander notified may deem it appropriate to notify the appropriate deputy chief and if necessary the Chief.

H. In an emergency or major incident, the highest ranking superior officer of the district/bureau responsible for resolution is "Field Commander" and remains until relieved by a higher ranking officer within their chain of command.

I. Daily, superior officers, engaged in line supervision, shall examine duty reports for unnecessary delay in responding to radio assignments or returning disposition responses to CCS. To ensure proper and prompt handling of assignments they shall engage in direct field observations regularly.

IV. The OIC of a District Stations shall:

A. Maintain order, discipline, and conditions at the district station under their control.

B. Work the duty hours prescribed by their commanding officer.

C. Thoroughly familiarize themselves with state laws, municipal ordinances and rules, regulations and procedures of the Division to properly transact the business entrusted to them and to properly advise and instruct members in their command. They shall be especially familiar with the Rules, Regulations, Notices and General Police Orders for the arrest and handling of prisoners and be familiar with the purpose, preparation and disposition of Division forms.

D. Accept complaints made at the district station. Complaints that require the immediate or early dispatch of a unit shall promptly be telephoned to CCS.

Complaints that require further action by the Division, but not immediate or early dispatch of a unit, shall be recorded on the proper complaint form, directed to the proper district, section, or unit and forwarded through channels. If a complaint requires action before the normal delivery of mail will occur, promptly telephone the district or unit involved and note this on the complaint form.

E. Not permit radio-equipped motor vehicles to handle complaints at the station if they do not require immediate outside investigation.

F. Permit access to files and records under their control to officers only, except with the approval of their commanding officer.

G. Diligently inquire into the cause and authority for arrests made without a warrant.

H. Ensure that the parents, guardians, or relatives are notified in the arrest or detention of juveniles.

I. Permit no boisterous, profane language, offensive conduct, loitering, or lounging in or around the district station or garage.

J. Review and index reports, orders, and required records, to ensure that they are not removed without their permission.

K. Consult the radio dispatcher before dispatching radio-equipped vehicles, except in an emergency, after which the dispatcher shall immediately be notified.

L. Not permit any person to solicit in or upon the premises they control unless that person has the Chief's written permission.

V. An OIC in Charge of an Administrative Unit shall:

A. Be subject to the rules that govern OICs in charge of district stations.

B. Perform commanding officer duties within the limits of their assignments. Be responsible to their commanding officers; keeping them apprised of pertinent matters and exercising command on behalf of their commanding officer for personnel of the administrative units.

VI. Field Command Duties and Responsibilities:

A. When two superior officers of equal rank are present at an incident, the superior officer who has jurisdiction and/or responsibility for resolving the incident shall assume command.

B. If more than two superior officers act together, each officer shall report to the on scene command officer. The command officer shall be responsible for police activity and report the incident status to higher-ranking officers who arrive.

VII. Captains are responsible for their areas of command.

A. They shall review and analyze crime conditions, hazards, potential problems, procedural operations, and personnel performance and when needed, initiate remedial action.

B. They shall obtain compliance from those in their command with the Manual of Rules and Regulations, General Police Orders, Divisional Notices, Memorandums directed to them, and operational or procedural guidelines developed for their assigned district, bureau, section, or unit.

VIII. Lieutenants within their assigned area shall:

A. Review subordinate's reports, evaluate their skills and performance, assign duties according to aptitude, and use resources to their best advantage.

B. Regularly review, inspect, and analyze conditions and initiate action for situations that require correction.

C. As a sector supervisor is the final authority in the field to determine the nature of an incident or crime, the incidents or crimes listed on a report, the property value, and the course of the investigation or police action.

D. Investigate or cause investigation for complaints against those in their command, assaults on police officers, on duty injuries and the use of firearms by officers.

IX. Sergeants, in their assigned areas, shall:

A. Act promptly to remedy situations that require correction.

B. Review subordinate reports for completeness and conformity to regulations.

C. Observe their personnel's activities and capabilities and determine if police duties are properly performed.

D. When acting as sector supervisor be the final field authority to determine the nature of the incident or crime, the incidents or crimes listed on the report, the value of property and the course of the investigation or police action.

MM/TAH/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002	January 5, 2010	1 of 2	9.1.04

SUBJECT:	
REQUEST FOR COPY OF A BUREAU OF COMMUNICATIONS RECORDING	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are in italics

PURPOSE: To set guidelines for requesting a copy of a *Bureau of Communications* master recording of an emergency telephone call or dispatch channel recording.

POLICY: Within the Division of Police, calls to 911 and 621-1234, incoming and outgoing telephone lines, and all dispatch transmissions are recorded. Master recordings *are maintained digitally and* are retained for *approximately two* years. *The retention period shall be governed at minimum by the established Public Records Retention Schedule first and then subsequently by the system's storage capabilities*.

PROCEDURES:

I. *Requests for a copy of an emergency telephone call or dispatch channel recording may be made for evidentiary, investigative, or court related purpose. Requests must be submitted as soon as the need for such a recording is recognized*.

II. *Requests for such recordings shall be made by way of the attached pre-structured "Request for Recording" Form-1*.

A. *Indicate on the form whether it is a request for a telephone or dispatch recording. Incident details shall be as complete as possible and include all related CAD incident numbers if known*.

B. *All such requests (if not originated by a supervisor) must be reviewed and approved by a supervisor. It is not necessary to request a "hold" for a recording, as all dispatch transmissions and emergency telephone calls are automatically recorded and saved for approximately two years*.

C. Recordings shall be provided in a WAV (Waveform Audio Format) file and burned to a compact disc (CD) playable on a PC with a CD drive and a

digital media application (such as Windows Media Player). Recordings may also be e-mailed as a file attachment to the requestor's City e-mail address if noted on the request form.

III. *Public Records Requests for dispatch transmissions and emergency telephone calls shall be handled via established procedures for handling of Public Records Requests*.

MM/TAH/JCO/ajg
Policy & Procedures Unit
ATTACHMENT

CLEVELAND DIVISION OF POLICE

CLEVELAND, OHIO

DIVISIONAL INFORMATION

DIST/BUR ZONE 20

EXAMINED BY RANK 20

FROM TO

SUBJECT: Request for Copy of Bureau of Communications Recording

COPIES TO: Bureau of Communications, Unit Files

REQUEST FOR RECORDING

Please provide a copy of the following recording:

(Recordings will be copied on to a CD unless otherwise indicated)

☐ **TELEPHONE RECORDING** ☐ **DISPATCH RECORDING**

Incident Date:	Incident Time:
Incident Location:	
RMS Number:	
Incident Car Number:	
Unit Assignment & Telephone Number of Requestor:	
Reason for Request:	

Master recordings may be purged after 2 years

City e-mail address (if recording to be e-mailed):	@city.cleveland.oh.us
Additional Information:	

Respectfully,

_____

For Bureau of Communications use only

Date Completed	
CCS Tracking #	

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	9.1.05

SUBJECT:	
CAD PREMISE / HAZARD FILE	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: The CAD Premise/Hazard File (P/H File) can alert responding officers to noteworthy items at a specific address.

POLICY: The Cleveland Division of Police shall use the CAD Premise/Hazard File to enhance officer safety and provide efficient future police response. The Communications Control Section (CCS) shall maintain the P/H File. Fire and Emergency Medical Service (EMS) has the ability to share, add, delete or change information in this file. Officers with knowledge, of a potentially hazardous location or about a person at a particular address, that may be helpful for subsequent responses, shall submit the information for entry in the P/H File.

PROCEDURES:

I. **Premise Information** includes information about a business or a residence for responding officers. It may include, but is not limited to:

A. Owner information

B. Emergency contact information

C. Past point(s) of entry

D. Physical challenges of occupants (i.e. hearing impaired or immobile)

II. **Hazard Information** includes address information to alert responding officers of a potential hazard. It may include, but is not limited to:

A. Dangerous person(s)

B. Information on weapon(s)

C. Criminal history

D. Threats made against a police officer, fire fighter, paramedic or public official

E. Hazards of a non-criminal nature i.e. vicious animal

III. A Form - 1 (Appendix) shall be completed and forwarded to the CCS. Concise and accurate information shall include:

A. The exact address of the business or residence (include apartment number, up, down, rear, side, etc.)

B. Description of person(s) or hazard(s)

C. Name and telephone number of an emergency contact(s)

D. A "Purge Date" to indicate when the information should be deleted from the system

E. Other divisions or agencies that may be affected by this information

F. Source of the information (officer's name, badge number, and assignment)

EFL/TAH/LM/pmz
Policy & Procedures Unit
APPENDIX

CLEVELAND DIVISION OF POLICE

CLEVELAND, OHIO

DIVISIONAL INFORMATION

DIST. ZONE 20 ___

EXAMINED BY RANK 20 ___

FROM TO

SUBJECT:

COPIES TO:

I request to enter the following information into the CAD Premise/Hazard file:

Address: _____ Phone #_____

Resident or Business Name: _____

Premise info ☐ Hazard info ☐

Comments: (include descriptons/ CAD # if applicable)_____

_____

_____

_____

_____

_____

_____

_____

Requested by: _____ Unit: _____

Retain information in CAD system until: (date) _____
(Note: Premise/Hazard information is purged after **1 year** unless a request is re-submitted)

ccs office use only

Date Entered: _____ Entered by: _____
Date Purged: _____ Purged by: _____

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
JULY 26, 2002		1 of 2	9.1.06

SUBJECT:	
USE OF MOBILE COMMAND VEHICLE	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To set guidelines for use of the Cleveland Division of Police Mobile Command Vehicle (MCV).

POLICY: The MCV is available to supervisors when a field command post will improve command and tactical advantage.

PROCEDURES:

The MCV serves as a command post for incidents that require a coordinated response. Its function is to maintain efficient control and coordination of radio, video, and telephone contact between on-site supervisors, specialized units, and the Communication Control Section (CCS).

I. Major incidents include, but are not limited to:

A. Serious Narcotic Unit and Multi-Agency Task Force interventions, (i.e. drugs, lab, manufacturing, distribution).

B. SWAT operations, (i.e. gang, hostage and related activities, etc.).

C. Crowd and event control, (i.e. strike detail, extremist rally groups, potential unruly events).

D. Division events, (i.e. recruiting, public relations, etc.)

II. To mobilize the MCV:

A. The supervisor on scene shall notify the CCS supervisor.

B. The CCS supervisor shall notify the Deputy Chief of Field Operations or their designee.

C. With permission, the CCS supervisor shall notify the Officer-in-Charge

(OIC) of the Logistics Section or their designee to deploy the MCV to the designated location.

III. Requests for non-emergency use shall be in writing and forwarded through the chain of command at least 3 weeks prior to the event.

IV. The Logistic Section OIC or designee shall retain exclusive authority for:

A. Placement of the MCV on scene.

B. Care and operation of the vehicle at the event.

C. Use of the electronic and mechanical equipment on the MCV.

D. Personnel assigned to the MCV.

V. The Logistics Section OIC or designee shall:

A. Mobilize necessary personnel for the MCV.

B. Establish a safe and secure location for the MCV near the incident site.

C. Establish radio, video, and telephone contact with CCS.

D. Maintain an activity log.

E. Inform the command staff of conditions at the scene of the incident.

F. Assist with support functions as required by the supervisor in charge of the incident.

G. Secure the MCV and make related reports upon completion of the incident.

H. Provide for the care, maintenance, and equipment needs of the MCV.

I. Conduct a post event review that includes everyone involved, in order to evaluate and critique the event, to improve performance at subsequent events.

EFL/TAH/MB/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
December 16, 2002	APRIL 16, 2004	1 of 4	9.1.07

SUBJECT:	
NORTHEAST OHIO AMBER ALERT (NEOAA)	
ASSOCIATED MANUAL:	RELATED ORDERS: 6.2.10, 9.1.08
CHIEF OF POLICE: *Timothy A. Hennesy, Acting Chief*	

PURPOSE: To establish guidelines for use of the NEO Amber Alert Program.

POLICY: The NEO Amber Alert Program is a voluntary partnership between law-enforcement agencies and broadcasters to activate an urgent bulletin in the most serious child-abduction cases. The Cleveland Division of Police shall participate in the NEO Amber Alert Program using the Cuyahoga County Emergency Communications System (CECOMS) to immediately inform the community of an abducted child. Crime studies show that the moments immediately following a child abduction or disappearance are absolutely crucial in yielding a positive outcome. The speed of an appropriate response is a critical factor in the safe recovery of abducted/missing children.

PROCEDURES:

I. Activation Criteria

A. A command staff member/designee must verify that ALL of the specific criteria listed below before activation:

1. The child must be under 18 years of age.

2. There must be credible information from a witness suggesting that the child was forcibly or intentionally removed or lured away from their location and remains missing.

3. It is believed that the child is in danger of bodily harm or death.

4. There is some descriptive information about the child, although the child's identity is not required for the issuance of an alert.

   a) Example: a witness may report the apparent abduction of a child long before the child is identified or reported missing.

5. There is some descriptive information about the alleged abductor(s), and/or the alleged abductor(s) vehicle to believe that an immediate alert will help.

B. Based on the above criteria, the following situations do NOT qualify for the Amber Alert activation:

1. A child believed to have run away from home.

2. A child taken by a non-custodial relative in a child custody case, unless the child is believed to be in danger of serious bodily harm or death.

a) Example: a non-custodial parent takes the child and death threats are made.

b) A liability agreement must be completed prior to any activation of an Amber Alert for a child taken by a non-custodial relative.

C. Refer to General Police Order 6.2.10 Missing Persons to provide guidelines to investigate and follow-up non Amber Alert situations.

II. Activation Steps:

A. The sector supervisor shall respond to the scene and confer with the district commander/designee regarding the situation.

