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2024

THE MANUAL OF RULES AND REGULATIONS

**Conduct and Discipline of
Employees of the
Cleveland Division of Police**

Style Definition: Comment Text

Commented [MT1]: Wondering about how CDP will ensure that this manual stays updated. Will it be updated any time a GPO changes that relates to a specific rule? Or will there be an annual update? Will someone particular be responsible for ensuring it's updated?

Commented [LF2R1]: FYI DOJ reports that they did a 'compare revisions' between this version and the previous version. Thus the line edits, while they say "DOJ", are actually deletions and additions made by CDP from the previous version to this latest version.

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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.

DIVISIONAL VALUES: PRIDE

PROFESSIONALISM

We take pride in ourselves, our profession and our community. Working as a team, we will be role models for our community by enthusiastically excelling in quality performance.

RESPECT

We consistently treat all people with dignity, compassion, courtesy, and without prejudice. We will protect the constitutional and civil rights of everyone through impartial enforcement of the law.

INTEGRITY

We uphold the public trust by being honest, competent, and consistent in our beliefs and actions. We hold ourselves accountable to the highest standards of moral and ethical conduct.

DEDICATION

We dedicate ourselves to improve the quality of life by developing a partnership with the community. We are committed to protecting life and property, reducing fear, and providing a safe environment for all.

EXCELLENCE

We hold ourselves to the highest standards of law enforcement. We will continuously improve the quality of our services through education, training and development.

STATEMENT OF POLICY

The provisions of the Charter of the City of Cleveland and the laws of the State of Ohio administer the rules of conduct contained in the manual. They are published for the governance, discipline and administration of officers and employees of the Division of Police.

The Manual of Rules sets forth the conduct and behavior to be followed by officers and employees. Any violation of these rules shall be a basis for disciplinary action. Disciplinary action includes, but is not limited to, written reprimands and the preferring of Divisional charges, which can result in suspension, loss of pay, demotion or termination. The rules and standards contained in this manual shall apply whether the officer or employee is on or off duty. Where a conflict exists between a Rule and a General Police Order, the Rule provision shall supersede.

The community evaluates a police agency based on the service delivered. How police officers perform their duties in the preservation of public peace, the apprehension of offenders, and the protection of life and property determine the reputation of a police agency. The conduct of officers and employees, their efficiency, impartiality, and diligence in the execution of their duties are of utmost importance.

The community expects that an officer's every act shall be in the public interest and that all laws shall be enforced without fear, favor, prejudice or bias. This manual has been compiled to enhance the image and performance of the Division of Police and to provide a uniform method of providing the service expected by the community.

Superior officers shall instruct subordinates frequently and exercise diligence in enforcing the rules and standards in this manual.

Personnel shall study all rules in this manual and be held accountable for any action contrary to these directives.

OATH OF OFFICE

I do solemnly swear that I will support the Constitution of the United States, the Constitution and Laws of the State of Ohio, the Charter and Ordinances of the City of Cleveland; obey the rules, orders, and directives of the Division of Police of the City of Cleveland and will discharge the duties of my office to the best of my knowledge and ability, so help me God.

LAW ENFORCEMENT CODE OF ETHICS

As a Law Enforcement Officer, my fundamental duty is to serve; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder, and to respect the Constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary for the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession...law enforcement.

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DEFINITIONS

The following definitions are provided to aid in understanding various terms used in this Manual, General Police Orders and Divisional Notices.

Administrative unit Any element within the organizational structure of the Division of Police with duty responsibilities and accountabilities to the Chief of Police through the designated chain of command.

Bureau The primary administrative subdivision of an Operation as set forth in the organizational chart.

Chain of Command The unbroken line of authority extends from the Chief of Police through a single subordinate at each level of command down to the level of execution and return.

Civilian Employee A non-sworn member under the supervision of the Division of Police.

Command To direct, order or control with authority.

Command Officer Any officer appointed to the position of Chief, Deputy Chief, Commander or Traffic Commissioner.

Commanding Officer A superior officer designated by the Chief of Police to command an operation, bureau or district.

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Detective An officer assigned to a plainclothes specialized unit or district support unit who primarily initiates investigations and/or conducts follow up investigations for the patrol section officers/units.

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Directive Permanent written orders issued by the Chief Director of Public Safety, Chief of Police, Deputy Chief, Bureau, District, Division, Section, or Unit Commander intended to guide the operations under their command.

Dishonesty To act without honesty; to deliberately deceive, defraud or lie.

District The primary geographical subdivision of field operations patrol section.

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Employee Persons employed within the Division of Police.

False Statement A statement that is deliberately made and meant to deceive or intentionally untrue.

Immediately The term is to be construed to mean as soon as possible and practical.

Insubordination Knowingly, willfully and deliberately refusing any lawfully issued order that is explicitly and clearly given by a superior officer.

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Member All sworn officers and civilian employees under the supervision of the Division of Police.

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Officer Sworn member of the Division of Police, having full police authority.

Officer In Charge Any officer so designated by the Chief of Police or by a commanding officer to be in charge of a unit or section or district station house facilities.

Operation The primary administrative subdivision of the Division of Police as set forth in the organizational chart.

Order A verbal or written command given by a superior officer to a subordinate.

