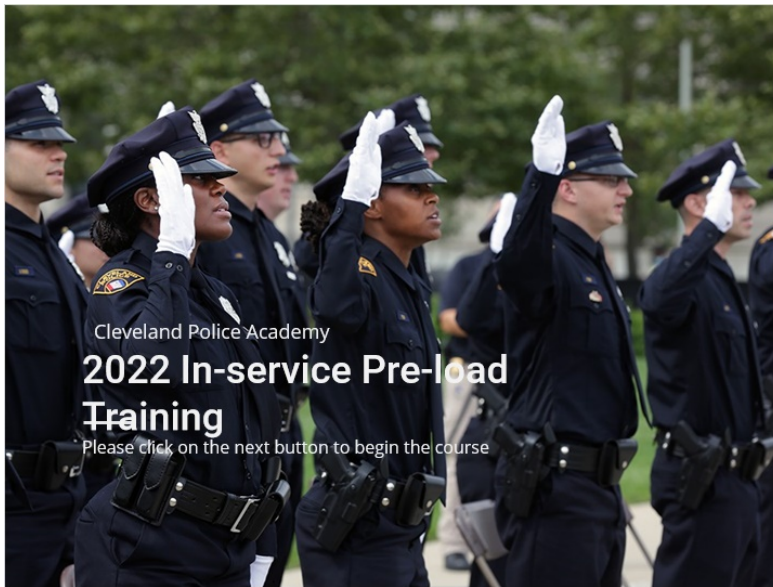


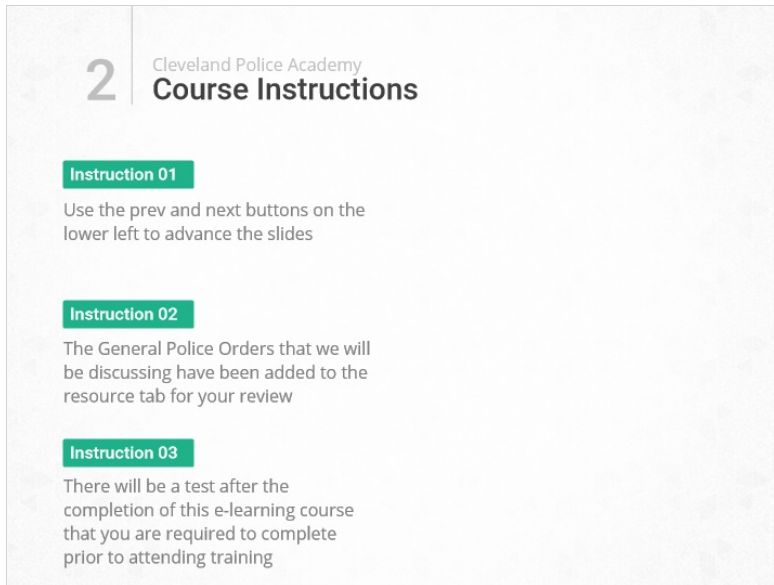
Welcome



Notes:

Welcome to the Cleveland Division of Police 2022 In-service Preload Training. This training provides guidance and direction relating to critical policy areas, such as Use of Force, Search and Seizure, and Community Oriented and Problem Oriented Policing strategies and policy. The intention of this training is to reinforce understanding and comprehension of these areas and improve your application during upcoming scenario-based training.

Instructions



The screenshot shows a presentation slide titled "2 Cleveland Police Academy Course Instructions". It contains three instructions, each in a green header box followed by a text box. The background is a light gray with a faint, repeating pattern of police officers in uniform.

2 Cleveland Police Academy
Course Instructions

Instruction 01
Use the prev and next buttons on the lower left to advance the slides

Instruction 02
The General Police Orders that we will be discussing have been added to the resource tab for your review

Instruction 03
There will be a test after the completion of this e-learning course that you are required to complete prior to attending training

Notes

Use the previous and next buttons on the lower left of the screen to advance the slides.
The General Police Orders that we will be discussing during this course have been added to the resource tab for your review.

