



CLEVELAND DIVISION OF POLICE

GENERAL POLICE ORDER



EFFECTIVE DATE: AUGUST 15, 2023	CHAPTER: 5 - Field Investigations	PAGE: 1 of 3	NUMBER: 5.07.02
SUBJECT: ENDANGERING CHILDREN			
CHIEF: <i>Dornat A. Drummond, Chief</i>			

Substantive changes are italicized

PURPOSE: To establish guidelines for handling reports of child endangerment and to provide for procedures in the investigation and successful prosecution of such cases.

POLICY: **It is the policy of the Cleveland Division of Police** to actively investigate allegations of child abuse in cooperation with the Cuyahoga County Division of Children and Family Services (DCFS); when circumstances warrant, Division members shall pursue criminal prosecution.

PROCEDURES:

I. Member Responsibilities

- A. Officers responding to an assignment of alleged child abuse or neglect shall determine if a violation of Ohio Revised Code (ORC) 2919.22 Endangering Children or Cleveland Codified Ordinance (CCO) 609.04 Endangering Children has occurred.
- B. If a violation occurred, the officer shall:
 - 1. Create an incident report.
 - a. If a DCFS social worker is reporting the incident, the incident report shall be completed with information from a DCFS social worker as the reporting person.
 - b. The victim does not need to be present for a report to be completed.
 - c. Reporting Person - Officers shall accept information for an Endangering Children report from any *source*.
 - 2. When a DCFS social worker is not the reporting person, notify DCFS through the 696-KIDS hotline; indicate in the incident report the name of the person notified and the caller ID information.
 - 3. Removal of children shall occur under the following circumstances:
 - a. At the direction of a DCFS social worker.
 - b. In an emergency situation (every attempt shall be made to contact DCFS at (696-KIDS) to assist with decision making regarding the removal).

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- c. In circumstances where the DCFS is unavailable and the elements of ORC 2151.31 Taking Child into Custody are met, with prior approval of a supervisor.
- 4. If *a child has* sustained physical injuries that require medical treatment or the caretaker has failed to provide medical treatment for the child:
 - a. Request EMS to respond.
 - b. Notify DCFS (696-KIDS).
 - c. Create an incident report.
 - d. For *a* victim suffering serious physical harm, contact the Sex Crimes/Child Abuse Unit for immediate follow-up and/or response; the Sex Crimes/Child Abuse Unit may be reached directly from 0800 to 2200 hours at 216-623-5630 and from 2200 to 0800 hours through the Communications Control Section.
- 5. When investigating complaints of unsanitary conditions in a home, document the conditions with photographs and a description in the incident report.
 - a. The Crime Scene and Record Unit shall respond for photos, if available.
 - b. If the Crime Scene and Record Unit is not available, the investigating supervisor shall take the photographs.

II. Supervisors Responsibilities

A. Supervisors shall:

- 1. Respond to the scene of child abuse or neglect complaints and ensure appropriate action is taken.
- 2. Review Duty Reports, Mobile Computer Aided Dispatch (MCAD) entries, and incident reports to ensure appropriate action is taken in the disposition of the child abuse or neglect complaint.

III. Follow-up Investigations

- A. *When the primary offense is Endangering Children, members shall forward reports via "ASSIGNED BUREAU" in Field Based Reporting (FBR) to the Sex Crimes and Child Abuse Unit, who shall then be responsible to follow-up.*
- B. *When Endangering Children is a secondary offense, the unit responsible for investigating the primary offense shall also investigate the Endangering Children offense.*

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IV. Special Circumstances

- A. When an officer arrests a driver for Operating a Vehicle Under the Influence (OVI) and a child or children are passengers in the vehicle, the arresting officer shall:
 - 1. Create an incident report for the OVI and include the offense of Endangering Children.
 - 2. Notify DCFS (696-KIDS).
 - 3. Forward all OVI/Endangering Children reports to the Sex Crimes/Child Abuse Unit for *follow-up*.
- B. In instances of Domestic Violence, Endangering Children shall be the offense in the incident report when both apply:
 - 1. The primary victim is a child under 18 years of age or a mentally or physically handicapped child under 21 years of age.
 - 2. One or more of the elements of ORC 2919.22 Endangering Children or CCO 609.04 Endangering Children are present.

V. Assisting DCFS Social Workers

- A. Officers shall assist social workers in the safe removal of children when both apply:
 - 1. A DCFS social worker, acting in an official capacity, chooses to take immediate custody of a child, as authorized by ORC 2151.31 Taking Child into Custody or Rule 6 of Ohio Rules of Juvenile Procedures.
 - 2. The social worker meets resistance from a parent or caretaker.
- B. Any person or persons obstructing the DCFS social worker shall be arrested or made a named suspect under ORC 2921.31 Obstructing Official Business, a misdemeanor of the second degree.
 - 1. In the instance of an arrest, members will adhere to GPO 3.04.03 Warrantless Non-Escalating Misdemeanor Arrests concerning misdemeanor arrests. The Record Section shall consult with a prosecutor for misdemeanor only arrests generated by the Patrol Section.
 - 2. When there is not an arrest, officers consulting with a prosecutor for a named suspect shall complete a supplemental incident report with the results of the prosecutor consultation.

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

DAD/js/kas
Policy Unit

Revised 08/15/23; replaces 8/13/22