Personnel A term to be used synonymously with a member.

Platoon An administrative unit to which personnel are assigned by a tour of duty.

Section The primary administrative subdivision of a bureau or district within the Division of Police.

Sector The primary geographical subdivision of a district.

Sector Supervisor Any superior officer responsible for supervising officers assigned to a sector.

Shall A word used to indicate a mandatory course of action.

Superior Officer Any sworn officer with the rank of sergeant or above or civilian employee with supervisory duties as designated by the Chief of Police.

Unit The smallest subdivision of a bureau, district or section.

Untruthfulness ~~The~~ act of being intentionally deceitful, the willful perversion of the truth in order to deceive, cheat, or defraud.

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Zone The primary geographical subdivision of a sector consisting of one or more census tracts (or portions thereof) patrolled by a police vehicle.

RULES

I. POLICE RANKS

1.01 Chief of Police

The Chief of Police shall be the commanding officer of the Division of Police. The Chief shall exercise the authority granted by Chapter 25 of the Charter of the City of Cleveland and shall be responsible to the Mayor through the Chief Director of Public Safety.

The Chief of Police shall have exclusive control of the stationing and transfer of patrol officers and other officers and employees constituting the Police Force under such rules and regulations as may be established by the Mayor or the director of the department to whom the Chief of Police may be immediately responsible.

The Chief shall promulgate such orders as needed to maintain discipline, decorum and dignity and may suspend from duty any officer or employee for violation of any rules of the Division of Police for up to ten (10) days.

1.02 Deputy Chief of Police

The Mayor may designate ranking officers to serve as the Deputy Chief who shall perform such duties as are assigned by the Chief.

1.03 Commander of Police/Traffic Commissioner

The Mayor may designate ranking officers to serve in the capacity of Commander of Police or Traffic Commissioner who shall perform the duties of the Commanding Officer and such other responsibilities as assigned by the Chief.

1.04 Captain of Police

Captains may be assigned any administrative and management duties and responsibilities that the Chief of Police may designate.

They shall thoroughly familiarize themselves with all applicable federal statutes, state laws, municipal ordinances, rules, General Police Orders, Divisional Notices and memorandums of the Division and be responsible for their strict observance and enforcement, causing full compliance by subordinates.

They shall require that the work assigned to their subordinates be fully discharged by them under the responsibilities of their respective ranks and duties.

1.05 Lieutenant of Police

Lieutenants shall be assigned as officers in charge of platoons, sections, or units within the Division of Police or such other supervisory duties as the Chief of Police may designate.

They shall be responsible for the discipline of each subordinate under their command. They shall make frequent inspections of subordinates regarding their appearance, conduct and performance in handling complaints and police duties, as well as inspecting equipment and vehicles assigned to their use.

They shall thoroughly familiarize themselves with all applicable federal statutes, state laws, municipal ordinances, rules, General Police Orders, Divisional Notices and memorandums of the Division and be responsible for their strict observance and enforcement, causing full compliance by subordinates.

1.06 Sergeant of Police

Sergeants shall be assigned as officers in charge of stations or units within the Division of Police or as sector supervisors in the patrol section. They may perform other supervisory duties as the Chief of Police, or their commanding officer may designate.

They shall have immediate control of the personnel under their supervision and shall be responsible for their discipline, appearance and general good conduct. They shall assist and instruct subordinates in the performance of their duties and continually seek to improve the efficiency of their performance.

They shall thoroughly familiarize themselves with all applicable federal statutes, state laws, municipal ordinances, rules, General Police Orders, Divisional Notices and memorandums of the Division and be responsible for their strict observance and enforcement, causing full compliance by subordinates.

1.07 Patrol Officer

Patrol Officers shall be held responsible for the good order of their assignment and shall be prepared at all times to inform their superior officers of the conditions of their post, beat, or zone.

They shall be under the immediate supervision of the head of the administrative unit to which they are assigned. They shall perform such duties and work such hours as designated by their superior officer. They shall cooperate with all other personnel in the performance of police duties.

They shall acquire a thorough knowledge of criminal laws and the rules of evidence so that they may carry out their duties in an efficient manner.

1.08 Detectives

Detectives shall be assigned to administrative units responsible for conducting follow-up investigations. They shall work such hours and perform other duties as the Chief of Police, or their commanding officer may designate.

They shall be responsible for the investigation of all criminal offenses; the detection, arrest and prosecution of criminals; the collection, preservation and analysis of evidence; the recovery of lost and stolen property; and the representation of the Division of Police in extradition proceedings.

They shall familiarize themselves with the appearance and descriptions of known criminals, their hangouts, habits, associates, and modes of operation. They shall acquire a thorough knowledge of criminal laws and the rules of evidence so that they may carry out their duties in an efficient manner.

They shall not construe that being assigned special investigational duties relieves them of their responsibility for taking prompt action upon observing any violation of laws or regulations.

1.09 Non-Sworn Personnel

Non-sworn personnel shall be under the control of their immediate supervisor.

For supervisory and disciplinary purposes, they shall be governed by the Rules, General Police Orders, Divisional Notices and other directives of the Division of Police.

They shall not be empowered to make physical arrests or carry firearms during their duties.

