



CLEVELAND DIVISION OF POLICE

GENERAL POLICE ORDER



EFFECTIVE DATE: JULY 19, 2021	CHAPTER: 4 - Field Operations	PAGE: 1 of 5	NUMBER: 4.03.06
SUBJECT: PROTOCOL - CUYAHOGA METROPOLITAN HOUSING AUTHORITY POLICE DEPARTMENT			
CHIEF: <i>Calvin D. Williams, Chief</i>			

Substantive changes are italicized

PURPOSE: To establish protocol between the Cleveland Division of Police (CDP) and the Cuyahoga Metropolitan Housing Authority Police Department (CMHAPD).

POLICY: *It is the policy of the Cleveland Division of Police*, as a provision of *the Police Authorizing Agreement between the City of Cleveland and the Cuyahoga Metropolitan Housing Authority*, that CMHAPD officers have full authority, equal to the authority held by CDP officers when CMHAPD officers are on-duty with active pay status (Law Department, 2018).

PROCEDURES:

- I. General Guidelines
 - A. CMHAPD officers have the same authority as Division officers:
 - 1. On property expressly owned, leased, or contracted by the Cuyahoga Metropolitan Housing Authority, including:
 - a. All streets and alleys that transverse the property.
 - b. All adjoining streets and areas within 300 feet of the property line.
 - 2. Within the jurisdiction of the City of Cleveland, en route to or from Cuyahoga Metropolitan Housing Authority property, and exigent circumstances exist, including:
 - a. Hot pursuit of a fleeing suspect.
 - b. There is imminent danger of bodily harm if action is not taken immediately.
 - c. The escape of a known criminal or subject has occurred.
 - d. The witnessing of the commission of a crime in progress excluding misdemeanor drug activity or routine traffic offenses.
 - e. While participating in a cooperative enforcement effort, approved in advance by the Chief of Police from both agencies.
 - B. Nothing in this protocol shall prohibit the CDP from investigating felony complaints occurring on Cuyahoga Metropolitan Housing Authority property deemed to be of investigative interest to the Division.

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II. CMHA Responsibilities

- A. Consistent with its capabilities, CMHAPD will use best efforts to investigate all crimes occurring on Cuyahoga Metropolitan Housing Authority property, with the exception of incidents *outlined in GPO 4.03.01 Protocol with Outside Agencies Section I.B.*; CMHAPD has felony investigative responsibility for:
 - 1. Felony drug investigations.
 - 2. Section 8 frauds involving their property.
 - 3. Internal theft of their property.
 - 4. Contract fraud involving their property.
- B. Utilize the *Law Enforcement Record Management System (LERMS)* to complete all incident reports.
- C. Evidence
 - 1. Be responsible for the storage of evidence.
 - 2. Submit evidence for forensic testing to the *Cuyahoga County Regional Forensic Science Laboratory (CCRFSL)* or the CDP Forensic Unit according to CMHAPD procedures.
- D. Issue citations on Cuyahoga Metropolitan Housing Authority property.
 - 1. Acquire Parking Infraction Notices (PINs) and Uniform Traffic Tickets (UTTs) from the Cleveland Municipal Clerk of Courts.
 - 2. Use the City of Cleveland Codified Ordinances as the primary reference for issuing PINs and UTTs; the Ohio Revised Code shall be used if no equivalent Cleveland Ordinance exists.
- E. Impounded Vehicles
 - 1. Handle tows using their own contract towing agencies.
 - 2. Notify the Communications Control Section of all tows:
 - a. From property other than Cuyahoga Metropolitan Housing Authority property.
 - b. When their personnel recovers any stolen vehicle.

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F. Arrestees

1. Transport and process arrestees.

- a. *For CMHAPD arrestees, taken into custody pursuant to warrants issued by the Cleveland Municipal Court, who require medical treatment prior to transport to the Cuyahoga County Corrections Center (CCCC), CMHAPD shall provide initial hospital transport and guard detail of the arrestee for up to eight hours.*
- b. *After exceeding eight hours, CMHAPD shall contact CDP to determine if a longer guarding period, not to exceed an additional eight-hour shift, is required of CMHAPD and, if not, to arrange for CDP to take over guard duties; CMHAPD's ability to maintain a guard detail is limited to staffing and operational needs; in every case, CMHAPD will endeavor to make a smooth transition of guard duties to CDP.*
- c. *The City shall not be responsible for CMHAPD arrestee medical care costs prior to transport to the CCCC.*

2. Be responsible for follow-up investigations of all arrests.

3. Assume responsibility for suburban police pick-up of arrestees on CMHAPD warrants.

4. Use their own holding facility for juvenile arrestees until disposition to the Cuyahoga County Juvenile Detention Center or released to a parent or guardian.