Major Point Layout

CLEVELAND DIVISION OF POLICE MISSION STATEMENT

The mission of the Cleveland Division of Police is to serve as guardians of the Cleveland community. Guided by the Constitution, we shall enforce the law, maintain order, and protect the lives, property, and rights of all people. We shall carry out our duties with a reverence for human life and in partnership with members of the community through professionalism, respect, integrity, dedication and excellence in policing.



Notes:

The mission of the Cleveland Division of Police is to serve as guardians of the Cleveland community. Guided by the Constitution, we shall enforce the law, maintain order, and protect the lives, property, and rights of all people. We shall carry out our duties with a reverence for human life and in partnership with members of the community through professionalism, respect, integrity, dedication and excellence in policing.

The Cleveland Division of Police is committed to providing services and enforcing laws in a professional, nondiscriminatory, fair and equitable manner based on mutual trust and respect with Cleveland's diverse groups and communities

Objectives



3 Cleveland Police Academy
Course Objectives

- 01**
Identify the legal foundation of vehicle inventory searches
- 02**
Apply Supreme Court case law to a vehicle stop scenario
- 03**
Identify the lawful objective in making a physical arrest
- 04**
Recognize options to de-escalate

Notes:

At the end of this course the student will be able to identify the legal foundation of vehicle inventory searches, apply Supreme Court case law to a vehicle stop scenario, identify the lawful objective in making a physical arrest and recognize the options to de-escalate during a case study.

Objectives



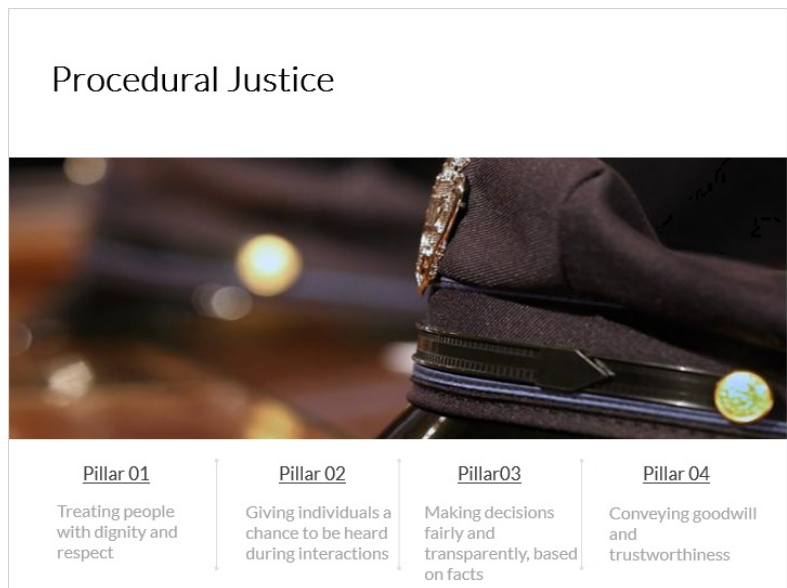
4 | Cleveland Police Academy
Course Objectives

- 05**
Recognize their duty to provide medical attention
- 06**
Identify opportunities to deploy problem oriented policing
- 07**
Recognize the SARA model
- 08**
Apply the SARA model to a scenario

Notes:

The student will also be able to recognize their duty to provide medical attention, identify opportunities to deploy problem oriented policing, recognize the SARA model, and apply the SARA model to a scenario.

Procedural Justice




Notes:

Procedural justice and building community trust are at the heart of everything that we do. Every interaction with a member of the Cleveland community is an opportunity to build trust and acceptance of police legitimacy. One of the ways we can build community trust is through bias free policing. Bias-Free Policing is accomplished without the selective enforcement or non-enforcement of the law, including the selection or rejection of particular policing tactics or strategies, based on the subject's membership in a demographic category. Bias-free policing is free of discriminatory effect as well as discriminatory intent.