II. Sworn Officer Minimum Requirements

- 2.01 All officers of the Cleveland Division of Police shall hold current certification by the Ohio Peace Officer Training Academy (O.P.O.T.A.) regulated by the Ohio Peace Officers Training Commission. No officer shall commit an act that O.P.O.T.A. defines as an offense that would disqualify the officer from maintaining their O.P.O.T.A. certification.
- 2.02 All officers shall maintain the ability to perform all functions of a peace officer, including, but not limited to, physical and psychological fitness for duty and authority to utilize law enforcement databases (LEADS, NCIC, O.H.L.E.G., etc.).

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RULES AND REGULATIONS

RR-100 CONDUCT

RR-101.1 Duty to Obey Divisional Rules and Orders

Officers shall obey all Divisional rules, procedures, directives, instructions and orders.

RR-101.2 Knowledge of Division Policy

Personnel shall study all rules, General Police Orders and directives pertaining to their duties and shall be held accountable for any action contrary to these instructions. Personnel absent from duty shall study all orders and notices during their absence upon their return to duty.

RR-101.3 Performance of Duties

Personnel shall perform all duties required by rules, procedures, directives, instructions and orders of the Division of Police. 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 unfit for duty, promptly notify their superior officer of such action and forward a report giving full details concerning the matter.

RR-102 Requirement for Former Officers to Obey Laws, Cleveland Police Divisional Rules and Regulations, and Certain Orders during the Pendency of Appeals

Any former Cleveland Division of Police officer:

- a. Who has been separated from employment with the Cleveland Division of Police due to disciplinary action or disqualification; and
- b. Who has a pending appeal of that disciplinary action or disqualification, or whose time to file a such appeal has not yet expired shall, during the time the appeal is pending or the time for appeal has not expired, obey all state and federal statutes, municipal ordinances, the Charter of the City and City of Cleveland, Cleveland Division of Police rules and regulations, and orders issued to the officer by the Division that were in effect at the time of the officer's separation from the Cleveland Division of Police. If any former officer who violates this rule subsequently regains employment with the Division by any means, including an order of reinstatement, the Division may take disciplinary action against the former officer upon such return to service.

RR-103 Aid Another to Violate Rule

Officers shall not aid, abet or incite another in the violation of the rules, duties, orders, or procedures of the Division.

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RR-104 Conduct Prejudicial

Officers shall not engage in conduct prejudicial to the good order and discipline of the Division or conduct unbecoming an officer which:

- a. May or may not expressly be outlined in Division rules and regulations; or
- b. Causes harm more significant than would reasonably be expected to result, regardless of whether the misconduct is expressly outlined in Division rules and regulations.

RR-105.1 Immoral Conduct

Officers shall not engage in any conduct that does not conform to accepted standards of morality, as outlined in General Police Order 1.1.07: Sexual Harassment Policy. This includes behavior that is sexually crude and offensive, whether on or off duty, and that could reasonably tend to diminish the esteem of the Division of Police or its personnel in the eyes of the public.

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RR-105.2 Misuse of Authority

Personnel shall not use their position, badge or credentials for personal gain. Personnel shall not, under color of law, interfere with or attempt to influence the lawful business of any person. Officers shall not exercise police authority while under suspension.

RR-106 Diminishing the Esteem of the Division

Members shall conduct themselves in such a manner as to command the respect of the public. Members shall not engage in any conduct, speech or act, while on duty or off duty, that would reasonably tend to diminish the esteem of the Division of Police or its personnel in the eyes of the public, where the First Amendment of the United States Constitution does not protect such speech.

RR-107 Sexual Misconduct

While on duty, an officer shall not engage in any conduct or solicit another to engage in any conduct for sexual gratification, sexual humiliation or sexual abuse. The same conduct is also prohibited while off duty, either in uniform, in a public place, or in any vehicle or facility to which an officer has access under the officer's police authority. The consent of another to engage in such sexual acts is immaterial.

RR-108 Always on Duty

Officers are held to be always on duty, although periodically relieved from the regular performance of it. They are always subject to orders from a supervisory officer. The fact that they may be technically off duty shall not relieve them from the responsibility of taking proper police action in any matter coming to their attention. When there is no urgent or immediate need for police action, they may request the dispatcher turn the issue over to officers on duty in the district. Still, they shall take police action as may be required before dispatched officers arrive.

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RR-109 Plain Clothes and Undercover Officers

Members shall only acknowledge an officer in civilian clothes if first addressed. Members in plain clothes on or off duty shall promptly identify themselves as officers when necessary. At the scene of an emergency where it is desirable to display the badge continuously, it shall be attached to the outermost garment. When confronted by a uniformed officer, plain clothes and undercover officers shall comply as directed by uniformed police officers until identified as a police officer.

RR-110.1 Commission of an Offensive Act While Intoxicated

Officers shall not consume any intoxicating substance while off duty to the extent that results in the commission of an obnoxious or offensive act that might bring discredit upon the Division.

RR-110.2 Unfit for Duty

Officers shall not consume any substance while off duty to the extent that renders them unfit to report to their regular duty or on-call shift.

