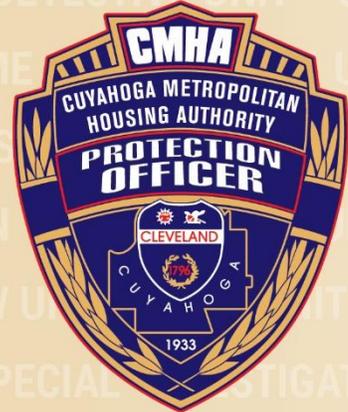
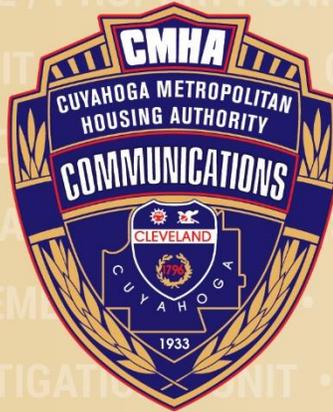


CUYAHOGA METROPOLITAN HOUSING AUTHORITY  
POLICE DEPARTMENT



# Manual of RULES & REGULATIONS



**2016**

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## RULES AND REGULATIONS

### I. Purpose

The Rules and Regulations (Rules) of conduct contained in this manual are published for the governance, guidance, administration and discipline of all members assigned to the Cuyahoga Metropolitan Housing Authority Police Department.

The Rules sets forth the conduct and behavior to be followed by all members. Any violation of these Rules may be a basis for disciplinary action. Disciplinary action includes, but is not limited to, verbal warnings, written reprimands and the preferring of Departmental charges which can result in suspension, loss of pay, demotion or termination.

The Rules shall apply whether the member is on or off duty. Where a conflict exists between a written directive, the Rule provision shall be adhered to.

The Rules are in support and companion to the CMHAPD Policy and Procedures and the CMHA Personnel Policy and Procedures Manual (formerly AO-11). Each of these written directives provides direction and guidance for the successful adherence to operational procedures, administrative standards and member behavior.

The community evaluates a police department based upon the service delivered. The manner in which members perform their duties in the preservation of public peace, the apprehension of offenders, and the protection of life and property determine the reputation of a police agency. The conduct of members, their efficiency, impartiality, and diligence in the execution of their duties is of utmost importance.

The community expects that a member's every act shall be in the public interest and that all laws shall be enforced without fear, favor, prejudice or bias. This manual has been compiled in order to enhance the image and performance of the CMHA Police Department and to provide for a standard guide of providing the service expected by the community.

Supervisors shall instruct members frequently and exercise diligence in the enforcement of the Rules and standards contained in this manual. Members shall study all the Rules in this manual and shall be held accountable for any action contrary to these directives.

### II. Mission Statement

The mission of the Cuyahoga Metropolitan Housing Authority (CMHA) is to be the leader in providing safe, quality, affordable housing for individuals and families of Cuyahoga County.

The mission of the CMHAPD is to protect residents, staff and property; to decrease the fear of crime; and to provide auxiliary services in support of CMHA.

## **RULES AND REGULATIONS, PAGE 2**

### **III. Grounds for disciplining members up to and including removal:**

- A. Incompetence
- B. Gross Neglect of Duty
- C. Gross Immorality
- D. Habitual Drunkenness
- E. Failure to Obey Orders Given by Proper Authority
- F. Conduct Unbecoming an Employee
- G. Drug Abuse
- H. Violations of established Departmental written directives
- I. References in the CMHA Personnel Policies and Procedures Manual (AO-11).

### **IV. Color of Law**

- A. "Color of law" means that the member is using authority given to him or her by a local, state, or federal government agency. The public counts on members of a law enforcement agency to protect a community. If it is shown that a member willfully failed to keep an individual from harm, that member could be in violation of the color of law statute.
- B. Members shall not use their position or authority to:
  - 1. Willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States. Under "color of law" include acts done beyond the bounds of the member's lawful authority, if the acts are done while the member is purporting to or pretending to act in the performance of his/her official duties.
  - 2. Interfere with or attempt to influence the lawful business of any person.
  - 3. Enter or visit any disreputable or illegal premise at any time, except on official business.
  - 4. Engage in political activity or use his official authority to influence or coerce the political action of any person or body, or to interfere with any nomination or election to public office.
  - 5. Act as an officer of a political organization or take part in a political campaign, or serve as a member of a committee of any such organization, or circulate or seek signatures to any petition provided for by primary or election laws, or act as a worker in favor of or in opposition to any candidate for public office.