Search and Seizure Review

5

Cleveland Police Academy
Search and Seizure Review



For quick reference, the applicable General Police Orders are under the resource tab for your review

[Continue](#)

It is the policy of the Division to respect the fundamental privacy rights of all individuals. Officers shall conduct searches in strict accordance with the rights secured and protected by the Constitution and federal and state laws. All seizures by the Division shall comply with relevant federal and state laws governing the seizure of persons and property. Officers shall not use an individual's gender, race, ethnicity, national origin, age, or perceived sexual orientation as a factor, to any extent or degree, in establishing reasonable suspicion or probable cause, unless such information is part of an actual and credible description of a specific subject in an investigation that includes other identifying factors. Officers must complete a data collection form for stops, searches and arrests and supervisors must review documentation of all searches and seizures to ensure that they were supported by reasonable suspicion and/or probable cause

Press continue to begin the search and seizure module

Case Law Review



Notes:

Respondent's car was towed to a city impound lot. From outside the car at the impound lot, a police officer observed a watch on the dashboard and other items of personal property located on the back seat and back floorboard. At the officer's direction, the car door was then unlocked and, using a standard inventory form pursuant to standard police procedures, the officer inventoried the contents of the car, including the contents of the glove compartment, which was unlocked. The officer found marijuana in the glove compartment. Respondent was arrested and convicted on charges of possession

The issue the Supreme Court had to decide was did the police officer violate the 4th Amendment when they conducted a warrantless search of a lawfully impounded vehicle.


The Court held that there was no suggestion whatever that the standard procedure was a pretext concealing an investigatory police motive. The Court concluded that in following standard police procedures the conduct of the police was not unreasonable under the Fourth Amendment. (<https://www.lexisnexis.com/community/casebrief/p/casebrief-south-dakota-v-oppermn>)

A couple of key points to this case: it is important to follow standard procedure when completing a vehicle inventory search. The search shall be conducted preceding a tow and not a ruse to gain access to the vehicle.


CDP Policy

7


Cleveland Police Academy
Policy Review




The individual's property, the officers, and others as well as the Division from claims of lost or damaged property



Officers shall record vehicle inventory searches using their WCS



Without damage to the container



Notes:

A vehicle inventory is conducted to protect the individual's property, the officers and others, as well as the Division, from claims of lost or damaged property. Your wearable camera system shall be in event mode during the inventory, and you shall do a 360 walk around of the vehicle prior to tow. Containers found within the vehicle can be opened as long as no damage to the container happens.

Application of Law and Policy

Vehicle Tow and Release

01

Prior to towing, remove from the vehicle property such as jewelry, cameras, radios, golf clubs, cellular phones, or other valuables.



02

Officers are required to release a vehicle and cancel the tow



If possible, prior to towing, remove from the vehicle property such as jewelry, cameras, radios, televisions, golf clubs, cellular phones, computers, radar detectors or other valuables. Tag and enter removed property in the district or unit property book and forward the property to the Property Unit.

Officers are required to release a vehicle and cancel the tow when all of the following conditions exist:

The owner or person claiming possession of the vehicle arrives prior to the tow and produces identification to the satisfaction of the towing officer that they are entitled to possession of the vehicle. The officer believes the owner or other claiming possession is capable of safely taking such possession. The officer determines the flow of traffic will not be unreasonably impeded. The towing officer believes the health; safety or welfare of the public will not be adversely affected. The vehicle has less than four outstanding parking infractions, judgments, or citations.

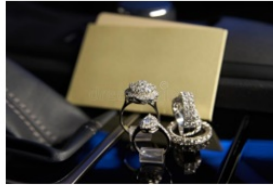
Multiple Choice Question

Cleveland Police Academy

Multiple Choice Question

Upon conducting an vehicle inventory search the Officer finds an expensive piece of jewelry, the officer is expected to?