RR-110.3 Intoxicating Substance While on Duty or in Uniform

Officers shall not consume any intoxicating substance while on duty, either in or out of uniform or off duty while in uniform, except when necessary and authorized in the performance of duty. Personnel shall not bring intoxicating beverages or controlled substances into any Divisional building, boat or vehicle or permit same to be brought therein, except as required in police duty. Personnel shall not engage directly or indirectly in dispensing intoxicating liquors or alcoholic beverages within the scope of their duties.

RR-110.4 Under the Influence

Officers shall not consume any substance while on duty, either in or out of uniform, such that they are legally impaired except when necessary and authorized in the performance of duty.

RR-111 Illegal Drugs

Officers shall not use or possess any drug illegally. Prescription drugs can only be used according to a prescription that is in their name and under the supervision of a licensed medical professional. Officers shall not use or possess marijuana, or marijuana derivative that can cause intoxication, medical or otherwise, regardless of duty status or state law.

RR-112.1 Truthfulness

Officers shall be truthful in all written reports, verbal reports, court testimony and conversations affecting the Division of Police, its officers and employees or persons under its jurisdiction. Officers shall not engage in dishonesty or untruthfulness nor make a false statement, as defined in this manual.

RR-112.2 Commission of a Deceptive Act

Officers shall not knowingly commit a materially deceptive act concerning any investigation or judicial or administrative proceeding.

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RR-113 Intimidation of Persons

Officers shall not intimidate anyone for personal reasons under the color of authority.

RR-114.1 Conduct Prohibited by Law

Officers shall obey the Charter of the City, all city ordinances, all state and federal statutes, all lawful court orders, and all other applicable laws, whether criminal, civil, traffic or administrative. Any member who violates any of the above in the respective jurisdiction shall be considered for disciplinary review.

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RR-114.2 Aggravated Conduct Prohibited by Law

Officers shall obey all federal statutes, specifically as they involve:

- a. Any felonious conduct
- b. Any conduct prohibited as a 1st-degree misdemeanor; or
- c. Any criminal conduct committed on duty or under color of authority

RR-114.3 Conspiracy to Commit Conduct Prohibited by Law or Aggravated Conduct Prohibited by Law

Officers shall not conspire with another person or persons to commit any act violating a city ordinance, state or federal statute, including international laws and laws in foreign countries while in the respective jurisdiction.

RR-115 Notification to the Division of Conduct Prohibited by Law

Personnel who become subject to arrest or are called before any court for any criminal or traffic proceeding arising from incidents outside the scope of their employment shall promptly notify their immediate supervisor in writing. This includes personnel returning from any unpaid status or military leave (e.g., a leave of absence, suspension, or layoff).

RR-116 Insubordination

Officers shall obey any order lawfully issued by a supervisory or command officer. An order must be given explicitly, so the officer understands it. It must be work-related and delivered by someone in authority. When a conflict is apparent, it shall be the duty of the person knowing of such conflict to so apprise the superior issuing the latest order. The officer's refusal must be knowing, willful and deliberate, not merely negligent. The officer must be aware of the consequences of failing to comply. If practical, the officer must be given the opportunity to correct purportedly insubordinate behavior.

RR-117 Disrespectful, Insolent or Abusive Language Toward a Superior Officer

Officers shall recognize and accept superior officers' authority and refrain from uttering disrespectful, mutinous, insolent or abusive language toward a supervisor or command officer.

RR-118 Respect for Fellow Members

Officers shall treat each member of the Division with respect due to them as fellow members, regardless of rank. Officers shall not threaten, strike, or assault any other member of the Division.

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RR-119 Appropriating Property

Officers shall not appropriate any lost, found, seized, or forfeited evidential, City or Divisional property to their use.

RR-120 Off-Duty in Uniform

While off duty and in uniform, officers shall conduct themselves as if they were on duty.

RR-121 Sleeping on Duty

Personnel shall remain awake and alert while on duty.

RR-122 Amusement Places Restrictions

Officers on duty shall not enter any place of amusement or liquor establishment except when necessary in the performance of duty or periodic inspection. (Officers are not prohibited from eating in restaurants licensed to serve liquor.)

RR-123 Responsibilities to Serve Public

Members shall serve the public by direction, counsel, and in other ways that do not interfere with the discharge of their police responsibilities. They shall respect the rights of individuals and perform their services with honesty, courage, discretion, fidelity, and sound judgment.

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RR-124 Courtesy

Officers shall at all times be courteous and civil to the public. They shall be orderly, attentive, and respectful and exercise patience and discretion in performing their duties, even in the face of extreme provocation.

RR-125 Discrimination and Harassment

Members of the Division are expressly prohibited from engaging in any form of discrimination or harassment based on any demographic category or otherwise violating the Division or City policy.

RR-126 Impartial Attitude

While vigorous and unrelenting in law enforcement, members must maintain a strictly impartial attitude towards complainants and violators. Members shall at all times consider it their duty to be of service to anyone who may be in danger or distress, regardless of race, color, creed, national origin, gender, age, sexual orientation, ancestry, physical or mental disability, marital status, military status, political affiliation, or religion.

