


Policy & Procedures Manual	Ref: Accreditation Chapter 2	
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CHAPTER 2.6

JURISDICTION & MUTUAL AID WITH THE CITY OF CLEVELAND

PURPOSE

The purpose is to establish jurisdiction for the CMHA PD and a mutual aid agreement with the Cleveland Division of Police (CPD).

POLICY

The CMHA Police Department has, pursuant to ORC Section 3735.31, concurrent jurisdiction with a municipal police force to provide safe and sanitary housing accommodations to families of low income within Cuyahoga County. CMHA PD will supplement, not replace, the efforts of a municipal police department.

PROCEDURES

I. Jurisdiction

- A. Ohio Revised Code (ORC) 3735.27 through 3735.50 established the Cuyahoga Metropolitan Housing Authority (CMHA) as a political sub-division to provide safe and sanitary housing accommodations to families of low income within Cuyahoga County.
- B. The enforcement and investigative branch of CMHA shall be known as the CMHA PD.
- C. The properties of CMHA, both present and future, consist of all owned, leased, and contracted sites, as identified by the housing authority through the acquisition and construction of various properties identified by its territorial limits as set forth in the Ohio Revised Code.
- D. CMHA PD Radio Communications Center (RCC) will maintain a detailed map showing the streets and boundaries of each CMHA estate and/or property as well as a detailed map of the entire Cuyahoga County area.
- E. The primary responsibility for the protection of the lives and property of CMHA residents rests with the appropriate municipal police department. ORC, Section 3735.31, authorizes the CMHA Police Department concurrent jurisdiction with a municipal police force.
- F. CMHA Police Department will endeavor to supplement and provide those services not provided by the municipal police departments, including, but not limited to, law enforcement of all misdemeanor offenses.

II. Mutual Aid with the Cleveland Division of Police (CPD)

- A. Police officers of the CMHAPD shall have full authority commensurate with the authority held by City of Cleveland police officers, while outside of the jurisdiction of the CMHA, but within the jurisdiction of the City of Cleveland, in the following situations:
1. When CMHA police officers are within property expressly owned, leased or contracted by CMHA, all streets and alleys that transverse the listed properties and adjoining streets and areas within 300 feet of said property line, and
 2. When CMHA police officers are within the City of Cleveland's jurisdiction and enroute to or from CMHA property, and exigent circumstances exist, which include:
 - a. CMHA police officers are in hot pursuit of a fleeing suspect pursuant to ORC 2935.03;
 - b. A police officer or member of the public is in imminent peril of bodily harm if action is not taken immediately;
 - c. The escape of a known criminal or suspect will occur if action is not taken immediately; or
 - d. When CMHA police officers witness the commission of a crime while such crime is in progress. (This does not include misdemeanor drug activity or routine traffic matters.)
 3. When CMHA police officers are participating in a cooperative enforcement effort that has been approved in advance by the Chief Executive Officer of the CMHA, or designee, or the Chief of the CMHA Police Department and the Chief of Police for the City of Cleveland or their designees.
 4. CMHA police officers have felony and misdemeanor investigative responsibility for the following crimes:
 - a. Part-1 and Part-2 crimes;
 - b. Felony and misdemeanor drug investigations;
 - b. HCVP / Section 8 fraud involving CMHA *controlled* property;
 - c. Internal thefts of CMHA property; and
 - d. Contract fraud involving CMHA property.
 5. CMHA police officers' authority under this protocol is limited to and shall only apply during periods when CMHA police officers are on duty.
- B. The Cuyahoga Metropolitan Housing Authority Police Department shall:
1. Use best efforts to respond to any crime called to CMHAPD's attention on CMHA properties, unless notified by CPD that a response has already been preempted by CPD.
 2. Consistent with its capabilities, the CMHAPD will use best efforts to investigate any misdemeanor or felony crime on their properties.
 3. Copies of reports for all incidents which have been investigated by CMHAPD shall be provided to the CPD Report/Intake Review Unit and the CPD Commander of the District of occurrence by means of a FAX transmission.

