



GENERAL POLICE ORDER CLEVELAND DIVISION OF POLICE



ORIGINAL EFFECTIVE DATE: December 3, 2007	REVISED DATE: March 20, 2013	NO. PAGES: 1 of 2	NUMBER: 4.1.12
SUBJECT: CHARGING PROCEDURES: WARRANTLESS NON-ESCALATING MISDEMEANOR ARRESTS			
ASSOCIATED MANUAL:		RELATED ORDERS: 2.3.03, 2.3.04, and 4.1.06	
CHIEF OF POLICE: <i>Michael McGrath, Chief</i>			

Substantive changes are italicized

PURPOSE: To ensure timely charging of persons taken into custody in connection with non-escalating misdemeanor crimes.

POLICY: Persons arrested on non-escalating misdemeanor charges shall be charged or released without delay. To facilitate this process the supervisors assigned to the Record Section will serve as a liaison between arresting officers and the Municipal Prosecutor's Office.

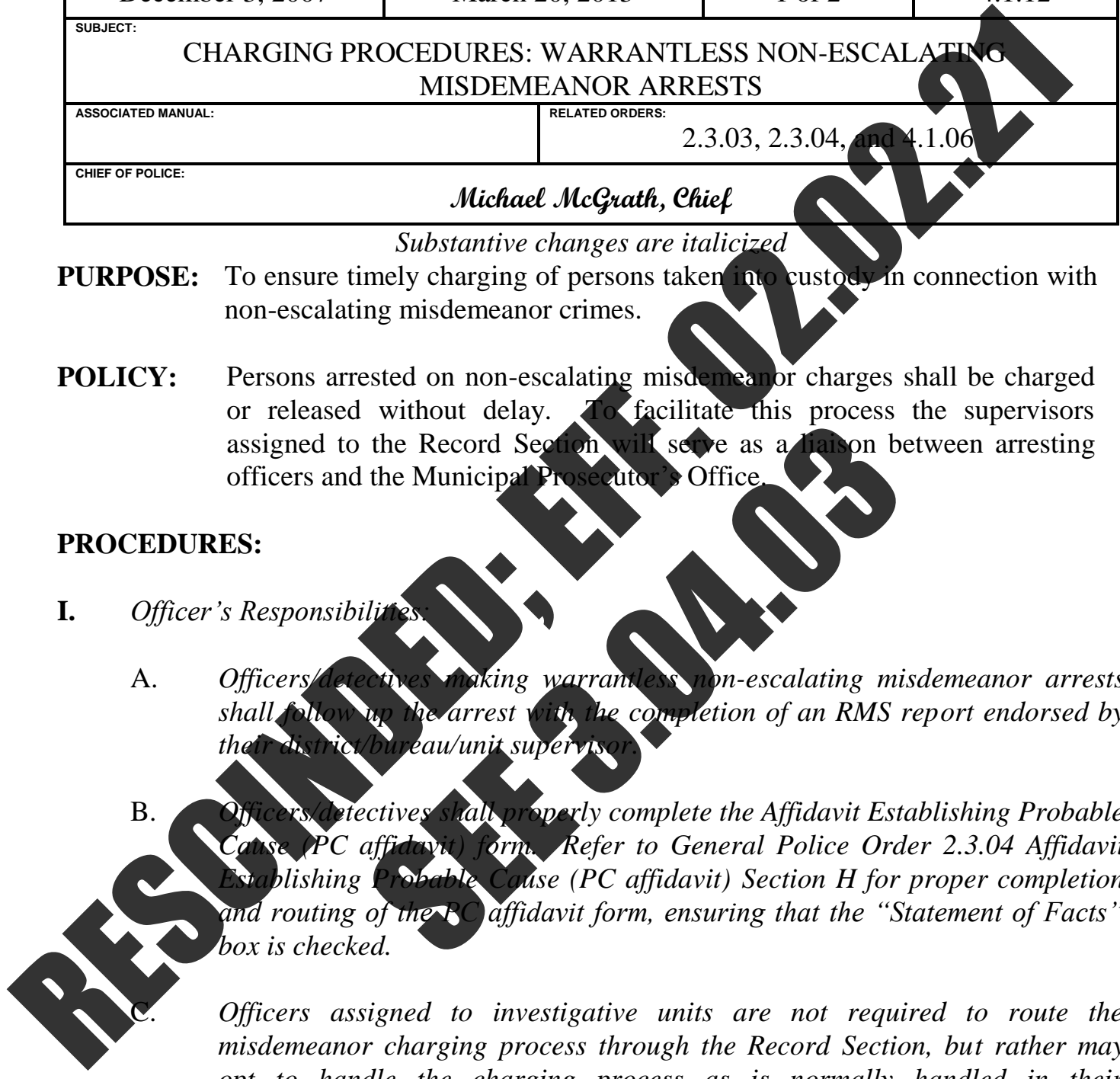
PROCEDURES:

I. Officer's Responsibilities:

- A. *Officers/detectives making warrantless non-escalating misdemeanor arrests shall follow up the arrest with the completion of an RMS report endorsed by their district/bureau/unit supervisor.*
- B. *Officers/detectives shall properly complete the Affidavit Establishing Probable Cause (PC affidavit) form. Refer to General Police Order 2.3.04 Affidavit Establishing Probable Cause (PC affidavit) Section H for proper completion and routing of the PC affidavit form, ensuring that the "Statement of Facts" box is checked.*
- C. *Officers assigned to investigative units are not required to route the misdemeanor charging process through the Record Section, but rather may opt to handle the charging process as is normally handled in their investigative unit, as long as all the filing requirements are met.*

II. Record Section Supervisor Responsibilities:

- A. The Record Section Officer in Charge (OIC) or designee shall ensure that the booking card information is properly entered in the Division's misdemeanor arrest ledger book in the Record Section.



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- B. The Record Section OIC or designee shall take the Statement of Facts forms and approved field reports for the cases involved and consult with the Municipal Prosecutor's Office on-duty prosecutor for criminal charges for non-escalating misdemeanor crimes.
- C. *The charge or release process for misdemeanors must be completed within 24 hours from the time of arrest.*
- D. The Record Section OIC or designee will complete a County Information Form (CIF#1) for each arrested and charged person.
- E. The Record Section OIC or designee will file the complaints at the Municipal Clerk of Courts Office.
- F. In cases where criminal charges are not issued by the Municipal Prosecutor's Office the Record Section supervisor shall make a RMS entry of "Released No Formal Charges" (RNFC), notify the arresting officers' supervisor and the on-duty Corrections Supervisor.
- G. The Record Section OIC or designee shall ensure that the Division's misdemeanor arrest ledger book in the Record Section is updated to note the charging status of the arrested person.