



GENERAL POLICE ORDER CLEVELAND DIVISION OF POLICE



EFFECTIVE DATE: MARCH 1, 2002	REVISED DATE: DECEMBER 15, 2009	NO. PAGES: 1 of 2	NUMBER: 1.3.07
SUBJECT: EMERGENCY RELIEF FROM DUTY			
ASSOCIATED MANUAL:		RELATED ORDERS: 1.1.15	
CHIEF OF POLICE: <i>Michael McGeath, Chief</i>			

Substantive changes are in italics

PURPOSE: To establish emergency duty relief guidelines for members of the Cleveland Division of Police unfit for duty. To provide for timely documentation to substantiate the reasons for the action and to meet the requirements of Civil Service Regulations and union contract provisions.

POLICY: Supervisors are authorized to relieve members from duty in emergency situations pursuant to Civil Service Regulations 9.20 (B) and Chapter Two of the Manual of Rules and Regulations (Rule 2.12), Administrative Compliance which state:

- Civil Service Rule 9.20 (B) states: When in the opinion of a superior, the conduct of the officer or employee is such as to require that he/she be relieved from duty immediately, such officer or employee may be relieved from duty by oral order...
- Chapter Two of the Manual of Rules (Rule 2.12) states: Command or Superior officers shall relieve from duty for cause any officer or employee of the Division of Police found to be unfit for duty, promptly notify their superior officer of such action and forward a report giving full details concerning the matter.

DEFINITION: Emergency Duty Relief is limited to emergency situations and shall be used only if a member exhibits violent, irrational or insubordinate behavior that threatens to or actually disrupts operations. An example of an emergency duty relief situation *is a circumstance where reasonable suspicion exists that a member has reported for duty while under the influence of alcohol and/or drugs or is suspected of drinking alcohol while on duty.*

PROCEDURES

- I. The relieving supervisor shall:
 - A. Provide oral or written notice to the relieved member of the violated rules.

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- B. *Relieve the officer of the officer's City-issued firearm and any other firearm found on the officer's person, Cleveland police badge, and City of Cleveland identification card.*
 - C. Offer the member an opportunity to explain the actions, when circumstances and the physical condition of the member permit.
 - D. *The supervisor ordering the test shall (before testing) notify the City of Cleveland Labor Relation Manager at (216) 857-1523 or via the Communication Control Section*
 - E. *Contact the Integrity Control Section Officer-in-Charge (OIC) or designee and transport the member to the designated medical facility for testing during normal business hours, or if after hours, to the designated emergency medical facility. A member of the Internal Affairs Unit shall respond to monitor the testing and investigate the incident for criminal violations. Incidents involving suspected OVI violations shall be handled following standard OVI protocols (i.e. field sobriety test ...).*
 - F. Complete a Form-1 that details the incident and the action taken including members' statements. The Form-1 shall cite the Division and Civil Service Commission Rules violated. *Forward a copy of the Form-1 and any other supporting documentation to the Integrity Control Section.*
 - G. Request a hearing before the Chief or Chief's Designee scheduled no later than three working days from the date of relief.
 - H. Forward all reports through the chain of command to the appropriate deputy chief.
- II.** If circumstances preclude charges being prepared within the three-day period, the appropriate deputy chief or designee shall:
- A. Conduct a hearing within the three-day period to address the facts of the emergency relief.
 - B. Determine whether the emergency relief is appropriate.
 - C. Determine if the member may return to duty.
 - D. Advise the member that a hearing shall be scheduled before the Chief.