## **RULES AND REGULATIONS, PAGE 3**

6. Attend any meeting, gathering, radio, TV, or other interview or make an oral or written presentation or address, as a representative of the CMHA, without first obtaining permission from the Chief and submitting a report with detailed information of the matter to be discussed.
  - a. This shall not apply to meetings to discuss complaints, community relations groups meetings or similar functions at which the presence of a member was requested and previously approved.
  - b. This shall not apply to communications by members with the news media to provide information on crimes and routine police incidents, in the manner prescribed by written directives.
7. Accept or solicit any gift of money or other valuable things from any person under their jurisdiction, or control or with whom they have had or are likely to have official relations.
8. Render assistance in civil cases except to prevent an immediate breach of the peace or to quell a disturbance already commenced.
9. Recommend or suggest to prisoners or to persons coming in contact with a member through their official capacity, the employment or name of any person as attorney, counselor, or bondsman.
10. Become bail for any person arrested, outside of family.
11. Become a party to any arrangement between persons arrested and another to avoid prosecution.
12. Make expenditures of money or incur financial obligations in the name of CMHA without the written consent of the Chief.
13. Be a witness for the defense in any criminal prosecution in which the Department is involved except on subpoenas lawfully issued.
  - a. When receiving a defense subpoena, members shall immediately notify the prosecutor conducting such prosecution of such service and inform him of the time of such service and the testimony required, if known.
  - b. Members subpoenaed shall forward a report through official channels giving the same information as given to the prosecutor, prior to appearing for such subpoenaed testimony.
14. Directly or indirectly give, offer, solicit or receive any contribution of money or any other things of value to or for any ranking officer.

## **RULES AND REGULATIONS, PAGE 4**

15. Initiate business or visits with the office of the Chief Executive Officer or Department Directors of CMHA without the authorization of the Chief.
16. Initiate business or visits affecting or pertaining to the operation of the Department, with any public official, without the authorization of the Chief.
17. Issue any message affecting or pertaining to the operation of the Department without the authorization of the Chief.
  - a. Command Staff shall use sound judgment and may issue a message when the Chief or Acting Chief is unavailable.
18. Use official vehicles or any police equipment without permission of a supervisor, unless, on duty and in the proper performance of assigned duties.
19. Use gasoline, products and equipment intended for CMHA for personal use.
20. Be discourteous or fail to properly assist anyone who request same, so long as such request is within the scope of the member's jurisdiction.
21. Use any service, provided by or provided to CMHA without prior authorization of the Chief of Police.
22. Portray or engage in social media activity as a spokesperson or representative of the department without prior approval from the Chief of Police.

### **V. General Duties and Responsibilities**

- A. Members shall:
  1. Be familiar with and keep updated the following:
    - a. Policy and Procedures
    - b. Departmental Notices
    - c. Standard Operating Procedures
    - d. CMHA Personnel Policies and Procedures Manual (AO-11)
  2. Protect life and property, prevent crime, detect, arrest, and prosecute offenders, preserve the public peace, enforce laws of the state of Ohio and local municipalities, ordinances and the CMHA Dwelling Lease.

## **RULES AND REGULATIONS, PAGE 5**

3. Be prepared to act immediately upon notice that their services are required and in every instance coming to their attention.
4. Be considered to be on duty at all times for purposes of discipline.
5. Immediately notify the on-duty supervisor if arrested and shall submit a written report of the arrest or a conviction within three (3) days of being arrested or convicted, which shall be forwarded through official channels.
6. Report the loss or suspension of any driving privileges immediately to their supervisor.
7. Give immediate obedience to all lawful orders of a supervisor, including any order relayed from a supervisor by a member of the same or lesser rank. When a conflict is apparent, it shall be the duty of the member to so apprise the supervisor of the conflicting order.
8. Familiarize themselves with all orders, directives and notices issued by the Chief. Those who have been absent from duty for any reason shall familiarize themselves with all orders issued during their absence.
9. Carry on their person a pen or pencil and a notebook in which they shall record information necessary for the routine performance of their duty.
10. Conduct themselves in such a manner as to command the respect of the public.
11. Answer police telephones promptly and identify themselves by name, rank, and unit.
12. Maintain a working telephone and promptly notify their supervisor of any change in phone number, address or name by written report, which shall be forwarded through official channels.
13. Cooperate with one another in the performance of police duty, irrespective of assignments, in order that the best interests of the community and the CMHA may be served.
14. Advise their relief, at the end of their tour of duty, of all important police business transacted during their tour of duty and of all unfinished police business requiring immediate attention.
15. Report promptly in writing all of the facts pertaining to any lawsuit in which CMHA is or may become a party because of their official acts or conduct, along with the original copy of all legal service had on them. Reports and copies shall be forwarded through official channels.
16. Forward a report to the Chief of any request for a transfer, special assignment, or expression of dissatisfaction with the treatment accorded them by another member of the department.
  - a. This report need not bear the signature of a supervisor and may be forwarded in a sealed envelope.