RR-127 Giving Name and Badge Number

When conducting a traffic or investigatory stop and when feasible, officers shall inform the subject of their last name and badge number and that they are a Cleveland Police Officer as early in the contact as safety permits. Additionally, when a reasonable request is made for an officer's name, badge number or assignment, the officer shall provide a business card or the information in legible writing to any violator or person unless such action is likely to jeopardize the successful completion of a police assignment.

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RR-128.1 Failure to Provide Medical Assistance to Citizen, Aid-Unreasonable

Officers shall not unreasonably fail to provide assistance to injured and sick persons and obtain transportation to the nearest hospital.

RR-128.2 Failure to Provide Medical Assistance to Citizen- Intentional or Reckless

Officers shall not intentionally or recklessly fail to assist injured and sick persons and obtain transportation to the nearest hospital.

RR-128.3 Failure to Provide Aid to Officers- Unreasonable, Intentional or Reckless

Officers shall not unreasonably fail to provide assistance and protect each other in restoring peace and order, apprehending offenders, or enforcing the law.

RR-129 Soliciting Preferential Treatment

Officers shall not attempt to use their position as Division members (including displaying a badge or identifying themselves as Division members): (i) to solicit or to attempt to solicit any preferential treatment not extended to the general public; or (ii) to solicit or attempt to obtain any benefit to which they would not otherwise be entitled except in furtherance of official duties or as allowed by Division or City rule, policy, procedure or authorized practice.

RR-130.1 Prohibited Associations

Officers shall not knowingly fraternize or associate with any person whom the officer reasonably believes to be engaging in or planning to commit criminal activities where further contact with such individual(s) is reasonably likely to damage public trust, adversely affect the officer's credibility or integrity; or create the appearance of impropriety, a conflict of interest, or corruptive behavior. The only exceptions to this rule will be interactions by authorized Cleveland Division of Police duties and family relationships.

RR-130.2 Reporting of Prohibited Associations

All potentially prohibited associations identified in RR-130.1, except those involving authorized Cleveland Division of Police duties, shall be promptly reported in writing to the Chief of Police or the Chief's designee. Failure to report such an association promptly shall subject an officer to possible disciplinary action. Upon receipt of the written report, the Chief shall determine whether further contact is reasonably likely to damage the public trust; adversely affect the officer's credibility or integrity; or create the appearance of impropriety, a conflict of interest, or corruptive behavior. If such a determination is made, the Chief or the Chief's designee may reasonably prohibit or limit such future contacts. Otherwise, the Chief or designee may expressly authorize the continued association.

RR-131 Use of Tobacco Products in Police Facilities

No member shall use tobacco products in any police facility. "Tobacco products" used herein include, but are not limited to, burning cigarettes, cigars, cigarillos, pipe tobacco and vape devices. The use of tobacco products means consumption by inhalation of any burning tobacco product or any other burning material manufactured, grown, or intended

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for use, like that of cigarettes, cigars, cigarillos, pipe tobacco, or vape devices. "Police facility," as used herein, means any interior part of the Police Headquarters, The Justice Center, any Police District, Public Safety Central or any satellite office used by any unit, section, bureau or section of the Division of Police. All supervisory and command officers shall strictly enforce this regulation and be subject to discipline for their failure to do so.

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RR-200 DUTY TO PROTECT

RR-201 Duty to Protect Life, Property and Evidence

Officers shall protect life and property, prevent crimes, detect, arrest and prosecute offenders, preserve the public peace and enforce laws and ordinances within the scope of their job classifications and by the law. Officers at the scene of an alleged serious crime shall exercise every precaution to prevent the destruction, impairment, disturbance or removal of any evidence, personal effects and surrounding property and objects so that everything possible may be kept intact until it is noted, examined and/or photographed by personnel trained and equipped to perform such duties.

RR-202 Full Attention to Duty

Personnel shall give full attention to their duties' performance and act immediately in every instance that comes to their attention where police assistance is required. Officers shall respond to urgent and emergency assignments in their immediate vicinity without being assigned by the radio dispatcher unless otherwise on an assignment of equal or greater urgency.

RR-203 Duty to Investigate

Officers shall investigate all reports of suspected criminal activity and non-criminal incidents requiring police action that come to their attention, whether by observation, assignment or information.

RR-204.1 Duty to Remain at Post

Personnel shall remain in the district, territory, or jurisdiction they are assigned. Personnel needing to leave their territory for reasons of police necessity shall request permission from their superior officer. Personnel shall patrol the territory, handle investigative tasks, or handle administrative functions as required by their post or assignment.

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RR-204.2 Providing Assistance Outside the City

Officers shall not go outside the jurisdiction of the City of Cleveland during their regular tour of duty except:

- a. in cases of fresh pursuit;
- b. when sent by proper authority;
- c. when there appears to be an emergency or need for assistance; or
- d. when authorized to do so by a supervisory officer.

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RR-205 Duty to Notify Radio of Significant Event

Personnel shall advise the radio dispatcher immediately of any incident, event or occurrence that may indicate the beginning of a significant civil disturbance, disaster, catastrophe or other police incidents of a severe nature.

RR-300 USE OF FORCE AND ARRESTS

RR-301 Use of Force

Officers shall use force only as governed by Division of Police policy and directives.

RR-302 Personal Family Disputes

Officers shall not take police action or make arrests in their quarrels or those involving their families, except under such circumstances as would justify them in using self-defense or to prevent injury to another or when a serious offense has been committed.