B. Once a command staff member verifies the necessary criteria and authorizes the Amber Alert, the command staff member or their designee shall:

1. Contact the Communication Control Section (CCS) at line 5723, or by using the District Tact Channel, with the information for the Amber Alert Urgent Fax (Appendix A), Amber Alert Alleged Abductor Information Sheet (Appendix B) and the Exact Message to Be Transmitted Sheet (Appendix C).

2. A CCS supervisor shall complete all forms with the information received from the command staff member or their designee. CCS shall identify a telephone number and staff telephone lines to handle Amber Alert responses. CCS will staff the telephone bank with on-duty CCS personnel with assistance from on-duty EMS and Fire personnel and may request assistance from District SR cars. CCS **shall not** contact CECOMS to request an Amber Alert unless the telephone bank is operational.

3. CCS will ensure that a notification or recall message is transmitted to all city vehicles equipped with 800 MHz radios and that subsequent broadcasts are made on a citywide talkgroup shared by all city departments and divisions.

4. Ensure a Record Management System (RMS) report is made, the Liability Agreement (Appendix D) and Authorization for Release of Juvenile Information (Appendix E) are signed and sent with the RMS report. These forms do not need to be signed prior to the Amber Alert activation unless a non-custodial relative takes the child.

C. Once the three Amber Alert faxes are prepared and the telephone bank is operational, the CCS supervisor shall:

1. Call CECOMS requesting an Amber Alert.

2. Fax the Amber Alert Urgent Fax, Amber Alert Alleged Abductor Information Sheet, and the Exact Message to Be Transmitted Sheet to CECOMS. (CECOMS will verify our request for an Amber Alert with an immediate call back after receipt of our call and faxes).

3. Fax the three page Amber Alert and incident number to the Record File Section (RFS) and follow-up with a phone call to a RFS supervisor.

4. Initiate a Group One page (all hours) and a Commander's Group page.

5. Contact the Public Information Officer to be available to respond to media inquiries.

D. Upon receipt of the Amber Alert faxes the RFS supervisor shall:

1. Enter missing child information in LEADS/NCIC.

2. Send LEADS ALLTERM message.

3. Send information to National Law Enforcement Systems (NLETS).

4. Notify the National Center for Missing and Exploited Children at 1.800.843.5678 (this is a 24 hour hotline).

III. To Cancel an Amber Alert

A. Upon the confirmed recovery of the child, the commander/designee shall notify CCS.

B. Upon notification from the commander/designee CCS shall:

1. Complete and fax the Amber Alert Cancellation Sheet (Appendix F) to CECOMS.

2. Contact the RFS supervisor who shall enter the information into LEADS/NCIC, NLETS, and notify the National Center for Missing and Exploited Children.

3. Initiate a Group One page (all hours) and a Commander's Group page.

4. Initiate an all-city broadcast canceling the alert.

EFL/TAH/KM/MAD
APPENDICES (A-F)

City of Cleveland Memorandum
Frank G. Jackson, Mayor

Department of Public Safety
Division of Police
Michael McGrath, Chief
1300 Ontario Street
Cleveland, Ohio 44113-1648
216/623-5005 – Fax: 216/623-5584

URGENT FAX

REQUESTING AGENCY: _____ DATE: _____ TIME: _____

AUTHORIZED BY: _____ CALL BACK #: _____ PIO: _____

MISSING CHILD'S NAME: _____ DOB: _____ AGE: _____ SEX: _____

HEIGHT: _____ WEIGHT: _____ RACE: _____ HAIR: _____ EYES: _____

SCARS, MARKS, TATTOOS or ADDITIONAL PHYSICAL OR MENTAL CONDITION INFORMATION: _____

_____

CLOTHING DESCRIPTION: _____

_____

_____

PLACE OF OCCURRENCE (IF KNOWN) OR LOCATION LAST SEEN:

_____

DATE LAST SEEN: _____ TIME LAST SEEN: _____ PHOTO: YES: ____ NO: _____

AMBER ALERT CUYAHOGA COUNTY BILLBOARD INFORMATION (OPTIONAL)

PAGE 1 TEXT VICTIM INFORMATION	LINE 0	**ABDUCTED** (AGE) **YR OLD**	18 CHARACTERS
	LINE 1	**GIRL/BOY** (NAME OF CHILD)	18 CHARACTERS
	LINE 2	**LAST SEEN IN** (NAME OF CITY)	18 CHARACTERS

PAGE 2 TEXT SUSPECT INFORMATION	LINE 0	**SUSPECT** (NAME OF SUSPECT) AGE SEX	21 CHARACTERS
	LINE 1	**DRIVING** YEAR, MAKE, MODEL, COLOR	21 CHARACTERS
	LINE 2	**PLATE #** (PLATE NUMBER)	17 CHARACTERS

*** All words in bold regarding victim/suspect must be included in text and deducted from total character amount.**

24/7 CECOMS Contact Numbers:
VOICE: (216) 771-1363 / FAX: (216) 443-5705 AND (216) 443-3153

City of Cleveland Memorandum
Frank G. Jackson, Mayor

Department of Public Safety
Division of Police
Michael McGrath, Chief
1300 Ontario Street
Cleveland, Ohio 44113-1648
216/623-5005 – Fax: 216/623-5584

AMBER ALERT ALLEGED ABDUCTOR(S) INFORMATION SHEET

NAME OF ALLEGED ABDUCTOR INVOLVED (IF KNOWN): _____

_____

DOB: _____ AGE: _____ RACE: _____ HEIGHT: _____

WEIGHT: _____ EYES: _____ HAIR: _____ SEX: _____

OR DESCRIPTION: _____

_____

RELATIONSHIP TO VICTIM OR FAMILY: YES: _____ NO: _____ HOW: _____

DESCRIPTION OF OTHER ALLEGED ABDUCTOR: _____

_____

DESCRIPTION OF VEHICLE(S): YEAR: _____ MAKE: _____ MODEL: _____

COLOR: _____ PLATE # AND STATE: _____

OTHER PERTINENT INFORMATION OF VEHICLE: _____

_____

OTHER MEANS OF TRANSPORTATION USED: _____

_____

DIRECTION OF TRAVEL (IF KNOWN): _____

_____

OTHER INFORMATION: _____

_____

PLEASE CONTACT THE _____ AT _____

FAX: _____ EMAIL ADDRESS: _____

AUTHORIZED BY: _____

<u>24/7 CECOMS Contact Numbers:</u>
VOICE: (216) 771-1363 / FAX: (216) 443-5705 AND (216) 443-3153

City of Cleveland Memorandum
Frank G. Jackson, Mayor

Department of Public Safety
Division of Police
Michael McGrath, Chief
1300 Ontario Street
Cleveland, Ohio 44113-1648
216/623-5005 – Fax: 216/623-5584

EXACT MESSAGE TO BE TRANSMITTED

(INSERT EXACT MESSAGE FROM REQUESTOR HERE)

"The_Cleveland Division of Police in Cuyahoga County_____
(LAW ENFORCEMENT AGENCY/DEPARTMENT) (COUNTY NAME)
has issued an Amber Alert._____

_____anyone having information on this abduction please call the
_____at_____
(LAW ENFORCEMENT AGENCY/DEPARTMENT) (AREA CODE-TELEPHONE NUMBER)
repeating, anyone having information on this abduction please call the_____
_____at_____
(LAW ENFORCEMENT AGENCY/DEPARTMENT) (AREA CODE-TELEPHONE NUMBER)

24/7 CECOMS Contact Numbers:
VOICE: (216) 771-1363 / FAX: (216) 443-5705 AND (216) **443-3153**

City of Cleveland
Jane L. Campbell, Mayor

Department of Public Safety
Division of Police
Edward F. Lohn, Chief
1300 Ontario Street
Cleveland, Ohio 44113-1648
216/623-5005 Fax: 216/623-5584
cpd1@nowonline.net

LIABILITY AGREEMENT

hereby agree the information I have provided to the **Cleveland Division of Police** to be truthful, factual and correct.

As the parent/legal guardian, I am aware that in order for the **Cleveland Division of Police** to enter a child as being abducted and endangered the following criteria must be met:

- The child is under eighteen (18) years of age.
- There is credible information that suggests that the child was forcibly or intentionally removed or lured away from their location and remains missing.
- The law enforcement agency believes the child is in danger of serious bodily harm or death.
- There is enough descriptive information about the child, and/or alleged abductor(s) and/or alleged abductor's vehicle to believe an immediate broadcast alert will help.

am also aware I may be charged criminally for committing the crime of "Obstructing Official Business" (Ohio Revised Code 2921.31) if I knowingly provide false information to law enforcement authorities.

PLEASE PRINT OR TYPE

Last Name | First Name | Middle Initial
Maiden name, former Married name(s) or other names used

Current Address:

Street Number | Street Name | City | State | Zip Code

have read and fully understand the contents of this document.

Signature of Parent/Legal Guardian
(Including mother's maiden name)

Date:

City of Cleveland
Jane L. Campbell, Mayor

Department of Public Safety
Division of Police
Edward F. Lohn, Chief
1300 Ontario Street
Cleveland, Ohio 44113-1648
216/623-5005 Fax: 216/623-5584
cpd1@nowonline.net

AUTHORIZATION FOR RELEASE OF JUVENILE INFORMATION

For a period of one year from the execution of this document, the undersigned authorizes full disclosure of all records concerning the below listed juvenile to any agent of any municipal or county law enforcement agency, any agent of the state of Ohio, the Ohio State Patrol or any individual or entity assigned by the Cleveland Division of Police, whether the records are of a public, private, internal or confidential nature. I direct the release of such information regardless of any agreement I may have made to the contrary with any entity or individual to whom the juvenile's information is released or presented.

The intent of this authorization is to give my consent for full and complete disclosure of confidential juvenile information. Additionally, I understand the duty of the Cleveland Division of Police to release any information to the proper authorities and make other reports as may be mandated by law. I also certify that any person(s) who may furnish such information concerning the below listed juvenile shall not be held accountable for giving this information: and I do hereby release such person(s) from any and all liability which may be incurred as a result of furnishing such information. I further release the Cleveland Division of Police, the Ohio Emergency Management Agency, the Ohio Broadcasters Association and its agents, and designees under this release, from any and all liability which may be incurred as a result of furnishing such information. I further release Cuyahoga County and CECOMS and their agents, officers, employees, administrators, representatives and servants from any and all liability that may be incurred as a result of furnishing juvenile information, and waive any restrictions imposed by law in disseminating such information.

A photocopy of this release document will be valid as an original thereof, even though the said photocopy does not contain an original writing of my signature.

PLEASE PRINT OR TYPE
JUVENILE FOR WHICH INFORMATION RELEASE IS AUTHORIZED:
NAME: _____
DOB: _____
SSN: _____

PARENT/LEGAL GUARDIAN AUTHORIZING RELEASE OF INFORMATION:

_____
Last Name First Name Middle Initial Maiden name, former married name(s) or other names used

Current Address:

_____
Street Number Street Name City State Zip Code

_____
Signature of Parent/Legal Guardian
(Including mother's maiden name)

_____
Witness

_____
Date

City of Cleveland Memorandum
Frank G. Jackson, Mayor

Department of Public Safety
Division of Police
Michael McGrath, Chief
1300 Ontario Street
Cleveland, Ohio 44113-1648
216/623-5005 – Fax: 216/623-5584

CANCELLATION

PLEASE CANCEL THE AMBER ALERT REGARDING: _____
_____

MISSING CHILD'S NAME: _____

DISPOSITION OF INFORMATION: _____
_____
_____
_____

CONCLUSION: _____
_____
_____
_____
_____
_____

_____ THANKS EVERYONE FOR THEIR HELP AND SUPPORT.
(LAW ENFORCEMENT AGENCY)

AUTHORIZED BY: _____

DATE: _____ TIME: _____

24/7 CECOMS Contact Numbers:
VOICE: (216) 771-1363 / FAX: (216) 443-5705 AND (216) 443-3153

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
APRIL 16, 2004		1 of 3	9.1.08

SUBJECT:	
A CHILD IS MISSING PROGRAM (ACIM)	
ASSOCIATED MANUAL:	RELATED ORDERS: 6.2.10, 9.1.07
CHIEF OF POLICE: *Timothy A. Hennesy, Acting Chief*	

PURPOSE: To establish guidelines for activating the use of the **A Child Is Missing Program (ACIM)** phone advisory. ACIM is a free telemarketing service that allows a law enforcement agency to deliver a large volume of customized recorded phone messages (1,000 per minute) to the community in a short period of time. The call is an informational pre-recorded message about the missing person and agency contact information.

POLICY: The Cleveland Division of Police shall participate in the ACIM as an additional tool in cases of missing children, elder citizens, and disabled persons. It does **NOT** replace or preclude a thorough investigation and/or search by law enforcement officers.

PROCEDURES:

I. ACIM will be activated only by a supervisor, with the approval of the District Commander or designee.

II. ACIM will be used only when a Missing Person report will be completed.

III. ACIM will be used only between 0800 and 2000 hours unless special circumstances exist and are noted by the District Commander or designee.

IV. When a person is reported missing the following factors will be considered for determining the use of ACIM:

A. Juveniles

1. The juvenile must be under the age of eighteen (18).

2. The reporting person must be an adult family member, teacher, or another adult who is responsible for the child.

3. ACIM is not used for habitual runaways. (Refer to D. of this section)

B. Elder citizens:

1. The person must be sixty-five (65) years of age or older or suffer from Alzheimer's disease/dementia.

2. Circumstances surrounding the incident must be out of character for the elder citizen.

C. Disabled Persons: (mentally/physically challenged)

1. There is no age stipulation for a disabled person.

2. For purposes of this guideline a disabled person will fall into the following categories:

a. The person has a physical or mental impairment that severely limits self-care.

b. The person is disoriented or unable to respond to simple questions regarding personal information such as name and address.

c. The person is dependent upon life sustaining medication.