G. *Adopt and implement the CDP use of force and pursuit policies or policies with greater limitations than CDP.*

H. CMHAPD supervisors:

1. Shall be responsible for monitoring the activity of CMHAPD patrol officers.
2. Shall respond to all incidents involving CMHAPD officers.
3. May contact and request CDP supervisors to assist on incidents of mutual interest.
4. When called upon, assist the CDP with investigations or other matters of mutual concern, for which the ultimate investigative responsibility rests with the CDP.

III. Training

- A. CMHAPD agrees that, at minimum, it will provide to its officers and their supervisors, and CMHAPD call-takers and dispatchers and their supervisors, the same or comparable training related to use of force, crisis intervention, bias-free policing, community

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policing, investigatory stops, and searches and arrests, which the CDP provides to its personnel.

- B. Prior to January 1 of each year, CMHAPD shall obtain from CDP applicable anticipated training for the year and will provide such training for its applicable personnel within a reasonable time.
- C. Upon request by CDP's Chief, CMHAPD shall provide CDP with information about the type of training provided by CMHAPD and confirmation of completion of training by applicable CMHAPD personnel.
- D. At their reasonable discretion, CDP's Chief may determine that CMHAPD's required training is not the same or comparable to CDP's and shall notify CMHAPD's Chief in writing of such non-compliance.
- E. CMHAPD shall promptly remedy its lack of compliance and notify CDP's Chief of the remedy. CMHAPD shall promptly provide CDP's Chief with any supporting information he may reasonably request.
- F. Training requirements shall continue to apply after the expiration of the City of Cleveland's Settlement Agreement with the U.S. Department of Justice.
- G. CMHAPD officers shall participate in annual joint training and other joint initiatives at the request of CDP's Chief of Police.
- H. Each party is solely responsible for its own training-related costs and expenses for its personnel.
- I. Upon request by CMHA, CDP shall allow CMHAPD personnel to attend applicable training provided by CDP for its own personnel. However, CMHA shall be solely responsible for any applicable costs or expenses, if any, associated with CMHAPD personnel participation.

IV. Complaint Board

- A. CMHA shall establish a complaint board made up of non-CMHAPD persons. The board shall be responsible for reviewing, investigating, hearing, and making findings regarding all civilian complaints about CMHAPD's policies and practices and the conduct of its officers and call takers/dispatchers.
- B. The board shall determine if a complaint warrants no action or if disciplinary action against any of the officers and/or call takers/dispatchers is warranted.
 - 1. CMHA shall take appropriate disciplinary action in response to board findings and shall provide timely written notification to the complaining party of the board's determinations and any action taken or if no action was deemed warranted.

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2. Upon request from the CDP Chief of Police, CMHAPD shall promptly provide any reasonably requested information to review the complaint board's existence and operations.

V. Division Responsibilities

- A. The CDP shall investigate the incidents outlined in *General Police Order 4.03.01 Protocol with Outside Agencies Section I.B. that occur on Cuyahoga Metropolitan Housing Authority property.*
- B. Receive evidence for forensic testing to the *Cuyahoga County Regional Forensic Science Laboratory (CCRFSL)* or the CDP Forensic Unit according to CMHAPD procedures.
- C. Process crime scenes at the request of the CMHAPD.
- D. Receive and serve all warrants, generated as a result of CMHAPD enforcement efforts, delivered to CDP via the Municipal Clerk of Court's Office.
- E. Investigative information
 1. Make available all pertinent data and investigative information concerning crimes committed in CMHAPD jurisdiction.
 2. Upon request, provide crime statistics concerning Cuyahoga Metropolitan Housing Authority property.
- F. When called upon, assist the CMHAPD with investigations or other matters of mutual concern.

References

Law Department, C. (2018, November 30). Mutual Aid Agreement. *First Agreement to Police Authorizing Agreement No. 64238 between the City of Cleveland and the Cuyahoga Metropolitan Housing Authority*. Cleveland, Ohio, United States: City of Cleveland.

THIS ORDER SUPERSEDES ANY PREVIOUSLY ISSUED DIRECTIVE OR POLICY FOR THIS SUBJECT AND WILL REMAIN EFFECTIVE UNTIL RESCINDED OR SUPERSEDED.

CDW/BPC/jms
Chief's Office
Policy Unit