## **RULES AND REGULATIONS, PAGE 6**

17. Familiarize themselves thoroughly with all the facts and details concerning a case in which they are prosecuting a person charged with a crime, in order that all evidence may be properly presented in court.
  - a. If, for any reason, they are unable to do so, they shall arrange with their supervisor to have another member attend court and have the case continued or disposed of.
18. Collect all witness fees and submit vouchers and fees from court appearances to the CMHA through a supervisor.
19. Become familiar with the geographic area of responsibility or post to which they are assigned, patrol the area, remain vigilant for reasons of police necessity, handle investigative or administrative tasks as required by their post or assignment and not leave a stationary post without authorization.
20. Give first aid to injured and sick persons and obtain proper transportation to the nearest hospital.
21. Report in writing all dangerous situations on CMHA property and promptly arrange for barricades, warning device where anything of a dangerous nature may cause injury to persons or damage to vehicles.
22. Report in writing any violations of laws or ordinances within CMHA property coming to their attention and not requiring immediate action.
23. Forward all official communications with other departments or other jurisdictions through the chain of command.
24. Forward a written status report and request a time extension if work is unable to be completed by the due date.
25. Submit and sign a daily duty report unless exempted by the Chief.
26. Forward all fees collected for any official appearance the member expects to be compensated for by CMHA.
27. Check mailboxes at the beginning and end of a tour of duty when reporting to Headquarters.
28. Familiarize themselves with all regulations and operating manuals regarding NCIC and LEADS. Violations of NCIC or LEADS shall be considered a violation of CMHA Policy and Procedures and Rules and Regulations.

## **RULES AND REGULATIONS, PAGE 7**

29. Ensure that all pertinent information is filled in and correct prior to signing a receipt for services and products. Signature shall be legible and include a badge number and rank.
30. Give full cooperation and assistance to another agency in the course of an official investigation.
31. Be truthful and unbiased in all written reports, duty reports, verbal reports, investigations, court testimony and statements affecting the CMHA and the community.
32. Accord respect to a supervisor at all times and shall refrain from critical or derogatory comments on orders received from or issued by them. Members shall observe a respectful attitude and use proper title, particularly in the presence of the public.
  - a. Disrespect to supervisor shall include, but not limited to, disrespectful, abusive language or action toward a superior officer, whether in or out of the presence of the superior officer.
33. In the absence of a supervisor, when two members of equal rank are present at an incident, the senior member shall be in charge and responsible for initiating reports and controlling the actions of less senior members.
34. Wear their CMHA issued identification on their outermost garment when entering any CMHA office in civilian attire.
35. Carry their badges and identification cards on their person at all times, except when impractical or dangerous to their safety or to an investigation.
36. Report ready to work at their designated start time.

### **VI. Prohibited Conduct**

- A. Members shall not:
  1. Violate any law of the United States, the State of Ohio, or neglect to perform any duty required by law.
  2. Willfully disobey or willfully neglect to perform any duties required by Rules, Regulations, or directives or any lawful orders, written or oral, issued to them by a supervisor of the CMHA.
  3. Be insubordinate to a supervisor.
  4. Drink alcoholic beverages while on duty or in uniform.