D. The recommending supervisor has discretion to take into account circumstances that may influence using ACIM even if the person does not fall into the age category or is a habitual runaway or walk away. Circumstances include but are not limited to suspected foul play, imminent severe weather, etc.

V. Activation of ACIM

A. The decision to activate ACIM must be made by a supervisor with the approval of the District Commander or designee.

B. Once a decision has been made, the investigating supervisor will immediately refer to the ACIM informational form (Attachment A) and contact the Supervisor in CCS (Communications Control Section).

C. CCS will staff the phone bank with on duty CCS personnel from Police, Fire and EMS and may request assistance from District SR cars.

D. CCS will activate ACIM and initiate a Group One page.

VI. Investigation information from ACIM Activation

A. Investigative leads concerning the missing person will be relayed immediately to the District Supervisor in charge of the case. The Supervisor will then take appropriate action.

B. If a sighting is confirmed, the District Supervisor in collaboration with CCS shall consider using ACIM again using the most recent location in the notification, especially if the zip code is different.

C. If ACIM is used more than once in the same case an additional ACIM Information form is not necessary. A notation of each instance with the subsequent use by date, time, and the last location seen can be noted below the "Date and Time" on the form.

D. ACIM will fax a case follow-up form to be completed by CCS.

VII. Follow-up

A. If the missing person is located, the District Supervisor in charge of the investigation will notify CCS with information to complete the case follow-up form. CCS shall fax the ACIM information and the case follow up forms to the RFS (Record File Section) to be included with the Missing Person's report. CCS shall retain the originals.

B. If the missing person is not found in 24 hours, CCS will complete and fax the case follow-up form to ACIM noting in the area titled, "Any Other Comments" that the missing person has not been located.

EFL/TAH/MB/ak
Administrative Operations
Appendix

A Child is Missing (ACIM) Information Form

Supervisor: Complete this form and provide the information when reporting a missing person to "A Child is Missing"

"A Child is Missing" Contact Numbers: (888) 875-2246, (954) 763-1288, or pager: (954) 492-4778

Name of Missing Person: _____ D.O.B. _____ Gender: _____

Nationality: _____ Height: _____ Weight: _____ Eye Color: _____ Hair Color: _____

Any other characteristics such as glasses, tattoos, piercing, scars? _____

:_____

Clothing Description: _____

Location last seen (including zip code) : _____

(for the location, provide accurate spellings and include and provide the nearest major intersection)

Residence *(if difference than "last seen" location*): _____

Date and Time last seen: _____ Is the person a habitual runaway? _____

Were friends/family notified? _____ Is there water or wooded areas near the last seen location? _____

Did the person leave in a vehicle, bicycle, skateboard etc? _____

If in a vehicle, description, license plate etc? _____

Is foul play suspected ? _____ Any confrontation prior to person's disappearance? _____

Does missing person have a substance abuse problem? _____ Does missing person take any medications? _____

Name of Law Enforcement Agency: **Cleveland Division of Police** State: **Ohio** County: **Cuyahoga**

Incident #: _____ Agency telephone number for public to call with information: **(216) 623-5800**

Name of Officer in Charge of case: _____ Contact Number for OIC: _____

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
05/24/10		1 of 4	9.1.09

SUBJECT:	
AUTOMATIC VEHICLE LOCATOR (AVL) SYSTEM	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

PURPOSE: To establish guidelines regarding the use of the Automatic Vehicle Locator (AVL) System.

POLICY: The Cleveland Division of Police shall use the AVL System to provide better emergency services for the citizens of the City of Cleveland, improve police response to calls for service, and enhance officer safety. It is to be used for the official business and management of Division resources.

The AVL System may be utilized to recommend the closest available unit(s) to an incident, or to identify the location of units involved in an incident at the request of supervisory personnel. The AVL system may be used to identify unit locations if radio transmissions fail, advise incoming units of the location of the primary unit or instances where radio transmissions are unintelligible. AVL may also be used to follow vehicle pursuits, provide the involved units with location and direction of the pursuit vehicle and provide information to responding units and/or field supervisors. Additionally, AVL may be used to document vehicle speed and direction for administrative action by the Traffic Safety Analysis Panel.

PROCEDURES:

I. Supervisor Responsibilities

A. Upon completion of Roll Call the sector/support supervisor shall fax the District Assignment Line Up/Patrol sheet to the Communications Control Section (CCS) indicating which vehicles are MDC and/or AVL equipped. The Sector Supervisor shall then log onto the AVL intranet website at http://safetyavl/clevelandpd/skyview.dll. Upon log in the sector supervisor shall verify that all AVL equipped vehicles are appearing on the Skyview map.

B. Supervisors shall ensure that MDC/AVL equipped vehicles are assigned to patrol officers and supervisors until the inventory of such equipped vehicles is exhausted. Only after the available supply of MDC/AVL equipped units is exhausted may supervisors place into service a non-MDC/AVL equipped vehicle.

C. Should an AVL equipped vehicle not appear on the Skyview map the Sector Supervisor shall inspect the AirLink Modem in the trunk of the malfunctioning vehicle and check for any obvious signs of tampering or damage.

1. If there are obvious signs of damage or tampering (i.e. cut wire, damaged hardware/wiring), the Sector Supervisor shall notify their immediate Supervisor and begin an investigation. The results of that investigation shall be forwarded through the chain of command to the Integrity Control Section (ICS). The Sector Supervisor shall also ensure that the Mobile Support Unit (MSU) is advised of the damage or tampering so that repairs can be made.

2. If no obvious signs of damaging or tampering are evident, the Sector Supervisor shall contact the Mobile Support Unit at (216) 664-6172 notifying it of the vehicle, problem/malfunction, date, time, location, car number, and P-Code. Sector Supervisors shall note in their Daily Duty Reports the vehicle numbers and times that AVL was not functioning and that MSU was notified. CCS dispatchers shall also be notified by the Sector Supervisor of any vehicles that are not appearing on the Skyview AVL map.

D. Sector Supervisors shall use the Skyview AVL system to help them monitor vehicles under their command during their assigned tour.

E. Supervisors or investigative units requiring a copy of an AVL playback shall complete the AVL playback request form and fax same to the Mobile Support Unit at (216) 348-7121.

II. Communications Control Section Responsibilities

A. CCS dispatchers shall act as a back up to the Sector Supervisors and shall verify that vehicles that are AVL equipped are appearing on the Skyview map.

B. If a CCS dispatcher notices an AVL equipped vehicle disappear from the Skyview map or notices a vehicle that appears to be malfunctioning on the Skyview map, the dispatcher shall contact the Sector Supervisor and advise them of same.

C. CCS dispatchers shall use the AVL Skyview map as an aid to identify the closest available units to an incident when exigent circumstances warrant an immediate response.

D. CCS dispatchers shall use the AVL Skyview map to enhance officer safety by relaying vehicle location information to other responding units and supervisors as needed.

E. In the interest of officer safety and the efficient delivery of services to the community, CCS dispatchers shall notify the sector supervisor of any lack of movement that is inconsistent with that police unit's assignment. The sector supervisor shall determine if the concerns are substantive and take action as appropriate.

III. Patrol Officer Responsibilities

A. Patrol Officers can log onto the AVL Skyview map by clicking on the AVL Skyview link in the Internet Explorer Favorites section of the Mobile Data Computer (MDC) desk top. Officers shall use the vehicle number on their assigned police vehicle as the Username and Password for log in to the Skyview AVL system. When logging in, AGENCY: Shall remain DEFAULT and UNIT ID shall be left blank. Username and Password are required to gain access to the AVL Map.

B. Patrol Officers can use the AVL Skyview map to assist them with verifying the location of their vehicle and other responding vehicles during any incident.

C. Patrol Officer can use the replay feature of the AVL Skyview system to assist them in completing their Daily Duty Report.

D. Patrol Officers that discover damage to the MDC or AVL equipment in their assigned vehicles shall immediately contact their Sector Supervisor

IV. Mobile Support Unit (MSU) Responsibilities

A. MSU shall create and maintain all Skyview AVL accounts.

B. MSU shall be responsible for inventorying, installing, and repairing all AVL related systems and hardware, as well as maintaining all related maintenance records.

C. MSU shall assist and train officers and supervisors on Log-In procedures and the use of the AVL system and its functions.

D. MSU shall be responsible for producing AVL playback copies via the AVL Playback Request form or as directed by the Chief's Office.

V. Requests for assistance in accessing or working with the Skyview AVL system shall be directed to the Mobile Support Unit at (216) 664-6172.

VI. Willful tampering or damaging of AVL and/or MDC equipment is a violation of the law and City of Cleveland and Division of Police policy. Members found to have tampered with AVL and/or MDC equipment will be investigated criminally and subject to Divisional charges and disciplinary action up to and including suspension or termination.

VII. The Integrity Control Section shall monitor compliance with the directives contained herein.

MM/TAH/JCO/ajg
Policy & Procedures Unit
Attachment

CLEVELAND DIVISION OF POLICE

AVL Disc Request

Record start date: _____

Record start time: _____

Record end time: _____

Incident CAD #: _____

Reason for request: (Pursuit, MVA, etc) _____

Vehicle(s) I wish to see records for:_____ _____ _____ _____

In order to find AVL data, the Mobile Support Unit needs the actual number on the vehicle (**for example: 111 or 413A**)

Request made by: _____
Please print your name

of: _____
Your unit

Your contact information: _____

Whatever means you would like the Mobile Support Unit to use to advise you that your request is ready for pick-up (e.g., email, office phone number, cell phone number)

Comments, additional information: (Location of occurrence, etc.)

_____

_____

_____

_____

_____

_____

_____

--- ***Leave this section blank. Mobile Support Unit Use Only*** ---

Request handled by: _____ Date: _____

Please fax this completed request to the mobile support unit at:
(216) 348-7121

Rev. 02/20/17

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 1	9.2.01

SUBJECT:	
LEADS TERMINAL AGENCY COORDINATOR AND TERMINAL COORDINATOR	
ASSOCIATED MANUAL: DISTRICT, DATA PROCESSING	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To establish authority to coordinate and operate Division equipment with LEADS access.

POLICY: The Cleveland Division of Police shall comply with Ohio Administrative Code 4501.2-10-04. It requires LEADS access agencies to appoint a Terminal Agency Coordinator (TAC), Assistant Terminal Agency Coordinators (TAC), and Terminal Coordinators (TC).

PROCEDURES:

I. The Chief of Police shall designate a TAC and Assistant TACs to provide TAC support as needed. The TAC has supervisory authority in the LEADS operation, access to equipment and reports to the Deputy Chief of Administrative Operations

A. The TAC is responsible to monitor and document training for LEADS TCs and terminal operators.

B. The TAC and the Assistant TAC are responsible for duties outlined in Ohio Administrative Code 4501.

II. District and bureau commanders shall designate a LEADS TC who shall be responsible to the TAC to coordinate the LEADS operation in the district or bureau.

A. The TC and the TAC shall coordinate LEADS related issues.

B. The TC shall ensure an adequate staff of LEADS certified operators for their areas during district and/or bureau operation.

C. The TC is responsible for duties given to them by the TAC or Assistant TAC.

EFL/TAH/LM/pmz
Policy & Procedures

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
December 23, 2002		1 of 2	9.2.02

SUBJECT:	
ALERT LONG TERM CAUTION: TAYLOR ALERT (TA)	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To set guidelines to enter information into the Taylor Alert, a long term caution file in the LEADS Caution Ohio Police which warns an officer of safety concerns when a substantial threat has previously been made.

POLICY: The Cleveland Division of Police shall use the LEADS Cop File to enhance officer safety by providing an early warning system of potential threats from citizens they may encounter in the course of their duties.

PROCEDURES:

I. To Enter a Taylor Alert (TA).

In all cases, First Amendment Rights shall be considered and the seriousness of the threat weighed against an individual's right to freedom of expression. Under no circumstances shall entries be filed based on an individual's race, sex, religion, national origin, ethnicity, social views, or association with political or religious groups or organizational activities.

A. Complete the TA entry form, (Appendix), for the following criteria:

1. Previous conviction for an act of violence (assault) against a law enforcement officer. This **does not** include fleeing or resisting arrest.

2. A verbal threat of physical harm specifically directed toward law enforcement personnel. **In this instance the following must be met:**

   a. Reasonable Suspicion to believe an individual may act on a verbal threat in the future. Reasonable suspicion is established if information exists that establishes sufficient facts to give a trained officer basis to believe there is reasonable possibility an individual may present increased danger to any law enforcement officer.

b. Source Reliability is the reliability of the source is unquestioned or has been well tested in the past.

c. Content Validity is a law enforcement officer or a reliable independent source has corroborated the information.

B. The Chief of Police or their designee shall consider the criteria stated above to determine whether or not the information shall be entered as a TA. If approved, documentation of this approval, the originating officer's Form-1, signed by the Chief. shall be maintained by the Bureau of Administrative Services/Record File Section. A supervisor in the Record File Section shall ensure that the information is entered into LEADS by the message center.

II. A Record File Section designee will review the record and contact the originating officer to determine if the record shall continue to remain in LEADS.