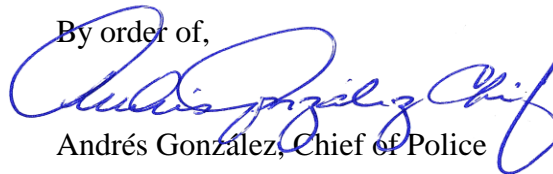
- a. All reports shall be **submitted within 24 hours** of the incident except in instances where **physical arrests** have occurred.
 - b. Arrest **reports shall be forwarded before the end of the arresting officer's tour of duty.**
4. In the case of incidents of domestic violence investigated by CMHAPD, CPD GPO 3.4.16 "Enforcement of Domestic Violence Statutes" will be followed.
 5. Assume responsibility for transporting prisoners arrested by CMHAPD personnel to jail facilities as directed in CPD GPO 7.1.06 "Adult Prisoner Booking and Housing" and CPD GPO 5.1.02 "Juvenile Prisoner Booking and Housing". Assume responsibility for picking up prisoners arrested by suburban police departments on warrants generated by CMHAPD personnel.
 6. If a prisoner requires medical attention, CMHAPD personnel shall transport the prisoner to the nearest hospital prior to booking. If medical attention is required after booking, CMHAPD shall assume the detail by the end of the shift when the detail was established.
 7. Be responsible for follow up investigations of **ALL** arrests made by CMHAPD personnel (not in conflict with SECTION II C (1) [a through g]) and charge or release of all suspects in a timely fashion, following current CPD procedures.
 - a. CMHAPD shall be responsible for consulting with the City of Cleveland Municipal Prosecutor whenever required for the issuance of a warrant in connection with arrests.
 - b. CMHAPD shall designate a single point of contact (Administrative Commander at 216-391-2642) for resolution of conflicts regarding prisoners.
 8. Properly submit drug evidence to the CPD Forensic Unit following CMHA procedures.
 9. When called upon, assist CPD with investigations or other matters of mutual concern.
 10. Have authority to tow vehicles incident to arrest or when recovering stolen vehicles, using CMHA contract towing agencies.
 11. Notify the CPD Record File Section and Vehicle Impound Unit when any stolen auto is recovered by CMHA personnel and verify such recovery by sending the appropriate information via the LEADS System.
 12. Have the authority to direct traffic in and around CMHA properties when appropriate.
 13. Enforce parking violations, municipal traffic laws governing moving and vehicle equipment violations on CMHA property, including leased or contracted properties.
- C. The Cleveland Division of Police shall continue to have full authority to investigate and respond to any crimes or perform its public safety functions to the full extent of its police powers on CMHA properties within the City of Cleveland.
1. CPD shall have exclusive investigative responsibility for the following incidents occurring on CMHA property:

- a. Incidents involving explosive or incendiary devices.
 - b. Hostage situations.
 - c. Deaths other than "Probable Natural".
 - d. Use of Deadly Force by the CMHAPD.
 - e. Incidents of Ethnic Intimidation and/or Hate Crimes.
 - f. Sexual Assaults.
 - g. Any incident that CPD desires to preempt the investigative function.
- D. RCC will notify the CPD of any incidents listed above when they occur on CMHA properties that are located in the City of Cleveland.
- E. The on-duty Watch Commander or Unit Commander is authorized to contact CPD to request assistance when necessary.
1. CPD personnel responding to CMHA's request for assistance, upon arrival, should report to the on-duty Watch Commander or Unit Commander that made the request.

III. Assistance from Federal Agencies

- A. The Chief of Police has authority to enter into a Memorandum of Understanding (MOU) with a federal agency to assign a member of the department to participate in joint investigations.
- B. The on-duty Watch Commander or Unit Commander has authority to contact federal law enforcement agencies such as the FBI, DEA, or ATF for assistance when necessary.
1. The Chief or designee shall be notified and apprised of the reason for the request.
- C. In the case of a public emergency, the municipality having original jurisdiction shall initiate a request for National Guard assistance.

By order of,



Andrés González, Chief of Police