## **RULES AND REGULATIONS, PAGE 8**

5. While on duty, or when off duty in uniform, or partial uniform, enter bars, taverns or liquor establishments, except in the proper performance of their duties. This prohibition shall not apply to liquor premises, which operate principally as a restaurant and has a separate dining facility.
6. Bring any intoxicating liquor into any CMHA owned or controlled property or vehicle, nor shall they permit the same to be brought therein, except as required in the performance of police duty.
7. Use any drug or substance which adversely affects the physical or mental faculties, or possession of which is forbidden by law, unless prescribed by a physician in a regular course of treatment.
8. Refuse to discharge their legal obligations without reasonable cause.
9. Associate with known felons or organizations involved in criminal conduct.
10. Loiter or lounge in or around the office, garage or parking lots or any office of any administrative unit, the corridors of police headquarters, a courtroom, prosecutor's office, clerk's office or probation office, or other CMHA Office.
11. Use harsh, boisterous, profane or indecent language or engage in offensive conduct while on duty or in uniform.
12. Be disrespectful or discourteous to any member of CMHA, resident or member of the public.
13. Engage in any game or billiards, pool, dominoes, dice, checkers, or cards or the like in uniform or while on duty or in any building occupied by the Department.
14. Sleep while on duty.
15. Allow their mailbox to become cluttered, which shall be cleaned whenever reporting to Police Headquarters.
16. Fail to render services to anyone, if such service is within the normal scope of a member's duty, or is required by an emergency.
17. Engage in any conduct, speech or acts while on duty or off duty that would reasonably tend to diminish the esteem of CMHA, its stakeholders, or members of the Department in the eyes of the public.

## **RULES AND REGULATIONS, PAGE 9**

18. Leave or abandon their assignment or post without authorization.
19. Bring, view, access on a computer or personal digital device or share pornography, sexually oriented material, or obscene material while at work.
20. Read books, novels, literature or material that is not of a business nature while on duty.
21. Use a cellular, smartphone or personal digital device while in a CMHA vehicle or in view of the public unless necessary to transact official business or there is an exigent situation for its use.
22. Be absent without permission from a supervisor or be absent without official or approved leave of absence.
23. Be tardy for work.
24. Abuse sick leave.
25. Smoke, chew tobacco or use a cigarette facsimile while in a CMHA owned or controlled building, vehicle or in public places when in uniform, while in conspicuous view of the public.

### **VII. Confidentiality**

#### **A. Members shall not:**

1. Directly or indirectly discuss, publish, disseminate, transmit, share, copy, or otherwise disclose confidential information obtained from an encounter, incident, and/or investigation unless the performance of duty or legal provision requires otherwise.
2. Reveal the name of a complainant when investigating a complaint or responding to a call for service.
3. Access, nor make a transcript of record from a document, file, or database in the care and custody of or approved for use by the CMHAPD which the member is not privileged to do so or allow another person to do the same without privilege to do so, unless directed by the Chief of Police or designated representative.
4. Obtain for personal use or otherwise disseminate any information that is derived from a file or database maintained by or approved for use by the CMHAPD unless such action is necessitated by a legitimate law enforcement activity or function.

## **RULES AND REGULATIONS, PAGE 10**

5. Alter, nor add or cause deletions to a document, file, or database, electronic or otherwise, including audio, pictures, or video that are in the care and custody of or approved for use, of which the member is not privileged to do so or allow another person to do the same without privilege to do so.

### **B. Members shall:**

1. Keep secret information a member observes, hears, or learns that is of a confidential nature.
2. Treat as confidential all business, orders, and reports of the CMHAPD, and all information imparted to them as a member of the CMHAPD, and shall not reveal such information to anyone for whom they are not intended without permission from the Chief of Police or designated representative.
3. Seek clarification from the Chief of Police or designee before engaging in any conduct that jeopardizes the confidentiality of a person or item of information.
4. Disseminate confidential information only to those whom it is intended as authorized by the Chief of Police or designated representative.
5. Be responsible for protecting confidential information obtained during an encounter, incident, and/or investigation of an applicant for employment with CMHAPD.

## **VIII. Radio Communications Center (RCC)**

### **A. Members shall consider an assignment from RCC as a directive from the Chief of Police. Members shall be under control of RCC and shall:**

1. Patrol and be vigilant to the assigned areas of responsibility and perform such other duties as directed.
2. Acknowledge all calls directed to them and use the time announcements from the dispatcher for their official reports and duty reports when applicable.
3. Respond to all calls by stating their radio call number and location.
4. Promptly notify RCC when they have completed an assignment.
5. Notify RCC of all traffic signal and device malfunctions.