TAYLOR ALERT–LONG TERM CAUTION ENTRY FORM

Agency name:_____

Agency ORI: _____

Subject's name:_____

DOB:_____ SS#_____

HGT:_____ WGT:_____ HAI:_____ EYE:_____

LID:_____

CRITERIA REQUIRED FOR AN ENTRY TO BE MADE:

1. Any previous conviction for an act of violence (assault) against a law enforcement officer. **This does not include resisting arrest or fleeing.**

   List act of violence_____

2. A verbal threat of physical harm specifically directed toward law enforcement personnel. For this instance the following guidelines apply and must be met.

   a. Reasonable Suspicion is belief that an individual may act on a verbal threat some time in the future. Reasonable suspicion is established when information exists that establishes sufficient facts to give a trained law enforcement officer a basis to believe there is a reasonable possibility the individual may present an increased danger to any law enforcement officer.

   b. Source Reliability is reliability of a source that is unquestioned or has been well tested in the past.

   c. Content Validity is validity that exists because a law enforcement officer or another reliable, independent source has corroborated the information.

   d. **First Amendment Rights, the seriousness of the threat must be weighed against an individual's right to freedom of expression.**

General threat:_____

_____

_____

_____

_____

_____(continued on reverse)___

Chief/designee's name (print)_____

Chief/designee's signature: _____Date: _____

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 01, 2002	DECEMBER 31, 2007	1 of 2	10.1.01

SUBJECT:	
HANDLING INFECTIOUS EVIDENCE/WASTE	
ASSOCIATED MANUAL: PROPERTY UNIT MANUAL	RELATED ORDERS: 3.2.11, 6.2.09
CHIEF OF POLICE: *Michael McGrath, Chief*	

Changes in italics

PURPOSE: To establish guidelines to handle and dispose of contaminated property and evidence, and to comply with the State of Ohio Environmental Protection Agency (EPA) infectious waste regulations, OAC chapters 3745-27 and 3745-37.

POLICY: The Cleveland Division of Police shall adhere to strict safety standards when when handling contaminated or suspected contaminated property.

PROCEDURES:

I. Property/Physical Evidence

Members shall treat all physical evidence or property contaminated with blood or other bodily fluids as infectious. Disposable gloves shall be worn to handle contaminated items.

II. Collection Sites

Districts, Medical Unit, Forensic Lab, Property Unit or units or sections that will store contaminated property and/or waste shall establish:

A. A secure, designated area to store contaminated waste or evidence. This area is not necessarily a separate locked area, but shall restrict the general public or casual visitor from the area. *Signs warning of infectious waste shall be posted at all points of access to identify the restricted room or area*.

B. A decontamination area used for cleaning and disinfecting and for storage of decontamination supplies. Kitchen or bathroom sinks are inadequate. In most cases this will be the “slop” sink room or area used for janitorial purposes.

III. Sharp Objects

Hypodermic needles, syringes, and similar objects shall be disposed of in Sharps containers or stored in rigid plastic containers as evidence, intact, with NO cutting or breaking. *Sharps containers may be obtained from the Medical Unit*. Recovering meaningful evidence from the analysis of needles and syringes is remote; therefore, they SHALL NOT be sent to the Forensic Laboratory for analysis. If a record of the needle/syringe confiscation is necessary for evidentiary purposes, it may be photographed. If it is necessary to retain a sharp object for evidence, it shall be stored in a rigid container until disposal in a Sharps container is possible.

IV. Contaminated Evidence/Property

A. Air-dry contaminated evidentiary property before transporting to the laboratory for analysis, or to the Property Unit for storage. If this is not possible, place the evidence in a paper bag, then in a plastic bag, left open to allow for ventilation and avoid contamination of the evidence.

B. If possible, bags with biohazard markings shall be used for storing contaminated evidence/property. If confiscated-contaminated property is personal property of a prisoner and will be returned, or is evidentiary in nature, it shall be stored and sealed in one of these marked bags.

C. When contaminated evidence is collected, protective clothing appropriate to the extent of contamination or exposure shall be worn. If latex gloves are not sufficient protection, fully equipped personnel from the Crime Scene or Homicide Unit shall be summoned to process the scene with complete protection (e.g. aprons, goggles, shoe covers etc.).

V. Rape Evidence

To avoid contamination of rape evidence, the evidence shall be double-bagged in paper bags. If there is any possibility of rape evidence leaking, then the evidence shall be placed into a non-leaking box or container.

MM/TAH/JCO/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	10.1.02

SUBJECT:	
PROPERTY BOOK FORMAT	
ASSOCIATED MANUAL:	RELATED ORDERS: 10.1.03,10.2.01
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To set guidelines that ensure a clear chain of custody to receive and dispose of property and evidence for the Cleveland Division of Police.

POLICY: The Division shall ensure a clear chain of custody. The Division shall maintain separate property books for drugs and other non-prisoner evidence.

PROCEDURES:

I. Property Book Column Headings.

A. Date.

B. Signature or initials of the Officer in Charge (OIC) with the exception of the Property Unit, where the receiving member shall sign or initial.

C. Description of the property.

D. Owner's name, if known.

E. With whom the property was found.

F. Recovered by: officer's name and badge number.

G. Remarks: Record Management System (RMS) report number and recommended disposition of the property.

H. Transporting officer's signature.

I. Delivered to whom: (signature of the member to whom the property is delivered).

J. Date the property is disposed of or delivered to another administrative unit.

II. Drug Evidence Property Book Format

A. Date.

B. OIC's signature or initials.

C. Property Description.

D. Owner's name if known.

E. With whom the property was found.

F. Recovered by: officer's name and badge number.

G. Remarks: enter drug bag number, RMS report number, and recommended disposition of property.

H. Transporting officer's signature.

I. Delivered to whom: signature of member to whom the property is delivered.

J. Date the property is disposed of or delivered to another administrative unit.

ELF/TAH/LM/pmz
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	10.1.03

SUBJECT:	
HANDLING EVIDENCE	
ASSOCIATED MANUAL: TECHNICAL SECTION	RELATED ORDERS: 10.2.01, 10.2.02
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To provide accountability and a legal chain-of-evidence in the Cleveland Division of Police.

POLICY: The Division shall ensure the integrity of evidence collected. Only sworn officers shall transport evidence that may be used in court. Assigned officers shall convey evidence or property only with complete information on the envelopes, tags, bags, or gummed tape.

PROCEDURES:

I. The Record Management System (RMS) number shall be used to track evidence.

II. See the appropriate directives for specific procedures to follow in connection with drug bags, gun bags and gummed tape.

III. Property held in evidence for owner envelope, Form 68.

A. Complete the evidence envelope in its entirety and attach a RMS report copy to the evidence envelope, with the RMS number visible.

B. Officers shall print the RMS number in the upper right corner of the evidence envelope.

C. If the evidence is currency, print the total amount of currency and the number of each denomination on the envelope.

D. If the suspect is a juvenile, print JUVENILE next to the suspect's name in **red** ink.

E. If an examination by the Forensic Unit is required, attach a written Form-1 request.

IV. Property and Evidence Tag, Form 60-3 rev.

A. Staple a copy of the RMS report to the evidence tag with the incident number visible.

B. Complete the tag, except for PROP. ROOM NO., and S.I.U. LAB NO.

C. Enter the name of the person who turned the item over to the reporting officer in the FOUND BY section.

V. Members shall enter evidence information in the appropriate Administrative Property Book.

EFL/TAH/LM/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 1	10.1.04

SUBJECT:	
PROPERTY UNIT NOTIFICATION FOR CASES TAKEN DIRECTLY TO THE GRAND JURY	
ASSOCIATED MANUAL: PROPERTY UNIT	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To establish guidelines for officers to take cases directly to the Grand Jury.

POLICY: Cleveland Division of Police members shall notify the Property Unit via Form –1 when they take a case directly to the Grand Jury.

PROCEDURES:

I. Officers shall notify the Property Unit by Form-1 and include the complaint number, defendant's name, offense charged and a request to preserve evidence and/or property related to the case when taking a case directly to the Grand Jury.

II. Officers shall notify the Property Unit by Form –1 of the disposition of the case i.e., indictment or "No Bill".

EFL/TAH/LF/syd
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	10.2.01

SUBJECT:	
SEIZED UNITED STATES (U.S.) CURRENCY	
ASSOCIATED MANUAL:	RELATED ORDERS: 10.1.02
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To establish Division guidelines to handle U.S. currency seized or held.

POLICY: The Cleveland Division of Police shall secure U.S. currency seized or held. This includes cash seized as contraband, found, or cash whose ownership is unknown or disputed.

PROCEDURES:

I. Officers who seize find or receive U.S. currency for the Division shall refer to directives regarding property handling. They shall give specific attention to completing evidence tags and envelopes and immediately forward cash to the Property Unit, unless forensic processing is required or the property will immediately be returned to the owner.

II. To complete the property envelope or tag, the seizing or investigating officer shall:

A. List the total amount of cash and the number of bills or coins in each denomination, e.g. Total $120 (2 - $50), (1- $10), (2- $5).

B. If it is anticipated that the cash will be used at trial, mark “DO NOT DEPOSIT”, “BUY MONEY”, or other appropriate term(s) in large red letters across the top of the envelope or tag. This notation shall be made with the following categories:

1. Cash used during the criminal offense or transaction, such as “buy money”, money with recorded serial numbers or other distinctive markings.

2. Cash that possesses distinctive characteristics of evidentiary value, such as a bill that was subjected to forensic processing.

3. Cash with a value that exceeds face value, i.e. gold or silver coins, silver certificates, or coin collections.

4. Cash not prominently marked “DO NOT DEPOSIT”, or with similar directives shall be given to the city treasurer. The seizing or investigating officers shall photograph the cash or maintain other records, such as serial numbers important in an investigation.

EFL/TAH/LM/mg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
MARCH 1, 2002		1 of 2	10.2.02

SUBJECT:	
PROPERTY CONFISCATED FOR THE REGISTRAR OF MOTOR VEHICLES	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Edward F. Lohn, Chief*	

PURPOSE: To establish guidelines for confiscating property under the authority of the Registrar of Motor Vehicles per Ohio Revised Code Section 4509.101.

POLICY: The Cleveland Division of Police shall confiscate property (driver's license, certificate of registration, registration plates) on the authority of the Registrar of Motor Vehicles. Section 4509.101 of the Ohio Revised Code states that a "peace officer …May confiscate…" this property but it is NOT mandatory. Therefore, a sworn officer of the Division may use discretion when confiscating property by authority of the Registrar of Motor Vehicles.

PROCEDURES: If a LEADS check reveals that the registrar of motor vehicles has ordered the confiscation and return of the driver's license and/or the certificate of registration and/or the registration plates (license plates) of an individual, an officer may confiscate the property. It is not mandatory to confiscate he property; officers may use their discretion.

If the property is confiscated, effort shall be made to confiscate ALL THE PROPERTY INDICATED IN THE LEADS PRINOUT. If all the indicated property is not confiscated, the City will not be reimbursed for the confiscation cost. If all the mentioned property is not available, whatever is available shall be confiscated.

I. The confiscating officer shall:

A. When LEADS reveals an order, from the Registrar of Motor Vehicles, to confiscate property, officers shall make the determination whether or not to confiscate the property. If the individual has a clearance letter (Bureau of Motor Vehicle Form 3417) in their possession that shows the confiscation order is negated, the clearance letter SHALL TAKE PRECEDENCE over the LEADS information.

B. If officers make the decision to confiscate property, they shall complete a

State Motor Vehicle Form BMV 3608: "Items Impounded By Law Enforcement For Return To BMV"; along with the property entered in the district/unit property book accompanied by the BMV 3608 form with a copy of the authorizing LEADS printout.

II. Supervisors shall:

A. When requested respond to determine if confiscation is authorized

B. Review the Bureau of Motor Vehicle Form 3608 to ensure completeness and sign the form.

III. Officer-In-Charge (OIC)

The OIC shall ensure that confiscated property is properly logged in the unit/district property book. They shall also ensure that the BMV Form 3608 and a copy of the LEADS printout accompany it when forwarded to the Property Unit.

EFL/TAH/LM/mg /syd
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
March 01, 2002	September 10, 2012	1 of 2	10.3.01

SUBJECT:	
PROPERTY MANAGEMENT	
ASSOCIATED MANUAL:	RELATED ORDERS:
Property Section associated units	2.2.01, 3.2.19, 4.2.04, 4.2.05, 10.1.03
CHIEF OF POLICE:	
Michael McGrath, Chief	

Substantive changes are italicized

PURPOSE: To ensure accountability for property received into the custody of the Cleveland Division of Police.

POLICY: The Division shall receive, document, maintain, transfer, release *or dispose of* property.

PROCEDURES:

I. General Provisions

A. Members who recover, find, confiscate or hold property shall enter the property in their district/unit property book.

B. For future identification, personnel shall secure against tampering and tag articles received into the custody of the Division of Police. *Tagging is accomplished via a property tag and/or placing the item into an evidence envelope. Refer to General Police Order (GPO) 10.1.03 for procedures regarding handling evidence. Refer to GPO's 4.2.04 and 4.2.05 for procedures regarding narcotics evidence. See below for additional instructions for certain vehicle parts.*

C. Personnel who recover property shall attempt to notify the owner. If they cannot notify the owner, they shall forward a Form-1 and request the Property Unit to make the notification. Absent this Form-1, it will be assumed this notification has been made.

D. Members shall maintain the chain of custody by signing the district/unit property book when transferring property between units, removing it for court purposes or to return it to the rightful owner.

E. The Officer in Charge (OIC) of the district/unit shall forward property to the Property Unit within three business days unless it can be returned to the owner before it is forwarded or is otherwise exempt. Exemption: Property and evidence that requires an outside agency to conduct forensic testing or

examination. *A delay in excess of three business days requires a Form-1 completed by the OIC to be attached to the property being forwarded. The Property Unit shall retain the original Form-1 and forward a copy of same to the Inspection Unit*.

F. *Property held for forfeiture shall be handled as directed in GPO 2.2.01 Forfeiture of Contraband*.

G. *Large bulk property items such as bicycles, lawn mowers, and larger vehicle parts such as bumpers and fenders shall be forwarded to the Supply Unit*.

