



GENERAL POLICE ORDER CLEVELAND DIVISION OF POLICE



EFFECTIVE DATE: MARCH 1, 2002	REVISED DATE:	NO. PAGES: 1 of 2	NUMBER: 2.2.02
SUBJECT: WARRANT SUMMONS IN LIEU OF ARREST			
ASSOCIATED	MANUAL:	RELATED ORDERS: 3.4.06	
CHIEF OF POLICE: <i>Edward F. Lohn, Chief</i>			

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.

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- 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.