## **RULES AND REGULATIONS, PAGE 11**

6. Notify RCC and a supervisor when they return to Headquarters for any reason.
7. Notify RCC and a supervisor when they resume their normal patrol duties.
8. Respond to urgent and emergency assignments in their immediate vicinity without being assigned notifying RCC of their intentions.
9. When engaged in a non-emergency or administrative assignment, respond to any urgent or emergency incidents when other members are not available.
10. Immediately advise RCC of any incident, event, or occurrence, which may indicate the beginning of a riot, disaster, catastrophe, or other incident of a serious nature.
11. Keep RCC informed of all activities and locations of on view assignments, lunch breaks, personal relief and reporting off duty.
12. Inform RCC of the beginning and ending mileage when transporting a citizen or a prisoner from one location to another. Members shall take the most direct route to the destination when engaged in the conveyance.

### **IX. Supervisor Responsibilities**

#### **A. Supervisors shall:**

1. Ensure compliance with written directives and implementation of Department goals and objectives.
2. Promptly investigate, take action and initiate the appropriate reports on matters within their jurisdiction.
3. Protect persons and property.
4. Preserve the public peace and order under federal, state and local ordinances of concurrent jurisdiction.
5. Suppress crime, and initiate prompt action of the enforcement of laws and ordinances.
6. Efficiently assign members under their command.
7. Keep the Chief informed of all pertinent matters coming to their attention.
8. Recommend disciplinary action against members who violate written directives.
9. Coordinate activities and cooperation between units or platoons.

## **RULES AND REGULATIONS, PAGE 12**

10. Provide continuous training and instruction for members under their command.
11. Conduct frequent and regular inspections of members under their command as well as facilities, vehicles, and equipment.
12. Ensure the orderly processing and timely distribution of all reports through official channels.
13. Maintain files and records essential to the control and administration of their command.
14. Maintain an inventory of all property and equipment assigned to their command.
15. Thoroughly familiarize themselves with all laws, ordinances, rules, regulations, and procedures of the Department, in order that they may properly and intelligently transact the business entrusted to them, and that they may advise and instruct their subordinates in their duties.
16. Be courteous and efficient at all times in their dealing with the public and with other members of the Department.
17. Accept, adjust or resolve all complaints made to them.
  - a. Complaints requiring the immediate dispatch of a unit shall be promptly relayed to the Radio Communications Center.
  - b. Complaints requiring follow up action by the Department shall be forwarded to the proper member or Unit.
18. Conduct roll call, inspect the condition and appearance of members, their uniforms, weapons and equipment; and shall read and explain all written directives, conveying to members any information pertinent to their duties.
19. Relieve from duty any member of the Department found to be unfit for duty for any cause; promptly notify their supervisor of such action; and forward a report giving full details concerning the matter.
20. Cause all legal writs directed to their office to be served.
21. Keep in the office a record of all warrants and subpoenas received or returned by CMHA.
22. Not permit boisterous or profane language or offensive conduct; and shall not permit any loitering or lounging in or around the office, garage or parking lots.
23. Maintain attendance records for each member under their command, updating it daily.
24. Report the loss, damage or theft of any CMHA equipment coming to their attention.

## **RULES AND REGULATIONS, PAGE 13**

25. Refrain from fraternizing with subordinates in a manner that corrupts the integrity of the superior-subordinate command structure relationship, as evidenced by the appearance of favoritism or coercion in the supervisor's decision making.
26. Review all reports for accuracy and completeness and approval before they are forwarded, or filed.
27. Control and maintain custody of all property, weapons, ammunition, evidence and other equipment maintained, stored or confiscated during their assigned tour of duty.
28. Obtain all CMHA property in the custody of a member who for any reason has been separated from the Department. Such property shall be delivered to headquarters and properly secured.
29. Notify RCC when a member is out of service for any reason.
30. Respond to an incident and assume command and control until relieved by a higher ranked supervisor. The ranking supervisor shall be responsible for all police activity and shall report to any higher ranking supervisor arriving at the scene.

### **X. Care of Equipment**

- A. Members shall:
  1. Return all property entrusted to their charge or care in the shape and condition as when issued, except for normal wear and deterioration.
  2. If directed to do so and at the discretion of the CMHA, provide reimbursement within thirty (30) days for the loss of any property issued to them. If any such property is recovered later in good condition, they shall be refunded the amount so paid.
  3. Know the location and operation of alarm stations and report any malfunction to a supervisor.
  4. Inspect the assigned vehicle and equipment at the commencement of each tour of duty, reporting to their immediate supervisor, and prior to moving the vehicle, any damage, loss or malfunction.
  5. Be responsible for the loss or damage of equipment placed in their charge. Any loss or damage will be presumed to have occurred during the tour of duty unless reported at the beginning of the tour of duty, in which event it will be presumed to have occurred during the previous tour of duty.
  6. Operate a vehicle and handle assigned equipment in a careful and lawful manner.