H. *Larger vehicle parts taken as evidence in a Hit Skip accident shall be accompanied by both a copy of the Hit Skip card and the first page of the OH-1 form. Larger vehicle parts taken into Division custody as the subject of a Property Found or other Record Management System (RMS) report shall be accompanied by a copy of the RMS report*.

II. Officers locating or obtaining flammable substances shall contact the Communications Control Section (CCS) for referral to the Arson Unit.

III. Commercial and homemade fireworks shall be transported to the Ordnance Unit. If the Ordnance Unit is closed, fireworks shall be temporarily secured in a police vehicle. *That vehicle shall NOT be parked in an* ***indoor*** *parking location*. The OIC shall put a note with that vehicle's keys stating that fireworks are stored there and that the vehicle is out of service. The OIC shall contact the Bomb Squad if a police vehicle is inadequate for the quantity of fireworks.

IV. Officers locating or obtaining explosive devices shall inform CCS of same for referral to the Bomb Squad. *Refer to GPO 3.2.19 for related protocols*.

V. Property such as firearms, explosives, illegal drugs or similar contraband confiscated by a deputy bailiff as a result of a court eviction order requires that zone car personnel take immediate *control* of the property, *secure in accordance with Divisional procedures*, and complete the appropriate RMS Report.

VI. *The Division shall dispose of property in accordance with Cleveland Codified Ordinance 601.14 Disposition of Property Held by the Division of Police, Ohio revised Code sections 2981.11 Care of property in law enforcement custody, 2981.12 Disposal of unclaimed or forfeited property, and 2981.13 Sale of forfeited property - application of proceeds - forfeiture funds.*

MM/ajg
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
DECEMBER 13, 2002	JUNE 18, 2014	1 of 1	10.3.02
SUBJECT: RETURN OF FIREARMS			
ASSOCIATED MANUAL: DISTRICT, ORDNANCE, BUREAU OF SUPPORT SERVICES UNITS			RELATED ORDERS: 1.3.26
CHIEF OF POLICE: *Calvin D. Williams, Chief*			

Substantive changes are italicized

PURPOSE: To ensure that the Cleveland Division of Police accounts for and maintains City of Cleveland firearms.

POLICY: Members on extended illness, suspension, *Restricted Duty associated with criminal charges*, or a leave of absence (*exceeding 90 days*) are required to relinquish Division firearms.

PROCEDURES:

I. A member on extended illness, suspension, *Restricted Duty associated with criminal charges,* or a leave of absence shall not perform duties that require firearms during the absence. Officers shall relinquish Division issued firearms to their supervisor immediately at the start of the extended illness, suspension, *or Restricted Duty status associated with criminal charges*.

II. *The supervisor taking custody of a Division firearm, for the reasons described herein, shall ensure the firearm is conveyed to the Ordnance Unit and document the method on their Supervisory Officer Daily Report. Division firearms* ***shall not*** *be entered into evidence and/or held in any other manner to comply with this order.*

III. The Ordnance Unit shall reissue firearms when a member resumes active duty status and meets Division requirements.

CDW/jeh
Policy & Procedures Unit

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

ORIGINAL EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
APRIL 03, 2003	April 1, 2013	1 of 4	10.3.03

SUBJECT:	
FIREARM PURCHASE	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Changes are printed in Italics

PURPOSE: To implement Article XV of the Fraternal Order of Police (FOP) and Article XV, Section 27 of the Cleveland Police Patrolmen's Association (CPPA) collective bargaining agreements (CBA).

POLICY: Officers may purchase their Division issued handgun prior to retirement from the Cleveland Division of Police as conditioned by the members' respective CBA's and subject to applicable Federal, State or City of Cleveland laws or ordinances. *The fair market value of firearms is determined by the Division of Purchase and Supplies*.

PROCEDURES:

I. Division handguns may be purchased when one of the following apply:

A. Per Article XV of the FOP CBA, "a member of the bargaining unit who has 23 years of service in the department [sic] or toward his/her pension and has reached the age of 46, may purchase his/her 9mm handgun at the agreed upon fair market value. Said purchase may be made via cash or deducted from the members' annual clothing allowance." Per Cleveland Codified Ordinance (CCO) 181.19(b), a member with more than 20 years of service may apply purchased military service toward acquiring the required minimum of 23 years of service with the Division of Police.

B. Per Article XV Section 27 of the CPPA CBA, "a member of the bargaining unit who has 23 years of service in the department [sic] and has reached the age of forty-six (46) may purchase his/her .9mm handgun at the agreed upon fair market value. In addition, those officers who have more than one weapon may purchase any or all of those additional weapons at the then fair market value. Said purchase may be made via cash or deducted from the members' annual clothing allowance." Per CCO 181.19(b), a member with more than 20 years of service may apply purchased military service toward

acquiring the required minimum of 23 years of service with the Division of Police.

C. When the Division changes or upgrades the standard issue duty sidearm, officers may purchase the prior issued sidearm after they are issued the new sidearm. The cost of the prior issued sidearm shall be at the agreed upon fair market value. Members with more than 23 years of service (as described in the previous sections) may purchase their weapon via the annual clothing allowance. All other members making this purchase shall pay by cash or money order.

II. Officers who leave the employment of the Division and are awarded a disability pension from the Ohio Police and Fire Pension Fund are eligible to purchase their standard issue sidearm only to the extent that they otherwise may qualify to purchase the firearm based on age and years of service as articulated in the members' respective CBA's.

III. *Officers shall utilize the pre-structured Firearm Purchase Form-1 (attached) to complete the purchase of their firearm*.

A. *Officers shall complete the top portion of the form and indicate the method of payment*.

1. *Officers purchasing their firearm in full or in part by the annual Clothing Allowance shall indicate so by placing a mark in the space provided. Such purchases may be made only during the annual Clothing Allowance ordering period*.

2. *Officers purchasing their firearm by 100% cash/money order shall indicate so by placing a mark in the space provided. Officers purchasing their firearm outside of the Clothing Allowance ordering period are required to use the 100% cash/money order option*.

B. *Officers shall hand-carry the original Form-1 first to the Personnel Unit to verify that the officer is qualified to purchase the firearm. Upon receiving the requisite approval and signature, the officer shall take the form to the Budget Unit and the Policy & Procedures Unit (as may be the case in a Clothing Allowance purchase). Any required payment shall be made at this time to the Budget Unit.*

Officers shall then take their original Form-1 and firearm to the Ordnance Unit for final verifications and approval. The Ordnance Unit shall forward the Form-1 to the Chief's Office for final approval. In lieu of the Ordnance Unit forwarding the Form-1, the officer may hand carry the Form-1 to the Chief's Office.

Upon the Chief's signature indicating approval, the original Form-1 shall be forwarded to the Bureau of Support Services for further action. The purchase of the firearm is ***not*** *complete until the pre-structured Form-1 is completed in its entirety with* ***all*** *the requisite signatures. Simply purchasing the firearm on the annual Clothing Allowance is* ***not*** *sufficient to complete and finalize the firearm purchase*.

IV. All firearm purchases as enumerated above are subject to applicable Federal laws. The Federal Gun Control Act of 1968 [18 U.S.C. 922(g)] prohibits, in part, a person from shipping, transporting, receiving or possessing firearms, when any of the following apply:

A. The person is under indictment in any court for a crime punishable by imprisonment for a term exceeding one year;

B. The person has been convicted of a crime punishable by imprisonment for a term exceeding one year;

C. The person is an unlawful user of or addicted to any controlled substance;

D. The person is subject to a court order restraining the person from harassing, stalking, or threatening an intimate partner or child of the intimate partner;

E. The person has been convicted of a misdemeanor crime of Domestic Violence.

V. All firearm purchases as enumerated above are subject to applicable State laws. O.R.C. 2923.13 Having Weapons Under Disability prohibits, in part, a person from acquiring, carrying, or using any firearm when any of the following apply:

A. The person is under indictment for or has been convicted of any felony of violence;

B. The person is under indictment for or has been convicted of any offense involving the illegal possession, use, sale, administration, distribution, or trafficking in any drug of abuse;

C. The person is drug dependent, in danger of drug dependence, or a chronic alcoholic;

D. The person is under adjudication of mental incompetence.

VI. All firearm purchases as enumerated above are subject to applicable City of Cleveland Ordinances. C.C.O. Chapter 674 prohibits, in part, a person from obtaining a handgun owner's identification card when any of the following apply:

A. The person has been convicted of illegal use or possession of narcotics;

B. The person has more than one conviction of being drunk and disorderly or driving a motor vehicle while intoxicated, either of which occurred within one (1) year;

C. The person with more than one conviction of a misdemeanor involving the use of force and violence, or the threat of the use of force and violence against the person of another within two (2) years.

VII. A member may be denied purchase of their service weapon for other good cause not enumerated above as determined by the Chief of Police.

MM/ajg
Policy & Procedures Unit
Appendix A

DIVISION OF POLICE

CLEVELAND, OHIO

DIVISIONAL INFORMATION

DIST./BUR. ZONE/UNIT _____ 20 _____

EXAMINED BY _____ RANK _____ _____ 20 _____

FROM _____ TO _____

SUBJECT Firearm Purchase

COPIES TO Personnel Unit, Budget Unit

Sir/Ma'am:

As per General Police Order (GPO) 10.3.03 FIREARM PURCHASE, I am eligible to purchase my issued firearm. Furthermore, I am not under disability pursuant to Ohio Revised Code 2923.13 or will be in violation of 18USC 922(g) upon transfer of the firearm. In addition, I meet the qualifications established by Cleveland Codified Ordinance 674.04 as applicable. I hereby request to purchase my issued firearm described below at the fair market value of $_____.

( ) I am paying for this firearm in part or in full with my 20____ Clothing Allowance.

( ) I am paying for this firearm with cash/money order remitted to the Budget Unit

MAKE_____MODEL_____SERIAL NUMBER_____

Respectfully _____ #_____

#1 PERSONNEL UNIT USE ONLY

Personnel Unit records indicate that this officer is qualified under their respective collective bargaining agreement to purchase his/her issued firearm.

_____ #_____ Date:_____

#2 BUDGET UNIT/POLICY & PROCEDURES UNIT USE ONLY

Payment by: ( ) Clothing Allowance Deduction (in FULL) verified by _____ #_____

( ) Clothing Allowance Deduction (in PART) verified by _____ #_____

( ) Payment of $_____ received by _____ #_____ Date: _____

(cash)(money order)

#3 ORDNANCE UNIT USE ONLY

The firearm described herein is assigned to the named officer.

_____ #_____ Date: _____

#4 CHIEF'S OFFICE USE ONLY

As this request conforms to the firearm purchase provisions of the member's respective collective bargaining agreement currently in force, I recommend that the Director of Public Safety initiate the procedures required by City ordinance to effect the sale of this firearm.

_____ #_____ Date: _____

PURCHASE OF FIREARM IS NOT COMPLETE WITHOUT **ALL** THE REQUISITE SIGNATURES

Original to Bureau of Support Services Final distribution: Ordnance Unit (original) Personnel Unit and Budget Unit (copies)

GPO 10.3.03 Revised April 2013

GENERAL POLICE ORDER
CLEVELAND DIVISION OF POLICE

EFFECTIVE DATE:	REVISED DATE:	NO. PAGES:	NUMBER:
May 6, 2005	September 6, 2011	1 of 3	10.3.04

SUBJECT:	
COMMUTER VEHICLE PRIVILEGES	
ASSOCIATED MANUAL:	RELATED ORDERS:
CHIEF OF POLICE: *Michael McGrath, Chief*	

Substantive changes are in italic

PURPOSE: To establish guidelines for commuter vehicle privileges.

POLICY: The City of Cleveland and the Cleveland Division of Police authorize the use of City vehicles for official business only. The Division shall strictly monitor this privilege. Members shall operate a City vehicle only within the scope of their assignments and with *prior written approval of the Chief Operating Officer following recommendations by Chief of Police and the Director of Public Safety*.

PROCEDURES:

I. Commuter Privilege Requests

A. Commuter privilege approvals expire annually on the first day of December. Members shall submit renewals by the *first day of* November preceding the expiration of their approval. *New requests may be submitted any time*. Members must submit a Form-1 or memorandum through the chain of command to their Deputy Chief for approval and forwarding to the Chief. The Form-1 or memorandum shall include the following:

1. Name and rank of officer(s) requesting commuter privileges. *If a single vehicle is to be shared by multiple officers, each officer shall submit a request*.

2. Unit of assignment.

3. Reason that commuter privileges are needed.

4. Vehicle code, year, make, model and license plate.

B. Final approval is granted by written authorization from the Chief Operating Officer of the City of Cleveland. The assignment of City vehicles is based on the duty-related needs of the Division. Copies of the authorization shall be kept in the Chief's Office and the assigned officer's unit.

II. Commuter Vehicle Privilege Restrictions and Responsibilities:

A. Unless otherwise authorized in writing by the Chief, members shall not:

1. Transport any person other than a City employee and/or an individual with whom the City is conducting business. To do so will be deemed outside the scope of an officer's duties.

2. Use City vehicles for personal use.

3. Alter any City vehicle or equipment (i.e. radios, antennas, insignias, decals).

B. Officers shall:

1. Lock their vehicles and remove the ignition key when unattended.

2. Adhere to the required vehicle preventive maintenance schedule.

3. Abide by Ohio statutes, local ordinances, rules and regulations and policies regulating the operation of vehicles.

C. Personnel absent from their assignment for more than ten working days shall return the City vehicle to their immediate supervisor until they return to duty.

III. On-call commuter privileges may be granted to officers periodically requiring a vehicle for high priority situations. Approval is granted in the same manner as regular commuter privileges.

IV. A Deputy Chief may authorize temporary commuter privileges, i.e. officers new to a unit.

V. Officers leaving a unit or no longer requiring commuter privileges, as well as any modification or revocation of commuter vehicle privileges, require the unit's superior officer to make a written request/notification and forward same through the chain of command.

