



GENERAL POLICE ORDER CLEVELAND DIVISION OF POLICE



EFFECTIVE DATE: OCTOBER 19, 2007	REVISED DATE:	NO. PAGES: 1 of 4	NUMBER: 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: <p style="text-align: center;"><i>Michael McGrath, Chief</i></p>			

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;

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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.

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- 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.

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- 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.