- ☒ Mark tag and enter it in district property
- ☐ Leave it in the vehicle
- ☐ Document it and move on
- ☐ Give it to the tow truck driver



Submit

Feedback when correct:

That's right! You selected the correct response.


Feedback when incorrect:

Please review General Police Order 6.03.01 and try again

Use of Force Review

10

Cleveland Police Academy
Use of Force



Force Decision Factors
Graham v. Connor
490 U.S. 380 (1989)

For quick reference, the applicable General Police Orders are under the resource tab for your review

[Continue](#)


Consistent with the Division's mission, including the commitment to carry out its duties with a reverence for the sanctity of human life, it is the policy of the Division to use only that force which is necessary, proportional to the level of resistance, and objectively reasonable based on the totality of circumstances confronting an officer. Officers shall also take all reasonable measures to de-escalate an incident and reduce the likelihood or level of force.

Case Law Review

11


Cleveland Police Academy

Graham v. Connor, 490 U.S. 386 (1989)




Diabetic

After feeling the onset of a diabetic reaction, he contacted his friend for a ride to the store



Officer witnesses Graham enter store

Officer witnessed Connor quickly enter and leave the store and suspected criminal activity



Graham suffered injuries as a result of the use of force

Graham sued the police officers for an unreasonable use of force

The leading case on the use of force is *Graham v. Connor*.

In this case, Mr. Graham was a diabetic. After feeling the onset of an insulin reaction, called his friend and asked for a ride to a convenience store. They arrived at the convenience store and quickly entered and exited the store.

Waiting outside the store was Officer Connor. Connor had watched Graham hastily enter and leave the store and suspected something was amiss. Connor followed the two men for a block or so before activating his overhead lights.

Graham got out of the car. He ran around the car two times, sat down on the curb, and momentarily passed out. Back-up officers arrived, and Graham was handcuffed. Connor finally received the report from an officer who returned to the store. The officer confirmed what Graham had been saying – nothing was amiss. At some point during his encounter with the police, Mr. Graham suffered cuts on his wrist, a bruised forehead, a broken bone in his foot, an injured shoulder, and a persistent loud ringing in his right ear. (<https://www.fletc.gov/sites/default/files/PartIGrahamvConnor.pdf>)

Graham filed suit in the under 42 U.S.C. §1983, alleging that officers had used excessive force in making the stop, violating his rights under the 14th Amendment. The District and Appellate court applied a four-prong test determining excessive use of force giving rise to 1983 violations under the 14th Amendment. The Supreme Court ruled that the lower courts erred and should have instead used the objectively reasonableness standard established under the Fourth Amendment. . The Supreme Court stated that, “The test for reasonableness under the Fourth Amendment is not capable of precise definition or mechanical application, however, its proper application requires careful attention to the facts and circumstances of each particulate case, including the severity of the crime at

issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he is actively resisting arrest or attempting to evade arrest by flight.”

This is important because as an officer, you must be able to articulate the facts and circumstances that led up to the use of force. You must be able to point to the objectively reasonable facts that justify your actions. Mere feelings and hunches are not enough absent other articulable facts.

It is also important to note that when the lower court examined Graham under the objectively reasonable standard, they explained that reasonable force is a level of force that is appropriate when analyzed from the perspective of a reasonable officer on scene, rather than with 20/20 hindsight. Objective reasonableness takes into account, where appropriate, the fact that officers must make rapid decisions regarding the amount of force to use in tense, uncertain, and rapidly evolving situations.

Lawful Objectives

Cleveland Police Academy

Use of Force Policy

01

Necessary: Officers shall use only the amount of force necessary to achieve a lawful objective

02

Proportional: All force shall be proportional to the level of the subjects resistance

03


Objectively Reasonable: All force must be objectively reasonable

04

Intermediate Weapons: Officers shall not use intermediate weapons on subjects who are passively resisting

05

Duty to Provide Medical Aid: immediately obtain any necessary medical care while providing emergency first aid



Notes:

Let's take a look at the use of force policy. These are just some highlights, please make sure that you have reviewed the policy in its entirety.