VI. The Chief's Office and the Logistics Section shall maintain a list of members having commuter privileges.

VII. Vehicle Log

A. *The vehicle log sheet shall be signed by the person using the vehicle. In the case of several members using the same vehicle for that month, the Officer-in-Charge of the unit or highest ranking member having used that vehicle for that month shall sign the log sheet. In the case of vehicles used by labor union members, the president or designee shall sign the form*.

B. Log sheets shall *account for all miles driven*.

C. Each trip shall be documented by listing the beginning miles, ending miles, total miles, departure time, arrival time, and relevant comments.

D. Comments shall describe the nature of the trip, i.e., call up, commute, or *administrative duties related to that position*.

E. The log sheet shall be *updated daily as needed and the original* submitted monthly on the first day of the month through the chain of command to the respective Deputy Chief

F. Deputy Chiefs shall review the logs on a monthly basis and forward *the originals* to the Chief's Office by the fifth day of each month.

MM/LM/JCO/ajg
Policy & Procedures Unit
Attachment

DEPARTMENT: **Safety**

G.P.O. 10.3.04

DIVISION: **Police**

Vehicle I.D. No.: _____

License Plate No.: _____

		Mileage			Time		
Drivers Name	Date	Begin	End	Total	Departure	Arrival	Comments

Submitter Name _____ Badge _____

Signature _____

Revised September 6, 2011

Cleveland Division of Police
General Police Order Index

February 21, 2020

SUBJECT	GPO #	DATE
A		
Abandoned Baby	6.1.05	03/01/02
Abduction; Combined Abduction Response Team (CART) (4.1.14 A)	4.1.14	06/03/14
Abused, Exploited, or Neglected Elderly	6.2.07	03/01/02
Abused, Neglected Mentally Retarded Adults	6.2.06	03/01/02
Access to Firearms by a Child	3.4.05	03/01/02
Accident, OH-1 Reports (8.1.02 A B C D E F G)	8.1.02	09/10/12
Accidents, City Employees Involved (8.1.01 A)	8.1.01	03/26/15
Accident Investigations, Hit Skip	8.1.04	05/14/14
Accidents, Non-Traffic on City Property	3.2.13	03/01/02
A Child is Missing (ACIM) (9.1.08 A)	9.1.08	04/16/04
Acting Out of Rank/Classification (1.1.40 A)	1.1.40	11/24/15
Active Shooter	3.3.01	10/18/11
Admission (CCJDC) (Rescinded)	5.1.03	07/09/14
Adult Prisoner Booking and Housing (7.1.06 A)	7.1.06	12/31/07
Adult Prisoner Processing (*Rescinded; see County Jail Policies)*	7.1.07	07/11/18
AED Machines	1.1.34	09/09/15
Aggravated Vehicle Assaults	4.1.04	03/01/02
Alarm Abuse Program	3.2.08	10/17/07
Alarm, Chronic Alarm Abuse Program (CAAP)	3.2.08	10/17/07
Alcohol/Drug Policy (1.1.15 A)	1.1.15	12/28/16
Alcohol/Drug Random Test	1.1.15	12/28/16
Alert Long Term Caution: Taylor Alert (TA) (9.2.02 A)	9.2.02	12/23/02
Alphabet, Standard Phonetic	3.2.01	03/01/02
Amber Alert (9.1.07 A B C D E F)	9.1.07	04/16/04
Ammunition Boxes (3.1.05 A)	3.1.05	5/14/14
Ammunition and Firearm Regulations (1.3.11 A B C)	1.3.11	8/07/15
Animal Incidents	2.1.04	12/28/16
Appearance of Impropriety, Duty to Avoid (1.3.33 A)	1.3.33	08/27/07
Armor, Body	1.1.19	05/07/15
Arrest, Searches Incident to (*Rescinded; see 2.02.01-2.02.04)*	2.3.10	01/01/20
Arrests, Mass	3.3.03	06/13/16
Arson Investigations	4.1.08	01/06/03
Assistance, Employee Assistance and Support	1.1.41	12/24/10
Automated External Defibrillators (AEDs)	1.1.34	09/09/15
Automatic Vehicle Locator (AVL) System (9.1.09 A)	9.1.09	05/24/10
Auxiliary Police Program	1.2.03	10/31/12
Awards Recognition Program (1.1.14 A)	1.1.14	05/09/03
B		
Badges, Removing From Circulation	1.3.18	07/06/09
Bait Vehicle Program (Rescinded)	3.2.16	03/04/08

Bank Alarm Procedures, Silent Holdup	3.2.04	03/01/02
Beanbag Shotguns (2.1.02 A) (*Rescinded; see 2.01.01-2.01.05)* Blood	2.1.02	01/01/18
and Body Fluid, Contacting (3.2.11 A)	3.2.11	06/24/05
Body Armor	1.1.19	05/07/15
Bomb Threats, Telephone	3.4.18	12/31/07
Bomb Squad and Improvised Explosive Devices (IED) Protocols	3.2.19	09/27/11
Booking Adults (7.1.06 A)	7.1.06	12/31/07
Booking Juveniles (5.1.02 A)	5.1.02	12/31/07
Boundaries, District and Zone (1.2.02 A B C D E F)	1.2.02	11/06/13
Breaks, Lunch	1.3.23	03/17/06
Breath Testing Procedures at the Central Prison Unit, OVI	8.2.09	02/16/10
Bureau of Integrity Control Call-Up (*Rescinded; See 1.07.04-1.07.05)*	1.3.16	02/21/20
Business Cards	1.1.37	04/15/14

C

CAAP Chronic Alarm Abuse Program	3.2.08	10/17/07
CAD Premise/Hazard File	9.1.05	03/01/02
Cameras, Wearable (*Rescinded; see 4.06.04)*	3.2.20	01/01/18
Canine Unit (*Rescinded; see 4.02.02)*	3.2.10	02/09/18
Capias, Cuyahoga County	2.2.03	03/01/02
Car Plan/Staffing in Patrol and Patrol Supervision	3.1.03	08/13/02
Cases Taken Directly to the Grand Jury (Property Unit Notification)	10.1.04	03/01/02
Case Western Reserve University, Protocol between	1.3.32	12/31/07
CCW Arrest	6.2.05	03/01/02
Ceremonial/Memorial Services (1.3.03 A)	1.3.03	01/21/08
Chaplains (*Rescinded; see 4.02.05)*	1.2.04	03/15/18
Charging and Releasing of Warrantless Felony and Escalating Misdemeanor Arrests	4.1.06	03/20/13
Charging Procedures, Warrantless Non-Escalating Misdemeanor Arrests (4.1.12 A)	4.1.12	03/20/13
Checkpoints, Driver License	8.2.02	03/01/02
Checkpoints, DUI	8.2.04	04/01/02
Child Endangering	6.2.08	08/02/13
Chronic Alarm Abuse Program	3.2.08	10/17/07
Citation In Lieu of Arrest	3.4.06	03/01/02
Citizen Stops (*Rescinded; See 2.02.04-2.02.04)*	8.2.07	01/01/20
Citizen Online Reporting (CORS)	6.2.16	08/02/09
City Employees Involved in Motor Vehicle Crashes (8.1.01 A)	8.1.01	03/26/15
Civil Lawsuits, Law Department Representation	1.3.14	10/24/13
Clandestine Laboratories	4.2.01	02/01/10
Classification, Acting Out of (1.1.40 A)	1.1.40	11/24/15
Clearing Trap Use	2.1.05	03/22/13
Cleveland Clinic Police Department, Protocol between	1.3.37	08/26/11
Cleveland Municipal School District Police Department, Protocol between	1.3.31	12/31/07
Cleveland State University Police Department and Cleveland Division of Police, Protocol Between	1.3.30	03/12/07
Clothing Committee, Uniform	1.1.42	01/12/12
Clothing Regulations	1.1.12	08/05/13
Constitutional Rights, Protection of	3.3.03	06/13/16

Combined Abduction Response Team (CART) (4.1.14 A)	4.1.14	06/03/14
Command Duties	9.1.03	12/31/07
Command Vehicle, Use of	9.1.06	07/26/02
Communications, Radio Protocol (9.1.01 A B C)	9.1.01	07/23/14
Commuter Vehicle Privileges (10.3.04 A)	10.3.04	09/06/11
Competitive Shooting Team	1.3.36	05/01/09
Complaints (*Rescinded; see 1.07.04-1.07.07)*	1. .15	02/21/20
Computer Use	1.3.02	12/28/16
Conduct Standards	1.1.03	03/01/02
Conduct, Alleged Improper Police Conduct (*Rescinded; see 1.07.04-05)*	1.3.15	02/21/20
Conducted Electrical Weapon (2.1.06 A) (*Rescinded; see 2.01.01-2.01.05)*	2.1.06	01/01/18
Consular Immunity, Diplomatic	1.3.35	04/14/08
Contacting Blood and Body Fluid (3.2.11 A)	3.2.11	06/24/05
Contraband, Forfeiture of (2.2.01 A B C)	2.2.01	02/11/03
Controversial Incidents	1.1.23	03/01/02
Conveyance of Evidence Recovered at Hospitals	10.1.03	03/01/02
Cooperative Response To Serious Crimes	3.4.21	05/05/08
Court Subpoenas	2.3.01	08/18/09
Court; Jury Duty	2.3.11	06/01/08
Courtesy and Formations, Military	1.3.09	03/01/02
Courtesy Standards	1.1.03	03/01/02
Crime Scene Entry Log (4.1.10 A)	4.1.10	04/05/12
Crime Scene Preservation and Processing	4.1.03	09/29/11
Crime Victims Compensation	6.1.04	03/01/02
Crimes; Cooperative Response To Serious Crimes	3.4.21	05/05/08
Crisis Intervention Officers (*Rescinded; see 5.11.01-5.11.03)*	3.2.17	01/01/18
Crisis Intervention Report (*Rescinded; see 5.11.01-5.11.03)*	6.1.01	01/01/18
Curfew Citations, Adult Violators	5.1.01	12/18/14
Currency, Seized U.S. Currency	10.2.01	03/01/02
Cuyahoga County Juvenile Detention Center Admission *(Rescinded)*	5.1.03	07/09/14
Cuyahoga County Warrant or Capias Arrest	2.2.03	03/01/02
Cuyahoga Metropolitan Housing Authority, Mutual Aid	1.3.22	07/25/05
CWRU, Protocol between	1.3.32	12/31/07

D

Day Curfew/Truancy Enforcement	5.1.01	12/18/14
Damage to City Vehicles	8.1.01	03/26/15
DCI Arrests	3.4.04	03/01/02
Dead Body Investigations	6.2.03	10/06/11
Deadly Force Investigation Team	1.1.22	03/22/13
Deadly Force Encounter Statements, Recording of	4.1.11	09/29/06
Deaths and Funerals (1.3.04 A B)	1.3.04	08/19/15
Defense, Witness for Defense Subpoena Required	2.3.07	03/01/02
Defibrillators, Automated External	1.1.34	09/09/15
Detainees Medication Purchase (Rescinded)	7.2.04	12/31/07
Detective Tablets (DT) and Mobile Data Computers (MDC) (1.3.29 A)	1.3.29	04/03/07
DFACTS (Rescinded)	1.1.43	09/16/13
Diplomatic and Consular Immunity	1.3.35	04/14/08
Directives, Written	1.1.04	03/01/02
Disciplinary Guidance (1.1.11 A) (*Rescinded; see 1.07.06)*	1.1.11	01/01/18

Disclosure of Information	1.3.27	08/04/14
Distributive Factual Analysis Criminal Threat Solution (Rescinded)	1.1.43	09/16/13
District and Zone Reporting Boundaries (1.2.02 A B C D E F)	1.2.02	11/06/13
Division Mail Service	1.1.21	09/10/12
DNA Collection, Prisoner (*Rescinded; See County Jail Policies)*	7.1.09	01/01/18
Domestic Violence (3.4.16 A)	3.4.16	08/11/09
Driver License Check Point	8.2.02	03/01/02
Driver License Inspections (1.3.05 A)	1.3.05	03/19/12
Driver, Request for Driver License Examination	3.4.17	03/01/02
Driving, Emergency Response	3.2.07	07/05/13
Drug and Alcohol Policy (1.1.15 A)	1.1.15	12/28/16
Drug and Alcohol Random Test	1.1.15	12/28/16
Drug Bags	4.2.04	11/26/07
Drug Offenses,Use of Ohio Revised and Municipal Codes	6.2.14	09/23/03
Drug Related Activity Prohibited	3.4.10	03/01/02
Drug, Removing Drug Evidence from the Forensic Unit	4.2.05	10/14/09
Drugs, Clandestine Laboratories	4.2.01	02/01/10
DUI Checkpoints	8.2.04	03/01/02
DUS Arrests/Citations	3.4.14	03/01/02
Duties of Command and Superior Officers	9.1.03	12/31/07
Duty, Emergency Relief from	1.3.07	12/15/09
Duty Hours, Patrol Section, Reporting On and Off Duty	3.1.01	08/10/15
Duty Related Injuries (1.1.13 A B C D E)	1.1.13	08/01/08
Duty to Avoid Appearance of Impropriety (1.3.33 A)	1.3.33	08/27/07
Duty Reports (*Rescinded; see 4.04.03)*	3.1.02	02/10/20