## **RULES AND REGULATIONS, PAGE 14**

7. Maintain vehicles and equipment in a neat, clean, and serviceable condition and notify the supervisor immediately of any problems or malfunction occurring while on duty.
8. Not park vehicles or operate on grass, sidewalk or soil surface not intended or made for vehicles.
9. Not park vehicles in violation of local parking regulation except in emergencies.
10. Not take any gasoline or oil or any other substance (i.e., windshield solvent, anti-freeze) under the control of CMHA without the knowledge and permission of the Chief or his designate.
11. Not install, affix, or remove any accessory or make any alteration or change in the mechanism or other part of any equipment, except in an emergency, and only with approval of a supervisor.
12. Not knowingly convey persons known to be suffering from contagious diseases; decomposed bodies; any other person or thing, which may contaminate, mar, or damage the vehicle.
13. Not willfully or negligently damage or lose property entrusted to them.

### **XI. Personal Appearance and Grooming Standards**

- A. The following standards shall be in effect for all members assigned to uniformed duties:
  1. Hair shall be kept neatly groomed and its length and bulk shall not be excessive nor present a ragged, unkempt or extreme appearance.
  2. No hair style shall interfere with the wearing or proper positioning of the uniform cap.
    - a. Hair may not cover the forehead and may never be visible on the forehead while the uniform cap is worn.
  3. Members shall not wear unusual body adornments such as multiple rings or brightly colored watches or excessive jewelry when in uniform.
    - a. Excessive jewelry includes visible neck chains, bracelets, pins, combs, earrings, and nose rings or pins
  4. Civilian dress including jewelry or hair clips, when permitted while on duty, shall be of a conservative style, appropriate for a business setting and designed for safety and freedom of movement. Extreme or eccentric styles are prohibited.
  5. Fingernails shall be kept trimmed so as not to present an extreme appearance or threaten safety.

## **RULES AND REGULATIONS, PAGE 15**

6. Exceptions to the dress code and personal appearance shall be permitted only when required for police purposes and must be authorized by the Chief of Police.
  7. Gloves may be worn to provide warmth or as personal protective equipment against potential contamination. Wearing gloves that appear to be menacing or intimidating is prohibited.
  8. Mirror or exotic sunglasses shall not to be worn on duty.
  9. Sunglasses shall not be worn indoors.
- B. The following standards shall be in effect for male members:
1. Hair shall be evenly tapered on the side and back of the head. The hair outline shall follow the contour of the ear, and no hair shall fall over the ears or touch the collar except for the closely cut hair at the back of the neck.
  2. The face shall be clean shaven. Sideburns shall be kept neatly trimmed and their bulk shall not be excessive nor extend below the ear lobe.
  3. Mutton-chop sideburns are prohibited. The base of the sideburns shall be a clean shaven horizontal line.
  4. Mustaches shall be kept neatly trimmed and shall not extend below the upper lip nor shall they be excessively thick or bushy, nor be styled, treated, or pointed so as to protrude away from the contour of the face.
  5. Beards and goatees are prohibited unless approved by the Chief.
- C. The following standards shall be in effect for female members:
1. The hair shall not extend downward below the lower edge of the shirt collar and longer hair shall be worn up when on duty in uniform.
  2. Moderate use of facial makeup is permissible; heavy makeup is prohibited.
  3. Excessive jewelry, bracelets, pins, combs, earrings, and nose rings are prohibited. Female members may wear a single pair of stud earrings, of simple design that does not extend below the ear lobes.

**RULES AND REGULATIONS, PAGE 16**

- D. Tattoos or body art that displays the following is prohibited:
1. Racism.
  2. Sexism or sexually suggestive or explicit.
  3. Obscenity or profane.
  4. Gang or drug related.
  5. Undermining department values.
- E. Tattoos on the following body areas are prohibited while on duty and shall be covered from public view at all times:
1. Face.
  2. Neck.
  3. Head.
- F. The use of facial makeup to cover a tattoo while on duty is permissible.

By order of,

A handwritten signature in blue ink, appearing to read "Andrés González", written in a cursive style.

Andrés González, Chief of Police