RR-303 Traffic Enforcement When Not in Uniform

Unless in uniform and operating a police vehicle or performing police secondary employment in uniform, off-duty officers shall not arrest or issue citations, verbal warnings, or written warning citations for minor traffic offenses. Off-duty officers who witness a serious or flagrant violation will, when practical, summon on-duty personnel to execute a stop of the violator and must confer with an on-duty supervisor to obtain approval before issuing a citation or arresting the violator.

RR-304 Duty to Protect Persons in Custody

Prisoners and suspects shall be treated humanely. Officers shall not physically abuse or mistreat any person in their custody and shall not allow anyone in their custody to be physically abused or mistreated by anyone.

RR-305.1 Prisoners - Conveyance

Personnel shall search all persons who are physically arrested as governed by Divisional directives and shall convey prisoners to the place of detention without unnecessary delay and by the most direct route. Personnel transporting prisoners shall thoroughly search all prisoners before placing them in a police vehicle. Handcuffing of prisoners is mandatory for all felony arrests.

RR-305.2 Prisoners - Property

Money, property, and contraband taken from a prisoner and held as evidence shall be recorded in the Property Book and a receipt issued to the prisoner.

RR-305.3 Prisoners - Booking

Personnel booking prisoners shall make a complete inventory of a prisoner's property before placing them in a jail cell; all money, valuables and articles, which may be used for personal injury or defacement of the jail, shall be taken with the proper receipts issued.

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Officers shall not make arrests for offenses when a warning or citation would suffice.¶

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RR-305.4 Prisoners – Illness, Injury or Death

If a prisoner becomes ill, injured or dies in jail or custody, the personnel responsible for the prisoner shall notify their superior officer. That superior officer shall ensure that notifications are made and a complete investigation of the incident is conducted following Divisional procedures.

RR-306 Aiding or Allowing an Escape

Officers shall safeguard against any prisoner to escape.

RR-307.1 Suggesting Bondsmen or Attorneys

Officers shall not suggest or recommend specific attorneys, bondsmen, or bail brokers to any person arrested except to members of their own immediate families. Personnel shall not become bail for any person arrested unless said person is a member of their immediate family.

RR-307.2 Suggesting Bondsmen or Attorneys for Profit

Officers shall not, for personal gain or benefit, suggest or recommend specific attorneys, bondsmen, or bail brokers to any person arrested.

RR-308.1 Compromising Criminal Cases

Officers shall not become involved in making any promises or arrangements between a suspect and their victim intended to permit the offender to escape the full penalty provided by the law. Nothing herein shall limit or restrain an officer from the reasonable exercise of discretion in resolving minor complaints.

RR-308.2 Interference with Prosecution

Officers shall not interfere with the courts or, for personal gain or benefit, use their official positions to make any arrangements for any suspect to escape prosecution.

RR-309.1 Interfering with Case Assigned to Other Officers

Officers shall not interfere with any case assigned to another officer. Nor shall any officer interfere with the operation of any division, bureau, section, or unit of the Division, other government agency, or any lawful private business.

RR-309.2 Interfering with Internal Investigations/Questioning

An officer shall not engage in conduct or have direct or indirect contact with any witness, complainant, or investigator intended to obstruct, compromise, or interfere with an internal investigation, regardless of which Cleveland Division of Police or authorized City entity initiated or is conducting the investigation.

RR-309.3 Failure to Provide a Statement

Once ordered to do so, officers are required to provide a complete and truthful statement to any authorized Internal Affairs, Inspection Unit or Office of Professional Standards investigator, supervisor, administrator, superintendent, commander or anyone else to whom the Director of Public Safety or Chief of Police has delegated the authority to compel statements.

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RR-400 FIREARMS

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RR-401 Display of Firearms

Officers shall not unnecessarily draw or display any firearm.

RR-402 Careless Handling of Firearms or Less Lethal Weapons

Officers shall use or handle their firearms and less lethal weapons only in a safe, proper, and authorized manner.

RR-403 Restrictions on Secondary Weapons

Officers shall only carry secondary weapons, either on their person or in vehicles, with the approval of the Chief of Police.

RR-500 HEARINGS AND COURT

RR-501 Personal Appearance in Court

Officers appearing in court as witnesses or for any other reason shall appear in the regulation uniform or acceptable business attire.

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RR-502 Attendance in Court

All officers who receive subpoenas shall make a proper return on each and will be held strictly accountable for an appearance on a punctual basis. Officers unable to attend court, or those who expect to be late, must notify the Prosecutor's Office before the court date.

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RR-503 Testifying for Defendant

Any member subpoenaed to testify for the defense in any trial or against the City of Cleveland or interest of the Division in any arbitration, hearing, or trial shall immediately notify their immediate supervisor and the prosecutor handling the case or Law Department.

RR-504 Litigation Involving the City

Personnel shall promptly report in writing all of the facts about any litigation in which the City is or may become a party because of their official acts or conduct, along with the original copy of all legal service had on them.

RR-505 Testifying in Civil Cases, Arbitrations and Hearings

Officers shall not testify in civil cases, arbitrations or hearings involving the Division of Police unless legally summoned or directed by the Chief of Police, the Safety Director or the Department of Law.