E

Early Intervention Program (1.1.20 A)	1.1.20	04/05/11
Elder Abuse	6.2.07	03/01/02
Electrical Weapons (2.1.06 A) *(Rescinded; see 2.01.01-2.01.05)*	2.1.06	01/01/18
Electronic Recording of Homicide and Deadly Force Encounter Statements	4.1.11	09/29/06
Emergency Relief from Duty	1.3.07	12/15/09
Emergency Response Driving	3.2.07	07/05/13
Employee Assistance and Support	1.1.41	12/24/10
Employee Assistance Unit and Use of Force (A B) (*Rescinded; See 2.01.01-2.01.05)*	2.1.01 1.1.25	01/01/1 06/29/10
Employment, Secondary Employment Regulations (1.1.25 A B)	6.2.08	08/02/13
Endangering Children	3.4.16	08/11/09
Enforcement of Domestic Violence Statutes (3.4.16 A)	1.1.09	09/10/12
Equal Employment Opportunity Policy	1.1.01	09/29/09
Ethics Policy, City of Cleveland Mission Statement	3.4.12	02/18/09
Ethnic Intimidation and Hate Incident Investigations (3.4.12 A)	1.1.05	02/10/10
Evaluations, Performance (1.1.05 A-F)	4.2.04	11/26/07
Evidence Bags	10.1.03	03/01/02
Evidence Handling	10.1.03	03/01/02
Evidence Recovered at Hospitals, Conveyance	6.2.09	08/22/11
Evidence, Sexual Assaults	10.1.01	12/31/07
Evidence, Infectious	6.2.07	03/01/02
Exploited, Abused or Neglected Elderly	1.1.34	09/09/15
External Defibrillators, Automated		

F

Failure to Comply with Order of a Police Officer Family Medical	3.4.02	03/01/02
Leave Act (1.3.25 A B C)	1.3.25	03/14/13
Family Notification	6.1.02	03/01/02
Felonious Assaults Involving Police Officers	4.1.05	03/01/02
Female/Male/Juvenile Prisoner Transfer	7.1.01	03/01/02
Field Evidence Bags	4.2.04	11/26/07
Field Force	3.3.02	03/15/12
Field Training Program (1.1.24 A B)	1.1.24	01/04/14
Film Submitted to the Photography Unit (Rescinded) Firearm	4.1.09	07/07/11
Discharge Investigations	2.1.03	03/22/13
Firearm Purchase (10.3.03 A)	10.3.03	04/01/13
Firearm Regulations (1.3.11 A B C)	1.3.11	08/07/15
Firearm Seizure, Reporting and Handling (6.2.02 A) Firearm,	6.2.02	03/24/08
Gunshot Residue Collection	4.1.07	10/31/12
Firearm, Weapon Clearing Trap Use	2.1.05	03/22/13
Firearms Requalification Program	1.1.10	03/01/02
Firearm Test Firing and Serial Number Restoration	4.1.02	04/10/06
Firearms, Access to by a Child	3.4.05	03/01/02
Firearms, Return of	10.3.02	06/18/14
Flags, Proper Disposal of Division Flags	1.3.19	03/19/03
Force Investigation Team	1.1.22	03/22/13
Force, Use of (2.1.01 A B) (*Rescinded; see 2.01.01-2.01.05)*	2.1.01	01/01/18
Foreign Language, Limited English Proficiency	1.3.38	09/29/11
Foreign Nationals	1.3.13	03/04/13
Forfeiture of Contraband (2.2.01 A B C)	2.2.01	02/11/03
Form 10 Report (8.1.03 A B)	8.1.03	03/01/02
Form 42 *(Rescinded/Discontinued)*	6.2.11	03/06/18
Formations, Military	1.3.09	03/01/02
Frisk Search (*Rescinded; see 2.02.01-2.02.04)*	2.3.09	01/01/20
Funerals and Deaths (1.3.04 A B)	1.3.04	08/19/15

G

Grand Jury, Property Unit Notifications	10.1.04	03/01/02
Grooming Standards	1.1.28	06/22/09
GTMV Investigations (6.2.04 A)	6.2.04	03/01/02
GTMV Recovery	6.2.13	03/01/02
Guarding Prisoners at Hospital	7.2.01	09/23/15
Guidance, Disciplinary (1.1.11 A) (*Rescinded; see 1.07.06)*	1.1.11	01/01/18
Gunshot Residue Collection (GSR)	4.1.07	10/31/12

H

Handling Infectious Evidence/Waste	10.1.01	12/31/07
Handling Evidence	10.1.03	03/01/02
Handling the Mentally Ill (3.2.06 A) (*Rescinded; see 5.11.01-5.11.03)*	3.2.06	01/01/18
Hate Incident Investigations and Ethnic Intimidation (3.4.12 A)	3.4.12	02/18/09
Health Insurance Portability and Accountability Act (HIPAA)	1.1.29	06/26/09

Hit Skip Investigations	8.1.04	05/14/14
Hold Notices (NMVTIS)	6.2.15	12/08/04
Holdup Alarms, Silent	3.2.04	03/01/02
Homicide and Deadly Force Encounter Statements, Recording of	4.1.11	09/29/06
Hospital, Use of Prisoner Referral Form	7.2.02	12/31/07
Hospitals, Guarding Prisoner	7.2.01	09/23/15
Housing Code Violation Warning Form, Use of (3.4.20 A)	3.4.20	04/17/03
Housing, Juvenile (5.1.02 A)	5.1.02	12/31/07
Human; Investigation of Human Trafficking	4.1.13	03/17/08

I

ID Cards Required in Police Buildings	1.3.08	03/01/02
ID Cards, Inspection of (1.3.05 A)	1.3.05	03/19/12
Impropriety, Duty to Avoid Appearance of (1.3.33 A)	1.3.33	8/27/07
Improvements to Police Facilities	1.1.27	10/23/02
Improvised Explosive Devices (IED) and Bomb Squad Protocols	3.2.19	9/27/11
Incidents Involving Animals	2.1.04	12/28/16
Incidents, Reporting Controversial to the Chief's Office	1.1.23	03/01/02
Infectious Evidence or Waste Handling	10.1.01	12/31/07
Information Disclosure	1.3.27	08/04/14
Inspecting, Servicing, and Repairing Division vehicles	1.1.30	05/27/16
Injury on Duty (1.1.13 A B C D E)	1.1.13	08/01/08
Injury Reports (1.1.13 A B C D E)	1.1.13	08/01/08
Integrity Control (Bureau of) Call-Up (*Rescinded; see 1.07.04-1.07.05)*	1.3.16	02/21/20
Internet Use	1.3.39	12/28/11
Intervention (Early Intervention Program) (1.1.20 A)	1.1.20	04/05/11
Investigation of Human Trafficking	4.1.13	03/17/08
Investigation of Aggravated Vehicle Assaults	4.1.04	03/01/02
Investigations of Police Conduct (*Rescinded; see 1.07.04-1.07.05)*	1.3.15	02/21/20
Investigative Stops *(Rescinded; see 2.02.01-2.02.04)*	2.3.08	01/01/20
Issuance of the Uniform Traffic Ticket	8.2.03	10/13/09
Issuance of Uniform Traffic Tickets to Juveniles	5.1.01	12/18/14

J

Jail Policy and Procedure Manual (Rescinded)	1.3.28	02/03/10
Jury Duty	2.3.11	06/01/08
Juvenile Detention Center Admission (Rescinded)	5.1.03	07/09/14
Juvenile Prisoner Booking and Housing (5.1.02 A)	5.1.02	12/31/07
Juvenile Prisoner Transfers	7.1.01	03/01/02
Juvenile, Cuyahoga County Juvenile Detention Center (Rescinded)	5.1.03	07/09/14
Juvenile, Missing Person Juvenile (6.2.17 A B C D E F G H I)	6.2.17	04/27/12

K

K-9 (*Rescinded; see 4.02.02*)	3.2.10	02/09/18

L

Labor Strike Disturbance	3.2.05	03/01/02
Laboratories, Clandestine	4.2.01	02/01/10
Law Department Representation in Civil Lawsuits	1.3.14	10/24/13

LEADS Terminal Agency Coordinators/Agency Coordinators	9.2.01	03/01/02
Leaving the Division	1.1.33	06/11/15
License Plates, Stolen or Lost	6.2.01	03/01/02
Limited English, Proficiency	1.3.38	09/29/11
Liquor Control Law Enforcement	4.2.06	03/01/02
Locator, Automatic Vehicle Locator (AVL) System (9.1.09 A)	9.1.09	05/24/10
Lockout Guidelines	3.1.04	07/18/07
Lojack System	3.2.18	11/30/05
Long Distance Telephone Log Book	1.3.17	03/01/02
Lunch Breaks	1.3.23	03/17/06

M

Mail Service, Division	1.1.21	09/10/12
Male/Female/Juvenile Prisoner Transfer	7.1.01	03/01/02
Manual, Jail Policy and Procedures (Rescinded)	1.3.28	02/03/10
Marijuana Citations/Arrests	3.4.09	03/01/02
Mass Arrests	3.3.03	06/13/16
Media Relations	1.3.01	02/23/06
Media, Social	1.3.39	12/28/11
Medical Leave, (Family) (1.3.25 A B C)	1.3.25	03/14/13
Medical Trauma Response	3.1.06	09/01/15
Medications, Detainees Purchase (Rescinded)	7.2.04	12/31/07
Memorial/Ceremonial Services (1.3.03 A)	1.3.03	01/21/08
Menacing by Stalking	3.4.07	03/01/02
Mentally Ill (3.2.06 A) (*Rescinded; see 5.11.01-5.11.03)*	3.2.06	01/01/18
Mentally Retarded Adults	6.2.06	03/01/02
Mentoring Program	1.1.31	08/11/03
Military Courtesy and Formations	1.3.09	03/01/02
Minor Misdemeanor Citation Procedures	3.4.06	03/01/02
Minor Misdemeanor Citations, Accountability (3.4.01 A)	3.4.01	03/30/06
Misdemeanor Arrests, Charging Procedures (4.1.12 A)	4.1.12	03/20/13
Missing Child (9.1.08 A)	9.1.08	04/16/04
Missing Persons (Adult) (6.2.10 A B C D E F G H I)	6.2.10	06/15/12
Missing Person (Juvenile) (6.2.17 A B C D E F G H I)	6.2.17	04/27/12
Missing Persons/Children; Combined Abduction Response Team (CART) (4.1.14 A)	4.1.14	06/3/14
Mission Statement, City of Cleveland, Ethics Policy	1.1.01	09/29/09
Mission Statement, Cleveland Division of Police	1.1.02	05/17/17
Mobile Data Computers (MDC) & Detective Tablets (DT) (1.3.29 A)	1.3.29	04/03/07
Motor Vehicle Crash Involving City Employees (8.1.01 A)	8.1.01	03/26/15
Multiple Assignment Broadcasting (*Rescinded; see 7.01.02)*	9.1.02	02/10/20
Mutual Aid Agreement with CMHA	1.3.22	07/25/05

N

National Motor Vehicle Title Information System	6.2.15	12/08/04
Neglect of Elderly	6.2.07	03/01/02
Neglected, Abused, Mentally Retarded Adults	6.2.06	03/01/02
Neighborhood Meetings (3.2.12 A)	3.2.12	03/01/02
Networking, Social	1.3.39	12/28/11
Next of Kin Notifications	6.1.02	03/01/02

NMVTIS Hold Notices	6.2.15	12/08/04
Non-Traffic Accidents on City Property	3.2.13	03/01/02
Northeast Ohio Amber Alert (NOAA) (9.1.07 A B C D E F)	9.1.07	04/16/04
Notary Public Certification and Renewal	2.3.06	11/01/06
Notification of Property Unit, Evidence, Cases Taken Directly to Grand Jury	10.1.04	03/01/02

O

Off-Duty, Officer Safety: Off-Duty and Plain Clothes	3.4.23	07/01/11
Officer Lunch Breaks	1.3.23	03/17/06
Officer Safety: Off-Duty and Plain Clothes	3.4.23	07/01/11
Officer Training Standards	1.1.35	01/16/06
OHLEG/OHLLEISN	1.1.39	01/29/07
Online, Citizen Online Reporting System (CORS)	6.2.16	08/13/09
OPS Subpoenas	2.3.02	03/01/02
Organizational Structure (1.2.01 A)	1.2.01	03/18/14
Overtime Card	1.1.26	09/16/15
Operating a Vehicle While Intoxicated (OVI)	8.2.05	11/02/06
Outside Agencies, Protocol with	1.3.12	07/25/05
OVI BAC Breath Testing Procedures at the CPU	8.2.09	02/16/10

P

Package & Preserve Confiscated Narcotics, Field Evidence Bags	4.2.04	11/26/07
Parking Infraction Notices	3.4.13	03/01/02
Parking Infraction Notices/Uniform Traffic Accountability (3.4.01 A)	3.4.01	03/30/06
Parking, Willard Park Garage Parking	2.3.05	06/02/15
Patrol and Patrol Supervision	3.1.03	08/13/02
Patrol Rifle	1.3.40	08/10/12
Patrol Section Duty Hours, Reporting On and Off Duty	3.1.01	08/10/15
Performance Evaluations (1.1.05 A B C-F)	1.1.05	02/10/10
Photo Enforcement Program (*Rescinded/Discontinued)*	8.2.08	08/09/05
PINS, Parking Infraction Notices	3.4.13	03/01/02
Plain Clothes, Officer Safety: Off-Duty and Plain Clothes	3.4.23	07/01/11
Police Ceremonies and Memorial Services (1.3.03 A)	1.3.03	01/21//08
Police Chaplain Program (*Rescinded; see 4.02.05)*	1.2.04	03/15/18
Police Conduct *(Rescinded; see 1.07.04-1.07.05)*	1.3.15	02/21/20
Police Officer Training Standards	1.1.35	07/27/11
Police Recruit Training Standards	1.1.18	04/09/13
Police Vehicle Privileges (10.3.04 A)	10.3.04	09/06/11
Policy and Procedures Manual (Jail) (Rescinded)	1.3.28	02/03/10
Post-Traumatic Stress Protocol	1.1.38	03/02/15
Pre-Booking Forms (*Rescinded; see County Jail Policies)*	7.1.08	07/11/18
Prescriptions for Detainees (Rescinded)	7.2.04	12/31/07
Protection of Constitutional Rights	3.3.03	06/13/16
Priority Classification *Rescinded; See 7.01.02*	9.1.02	02/10/20
Prisoner at Risk for Suicide (Rescinded)	7.1.03	12/31/07
Prisoner Booking and Housing (7.1.06 A)	7.1.06	12/31/07
Prisoner DNA Collection (*Rescinded; See County Jail Policies)*	7.1.09	01/01/18
Prisoner Medical and Mental Health Needs	7.2.03	12/31/07
Prisoner Property (Rescinded)	7.1.02	12/31/07

