



# GENERAL POLICE ORDER CLEVELAND DIVISION OF POLICE



EFFECTIVE DATE: <b>MARCH 1, 2002</b>	REVISED DATE:	NO. PAGES: <b>1 of 2</b>	NUMBER: <b>3.4.10</b>
SUBJECT: <b>DRUG RELATED ACTIVITY PROHIBITED</b>			
ASSOCIATED MANUAL:		RELATED ORDERS:	
CHIEF OF POLICE: <b><i>Edward F. Lohn, Chief</i></b>			

**PURPOSE:** To establish guidelines to investigate drug-related activity that will ensure successful prosecution under City of Cleveland Codified Ordinance 607.19.

**POLICY:** The members of the Division of Police shall vigorously enforce the City’s ordinance on “Drug Related Activity Prohibited”.

**Definition:** In this section, a “**known unlawful drug user, possessor or seller**” is a person who, within the arresting officer’s knowledge, falls into the following category:

The person has been charged two or more times, within one year prior to the date of arrest, for a violation involving the use, possession or sale of illegal drugs or has been convicted within five years prior to the date of arrest, of any violation involving the use, possession or sale of illegal drugs.

**PROCEDURES:**

Officers shall describe the following three elements of Drug Related Activity Prohibited in the narrative section of the RMS Report.

- I. The arresting officer must observe the suspect in a drug related activity, which includes, but is not limited to:
  - A. Repeatedly stopping, attempting to stop, beckoning to or engaging in conversation with passerby,
  - B. Repeatedly stopping, or attempting to stop, motor vehicles by hailing, waving arms, or making other bodily gestures,
  - C. Acting as a lookout,

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- D. Transferring, in a furtive manner, small objects or packages for currency or other things of value,
  - E. Placing in the mouth, swallowing, or attempting to swallow small packages received in exchange for currency or other things of value.
- II.** The arresting officer **must** warn the suspect to cease such activity prior to the arrest and note the time warned.
- III.** The suspect must either:
- A. Be a known unlawful drug user, possessor or seller (as described above) **or**,
  - B. Display the following characteristics of drug intoxication or usage:
    - 1. Dilated pupils
    - 2. Glassy eyes
    - 3. Slurred speech
    - 4. Loss of coordination
    - 5. Needle tracks
- IV.** Officers shall provide the prosecutor with a copy of the Record Management System (RMS) report during consultation.