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RR-600 REPORTS, COMMUNICATIONS AND DISCOVERY

RR-601 Answer Police Telephones

Personnel shall answer police telephones promptly and identify themselves by name, rank, and unit, and in compliance with Divisional procedures.

RR-602.1 Assignments from Police Radio or M.C.A.D.

Personnel shall acknowledge and accept all calls directed to them by the radio dispatcher, verbally or through M.C.A.D. (Mobile Computer Aided Dispatch) unless directed otherwise by a superior officer, use the times provided by the radio dispatcher or M.C.A.D. for their official reports. Personnel shall document arrival time to the radio dispatcher or through M.C.A.D. immediately upon arriving at the location of an assignment. Personnel shall promptly notify the radio dispatcher or document in M.C.A.D. when they have completed an assignment or resumed patrol after returning to headquarters.

RR-602.2 Notifications to Police Radio

Personnel shall advise the radio dispatcher of their activities, the progress of any investigation and the preliminary descriptions of any persons, property and motor vehicles wanted in connection with the investigation.

RR-602.3 Notifications When Returning to Headquarters

Personnel shall notify the radio dispatcher and their superior officer when they return to their headquarters for any reason.

RR-603.1 Communication of Confidential Information, Generally

Members shall not impart official information of a confidential nature to anyone except to those for whom it is intended, as directed by their commanding officer, or under due process of law. They shall not reveal to any private person the identity of an informant or any individual who has provided information upon the condition of anonymity.

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RR-603.2 Communication of Confidential Information that Jeopardizes a Police Action

Officers shall not communicate, except to authorized persons, information that may jeopardize an arrest, police action, or investigation which may aid in a person to escape or attempt to escape.

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RR-604.1 Alter, Removal or Destruction of Evidence, Reports and Records

Personnel shall not, without proper authority, destroy or remove Division evidence, reports or records from the district or bureau where they are maintained. Personnel shall not unnecessarily change, alter, or distort the information on any official document, file, or database, electronic or otherwise, including audio, pictures, or video that is in the care and custody of or approved for use by the Division of which the member is not privileged to do so or allow another person to do the same without privilege to do so.

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RR-604.2 Unauthorized Access to Division Property

Division employees shall not access, nor make a transcript of, a record from a document, file, or database in the care and custody of or approved for use by the Division of which the member is not privileged to do so or allow another person to do the same without privilege to do so, except where permitted by existing procedure or unless so directed by the Chief of Police or the Chief's designated representative. Division employees shall not obtain for personal use or otherwise disseminate any information that is derived from a file or database maintained by or approved for use by the Division unless such action is necessitated by a legitimate law enforcement activity or function.

RR-604.3 Corrections to Reports and Records

Personnel shall not erase or delete entries in official records. Necessary corrections shall be made by drawing a single line through the error so that the original entry can still be read. The reporting officer shall then initial the correction.

RR-605 Requirement to Complete Official Reports

Personnel shall report on all matters referred to or investigated by them. Such reports may be either verbal or written, as their superior officer may direct. Members shall be truthful and unbiased and make reports promptly, accurately, and entirely in conformity with the specifications of the Division. Members shall make all necessary reports before reporting off duty unless a supervisor/commander authorizes the delay.

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RR-606 Offense/Incident Reports

When an investigation substantiates the need for an official report, officers of the Patrol Section within Field Operations shall make the initial offense/incident report unless otherwise directed. When officers of any other bureau investigate without the assistance of the Patrol Section, the investigating officers shall make the official report. The investigating officer shall promptly complete and forward the report following current Divisional procedures.

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RR-607.1 Reporting Violations of Law and Suspicion Persons

Personnel shall report in writing any violation of state law or city ordinance that does not require immediate action. Personnel shall notify in writing any knowledge of suspicious persons residing or operating within the territory they are assigned or any place suspected of being used for an unlawful purpose.

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RR-607.2 Reporting Injuries to Persons or Damage to Property on Public Property

Officers shall make written reports and notify their supervisor regarding any injury to persons or damage to the property coming to their attention that occurs on streets or public property of the City of Cleveland. The supervisor of the reporting officer shall arrange for photographs in all cases in which the City of Cleveland may be liable.

RR-608 Reporting Through the Chain of Command

Officers shall affect or comply with all written and oral communications and transmittals of information through the chain of command unless exempted by the Chief. Personnel shall address reports to their superior officer and forward them thoroughly and promptly

through the chain of command. Where necessary, written reports shall bear the full name, rank, title or badge number and signature of the preparing officer. Reports shall be reviewed for accuracy, completeness and conformity to rules and, where necessary, signed by a superior officer.

RR-609 Hospital List

Officers making an offense/incident report or handling an investigation in which any person is confined in a hospital shall reasonably attempt to notify a relative. If notification is not possible, officers shall advise the Report Intake/Review Unit to place the person on the "Hospital List." If the relative lives outside the City, Report/Intake personnel shall arrange with other police departments to notify the relative.

RR-610 Answer to Official Communications

All official communications and other correspondence sent out from this Division shall conform to the format prescribed by the Chief of Police.