Prisoner Property Inventory (Rescinded)	7.1.04	12/31/07
Prisoner Restraints	7.1.05	08/30/11
Prisoner Supervision	7.1.05	08/30/11
Prisoner, Use of Hospital Referral Form	7.2.02	12/31/07
Prisoners, Guarding at Hospitals	7.2.01	09/23/15
Probable Cause, Establishing, Filing (2.3.04 A B) (*Rescinded; see 3.04.01)*	2.3.04	01/01/20
Probationary Officers (1.1.24 A B)	1.1.24	01/04/14
Processing Adults (*Rescinded; See County Jail Policies)*	7.1.07	07/11/18
Processing Film Submitted to the Photo Unit (Rescinded)	4.1.09	03/01/02
Processing Vehicles	4.1.01	05/09/03
Property Book Format	10.1.02	03/01/02
Property Confiscated for the Registrar of Motor Vehicles	10.2.02	03/01/02
Property Management	10.3.01	09/10/12
Property Unit Notification for Cases Taken to the Grand Jury	10.1.04	03/01/02
Property, Prisoner (Rescinded)	7.1.02	12/31/07
Property, Prisoner Inventory (Rescinded)	7.1.04	12/31/07
Prosecutor Consultations (2.3.03 A)	2.3.03	03/20/13
Protection Order Enforcement	3.4.08	03/01/02
Protocol Between the Cleveland Division of Police and Cleveland Municipal School District Police Department	1.3.31	12/31/07
Protocol Between the Cleveland Division of Police and Cleveland State University Police Department	1.3.30	03/12/07
Protocol between the Cleveland Division of Police and the Cleveland Regional Transit Authority Police Department	1.3.34	10/19/07
Protocol Between the Cleveland Division of Police and Case Western University Police Department	1.3.32	12/31/07
Protocol with Outside Agencies	1.3.12	07/25/05
Pursuits (3.2.02 A)	3.2.02	05/22/15

Q

Quality of Life Matters, Reporting (3.2.15 A)	3.2.15	06/12/06

R

Radio Protocol (9.1.01 A B C)	9.1.01	07/23/14
Radio, Multiple Assignment Broadcasting (*Rescinded; see 7.01.02)*	9.1.02	02/10/20
Random Alcohol and Drug Testing	1.1.15	12/28/16
Rank, Acting Out of (1.1.40 A)	1.1.40	11/24/15
Recording, Request for Copy of a Bureau of Communications Recording	9.1.04	01/05/10
Recording (Electronic Recording of Homicide and Deadly Force Encounter Statements)	4.1.11	09/29/06
Recovery of GTMV and Unauthorized Use of Vehicles	6.2.13	03/01/02
Recruit Training Standards	1.1.18	04/09/13
Red Light Cameras (*Rescinded/Discontinued*)	8.2.08	08/09/05
Referral of Prisoner for Hospital Service	7.2.02	12/31/07
Relief from Duty, Emergency	1.3.07	12/15/09
Removal of Drug Evidence from the Forensic Lab	4.2.05	10/14/09
Removing Badges From Circulation	1.3.18	07/06/09
Repairing, Inspecting, Servicing Division Vehicles	1.1.30	05/27/16
Repairs and Improvements of Police Facilities	1.1.27	10/23/02
Repairs to Police Facilities	1.1.27	10/23/02

Reporting On and Off Duty, Patrol Section Duty Hours	3.1.01	08/10/15
Reporting Quality of Life Matters And Hazards (3.2.15 A)	3.2.15	06/12/06
Reports (Injury) (1.1.13 A-B C D E)	1.1.13	08/01/08
Request for Driver License Examination	3.4.17	03/01/02
Request for Copy of a Bureau of Communications Recording (9.1.04 A)	9.1.04	01/05/10
Residue Collection, Gunshot (GSR)	4.1.07	10/31/12
Resigning from the Division of Police	1.1.33	06/11/15
Restricted Duty (1.3.26 A)	1.3.26	06/11/14
Retiring from the Division of Police	1.1.33	06/11/15
Return of Firearms	10.3.02	06/18/14
Return to Duty (1.1.45 A)	1.1.45	03/10/15
Returning From Sick Leave (1.3.24 A B)	1.3.24	03/14/13
Ride - Along Policy (1.3.10 A B C)	1.3.10	02/06/06
Rifle, Patrol	1.3.40	08/10/12
Road Spikes	3.2.03	03/01/02

S

Safety, Traffic Safety Analysis Panel (TSAP)	8.1.05	04/06/11
SCAT, Stop Cleveland Auto Theft (Rescinded)	6.1.03	06/30/08
Searches Incident to Arrest (*Rescinded; see 2.02.01-2.02.04)* Searches,	2.3.10	01/01/20
Frisk (*Rescinded; see 2.02.01-2.02.04)*	2.3.09	01/01/20
Search Warrants (2.2.04 A)	2.2.04	10/20/15
Secondary Employment Regulations (1.1.25 A B)	1.1.25	06/29/10
Seized U.S. Currency	10.2.01	03/01/02
Separating from the Cleveland Division of Police	1.1.33	06/11/15
Servicing, Inspecting, or Repairing Division Vehicles	1.1.30	05/27/16
Sexual Assault Investigations	6.2.09	08/22/11
Sexual Harassment Policy	1.1.07	09/10/12
Shooter, Active	3.3.01	10/18/11
Shooting Team, Competitive	1.3.36	05/01/09
Shoplifting (Misdemeanor Theft Offense)	3.4.15	12/28/16
Shotguns (Beanbag) (2.1.02 A) (*Rescinded; see 2.01.02-2.01.05)*	2.1.02	01/01/18
Sick Leave Review (1.3.06 A)	1.3.06	03/14/13
Sick Leave (1.3.24 A B)	1.3.24	03/14/13
Sick Time Bank (1.3.20 A)	1.3.20	04/06/11
Sick Time and Family Medical Leave (1.3.25 A B C)	1.3.25	03/14/13
Silent 911 Calls	3.4.11	03/01/02
Silent Holdup Bank Alarm Procedures	3.2.04	03/01/02
Slap Print Cards, Pre-booking Forms (*Rescinded; see County Jail Policies)*	7.1.08	07/11/18
Smoking Regulations	1.1.06	06/10/14
Snow Emergency Plan	8.2.06	10/16/08
Sobriety Checkpoints	8.2.04	03/01/02
Social Media, Social Networking	1.3.39	12/28/11
Standard Phonetic Alphabet	3.2.01	03/01/02
Standards of Conduct and Courtesy	1.1.03	03/01/02
Standards, Police Officer Training	1.1.35	07/27/11
Standards, Recruit Training	1.1.18	04/09/13
Stolen/Lost License Plates or Validation Stickers	6.2.01	03/01/02
Stop Cleveland Auto Theft (SCAT) (Rescinded)	6.1.03	06/30/08
Stress, Post Traumatic Incident	1.1.38	03/02/15

Strikes, General Labor Disturbances	3.2.05	03/01/02
Subpoena	2.3.01	08/18/09
Subpoenas from the Office of Professional Standards	2.3.02	03/01/02
Suicide, Prisoners at Risk for (Rescinded)	7.1.03	12/31/07
Summons, Warrant In Lieu of Arrest	2.2.02	03/01/02
Superior Officers Duties	9.1.03	12/31/07
Suspect Identification, Form C of C 71-42 (*Rescinded/Discontinued)*	6.2.11	03/06/18
Special Weapons and Tactics Unit (SWAT), Use of	3.2.09	06/23/08

T

Tasers (2.1.06 A) (*Rescinded; see 2.01.01-2.01.05)*	2.1.06	01/01/18
Telephone Bomb Threats	3.4.18	12/31/07
Terrorist Activity and Identification Response	3.4.22	08/04/11
Telephone Call, Long Distance Log Books	1.3.17	03/01/02
Testing Procedures at the CPU, OVI BAC Breath	8.2.09	02/16/10
Theft, Watercraft	6.2.12	03/01/02
Thumb Printing Traffic Violators	8.2.03	10/13/09
Time, Sick Time Bank (1.3.20 A)	1.3.20	04/06/11
Titling Watercraft Thefts	6.2.12	03/01/02
Tow/Release Procedures (8.2.01 A B)	8.2.01	06/16/03
Traffic Safety Analysis Panel (TSAP)	8.1.05	04/06/11
Traffic Signal Cameras (*Rescinded/Discontiued)*	8.2.08	08/09/05
Traffic Stops	8.2.03	10/13/09
Traffic Violations Incurred With City Vehicles	1.1.36	06/15/06
Trafficking; Investigation of Human Trafficking	4.1.13	03/17/08
Training and Travel Requests (1.1.17 A B)	1.1.17	12/24/13
Training, Police Officer Standards	1.1.35	07/27/11
Training, Recruit Standards	1.1.18	04/09/13
Transferring Prisoners (Juvenile)	7.1.01	03/01/02
Trap Use	2.1.05	03/22/13
Trauma Response	3.1.06	09/01/15
Traumatic Stress Protocol	1.1.38	03/02/15
Travel and Training Requests (1.1.17 A B) Tuition	1.1.17	12/24/13
Reimbursement Program (1.3.21 A)	1.3.21	03/23/12

U

Unauthorized Use of Motor Vehicle Investigations (6.2.04 A)	6.2.04	03/01/02
Unauthorized Use of Motor Vehicle Recovery	6.2.13	03/01/02
Uniform Clothing Committee	1.1.42	01/12/12
Uniform and Clothing Regulations	1.1.12	08/05/13
Uniform Traffic Tickets, Accountability, Juvenile (3.4.01 A)	3.4.01	03/30/06
Uniform Traffic Tickets, Issuing,	8.2.03	10/13/09
Use of Crime Scene Entry Log (4.1.10 A)	4.1.10	04/05/12
Use of Deadly Force Investigation Team	1.1.22	03/22/13
Use of Division of Police Computers	1.3.02	12/28/16
Use of EAU/Deadly Force Incidents (*Rescinded; see 2.01.01-2.01.05)*	2.1.01	01/01/18
Use of Force (2.1.01 A B) (*Rescinded; see 2.01.01-2.01.05)*	2.1.01	01/01/18
Use of Mobile Data Computers(MDC/ Detective Tablets (DT) (1.3.29 A)	1.3.29	04/03/07
Use of Road Spikes in Pursuits	3.2.03	03/01/02

Use of Field Evidence Bags to Package and Preserve Confiscated Narcotics	4.2.04	11/26/07
Use of Special Weapons and Tactics Unit (SWAT)	3.2.09	06/23/08
UTTS, Issuing	8.2.03	10/13/09
UTTS, Juvenile (3.4.01 A)	3.4.01	03/30/06
V		
Validation Stickers, Stolen or Lost	6.2.01	03/01/02
Vehicle Privileges, Commuter (10.3.04 A)	10.3.04	09/06/11
Vehicle Processing	4.1.01	05/09/03
Vehicle Pursuits (3.2.02 A)	3.2.02	05/22/15
Vehicle Thefts, Stop Cleveland Auto Theft (SCAT) (Rescinded)	6.1.03	06/30/08
Vehicle Title, National Information System	6.2.15	12/08/04
Vehicle Tow or Release (8.2.01 A B)	8.2.01	06/16/03
Vehicle, Automatic Vehicle Locator (AVL) System (9.1.09 A)	9.1.09	05/24/10
Vehicle, Bait Program (Rescinded)	3.2.16	03/04/08
Vehicles, Inspecting, Servicing or Repairing Division Vehicles	1.1.30	05/27/16
Vehicular Assault Offenses	4.1.04	03/01/02
Vice Enforcement Procedures	4.2.02	11/29/17
Video/Image Equipment	3.4.03	11/26/07
Violation of State Drug Law, Follow-Up	4.2.03	12/31/07
Violence in the Workplace	1.1.08	09/10/12
VSDL Arrests	4.2.03	12/31/07
W		
Warrant Check Requirements	3.2.14	12/31/07
Warrant Summons In Lieu of Arrest	2.2.02	03/01/02
Warrant, Cuyahoga County	2.2.03	12/31/07
Warrant, Service (2.2.04 A)	2.2.04	10/20/15
Warrantless Arrest, Establishing and Filing (*Rescinded; see 3.04.01)*	2.3.04	01/01/20
Warrantless Felony and Escalating Misdemeanor Arrests, Charging and Releasing of	4.1.06	03/20/13
Watercraft Theft Titles	6.2.12	03/01/02
Weapon Clearing Trap	2.1.05	03/22/13
Wearable Camera System (WCS) (*Rescinded; see 4.06.04)*	3.2.20	01/01/18
Wellness Program	1.1.32	01/19/07
Willard Garage Parking	2.3.05	06/02/15
Witness for Defense – Subpoena Required	2.3.07	03/01/02
Workplace Violence	1.1.08	09/10/12
Written Directives System	1.1.04	03/01/02
Z		
Zone Boundaries (1.2.02 A B C D E F)	1.2.02	11/06/13
Zone Car Duty Hours, Reporting On and Off-Duty	3.1.01	08/10/15