



# GENERAL POLICE ORDER CLEVELAND DIVISION OF POLICE



EFFECTIVE DATE: August 26, 2011	REVISED DATE:	NO. PAGES: 1 of 6	NUMBER: 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: <div style="text-align: center;"><i>Michael McGrath, Chief</i></div>			

**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

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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

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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.

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- 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.

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- 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.

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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.