RR-611.1 Maintaining a Telephone Number

Officers shall maintain a telephone number by which they may be contacted for a Divisional operational need.

RR-611.2 Change in Telephone or Home Address

Officers shall promptly notify their superior officer of any change in their telephone number or home address by a written report that shall be forwarded through the chain of command to the appropriate administrative destination.

RR-612 Unauthorized Use of Division Letterheads

Officers shall not use Division of Police letterheads except for official Divisional correspondence.

RR-613 Publication of Articles

Articles prepared for publication in which the member identifies themselves as a Cleveland Division of Police member must be submitted in their entirety to the Chief of Police for approval before publication and be in the best interest of the Division. Materials obtained or created during a member's official duties remain the property of the Cleveland Division of Police. Members must articulate the intended purpose and obtain prior approval from the Chief of Police before using any Division materials such as photos, videos, audio recordings, reports, badge images, and pictures of Division personnel, equipment, or buildings for training for publication purposes. Articles include, but are not limited to, items published in books, magazines, newspapers, and other periodicals and items posted in electronic sharing sites such as blogs, Facebook, MySpace, Twitter, or other similar social mediums, online journals or news sites.

RR-614 Compliance with Discovery Requirements

Officers shall document and protect all information and evidence gathered and collected during any arrest or criminal investigation. Members shall provide all files, books, papers, documents, photographs, audio and video recordings, and tangible objects

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collected and created as part of an arrest or criminal investigation to the investigative case file or Property Management Section.

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RR-700 REWARDS, GRATUITIES AND POLITICAL ACTIVITY

RR-701 Soliciting or Accepting a Bribe

Officers shall not accept a bribe.

RR-702 Accepting Gifts from Persons of Bad Character

Officers shall not knowingly receive anything of value whatsoever or services, whether as a gift or as the result of purchase or trade, from suspects, prisoners, arrestees, prostitutes, or other persons whose vocations may profit from information obtained from the police or relatives, employees, or associates of any of these persons.

RR-703 Soliciting, Accepting Gifts, Gratuities

Individual members shall not solicit or accept any money, gift, gratuity, loan, present, or fee in connection with their duties as a Cleveland police officer or in representing the Cleveland Division of Police, except as permitted by the Ohio Revised Code.

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RR-704 Giving Testimonials, Seeking Publicity

Members shall not give testimonials or permit their names or photographs to be used for advertising purposes without the approval of the Chief of Police. Members shall not seek personal publicity either directly or indirectly during their employment.

RR-705 Using Position to Gain Political Office

While seeking or holding political office, officers shall not appear in that capacity in the Cleveland Police uniform or use their positions as police officers to gain political office or carry out the duties thereof.

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RR-706 Soliciting Money for Political Purposes

Officers shall not solicit money or other things for political purposes while in uniform, on duty, or in any room or building occupied to discharge official police duties.

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RR-800 UNIFORMS AND EQUIPMENT

RR-801 Uniform Restrictions While Off Duty

Off-duty officers are restricted in the use of their uniforms as follows:

- a. They may wear their full uniform going to and from work.
- b. When wearing civilian headgear or bareheaded and a partial uniform, officers shall wear a civilian coat as their outermost garment.
- c. No civilian attire shall be worn with the uniform cap or helmet.

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RR-802 Equipment Carried on Person

Officers shall have on their person their Identification Card and be clothed and equipped while on duty or at secondary employment as provided by General Police Orders.

RR-803 Alteration of Badge Prohibited

The badge shall not be altered, exchanged, or transferred except by order of the Chief of Police. Members shall only use another member's badge or official police credentials with permission of the Chief of Police.

RR-804 Use of Badge by a Person other than an Officer

Officers shall only permit a person appointed as a member of the Division of Police to use an official badge or credential at any time.

RR-805 Loss or Damage to City-Issued Property

When a member's City issued property is lost or damaged, that member shall immediately report the loss or damage through channels in writing to the Chief of Police. The cost of replacement or repair will be charged to the member.

RR-806 Equipment and Property – Restrictions on Use

Officers are prohibited from using Division of Police property or vehicles in their own personal or private affairs without the approval of a Commander or the Chief of Police.

RR-807 Care of City, Division and Outside Agency Property

Personnel shall inspect their vehicle and assigned equipment at the commencement of their tour of duty, promptly reporting in writing to their immediate superior any damage, loss or irregularity. Personnel shall be held responsible and accountable for the proper care, maintenance, serviceability, cleanliness and safekeeping of all police vehicles, equipment and property in their care.

RR-808 City Vehicle Operation

Personnel shall operate police vehicles safely and lawfully. Officers shall not allow any non-member of the Division of Police to use any vehicle of this Division without permission of their commanding officer. Personnel shall only permit any person or property to be conveyed in a city vehicle if to perform their official duties or with prior approval.

RR-809 Valid Driver License Requirement

Personnel whose duties involve the operation of a motor vehicle shall promptly notify their immediate supervisor in writing of any loss or change of their driving privileges.

RR-810 Off-Duty Motor Vehicle Accidents

Off-duty officers involved in a motor vehicle accident as a driver within the jurisdiction of the City of Cleveland shall contact the Communications Control Section to request a supervisor from the Police District of occurrence to respond to the scene.

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