Officers shall use force only as necessary, meaning only when no reasonably effective alternative to the use of force appears to exist, and then only to the degree in which is reasonable to effect the intended lawful objective.

To be proportional, the level of force applied must reflect the totality of the circumstances known to the officer at the time force was applied

All uses of force are analyzed under the Fourth Amendment as guided by the United States Supreme Court, *Graham v. Connor*, 490 U.S. 386 (1989)

Intermediate weapons shall not be used on subjects who are passively resisting.

Immediately following any use of force and when the scene is secure, officers, and upon their arrival, supervisors, shall inspect and observe the subject for injury or complaints of pain resulting directly or indirectly from the use of force.

If needed, officers and supervisors shall immediately obtain any necessary medical care while providing emergency first aid until professional medical care providers arrive.

Strategies for De-escalation

13


Cleveland Police Academy

De-escalation Tactics

Officers have the ability to impact the direction and outcome of the situation with their decision making and employed tactics

<u>Tactics</u>	<u>Techniques</u>	<u>Considerations</u>
Officers shall avoid taking unnecessary actions that may escalate the need to use force	Proactive use of distance, cover, concealment, and time	A subject's lack of compliance is a deliberate attempt to resist or an inability to comprehend and/or comply

The nature and immediacy of the threat will help determine what de-escalation or other tactics an officer may use to address the threat



Tactics

De-escalation techniques shall be used, if feasible, once officers assess any threats present at the incident. It is important to remember that Officers should assess threats before, during, and after de-escalation attempts.


Techniques

Officers shall avoid taking unnecessary actions that may escalate the need to use force. Meaning do not create your own exigency, and use the proactive use of distance, cover, concealment and time. Demonstrate officers are listening by interacting in conversation; people have a desire to be heard and understood.

Considerations

The influence of drugs and/or alcohol. Known or reasonably apparent mental illness, developmental disability or crisis incident. Known or reasonably apparent physical disability or other medical or physical condition, including visual or hearing impairment.

Case Study

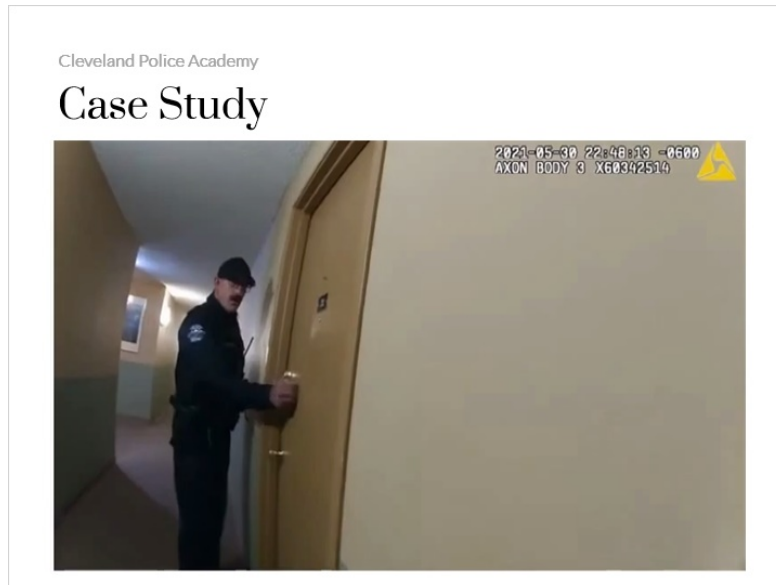


Video # 1

Officers are responding to a call where the female caller was physically assaulted by a neighbor

In this case study we will be watching body camera video of a call where officers responded to a female who stated that she was physically assaulted by her neighbor. Pay particular attention to the officer's action, opportunities to de-escalate and CDP reporting requirements.

Case Study



Notes:

~~Untitled Slide~~ Tactical Considerations

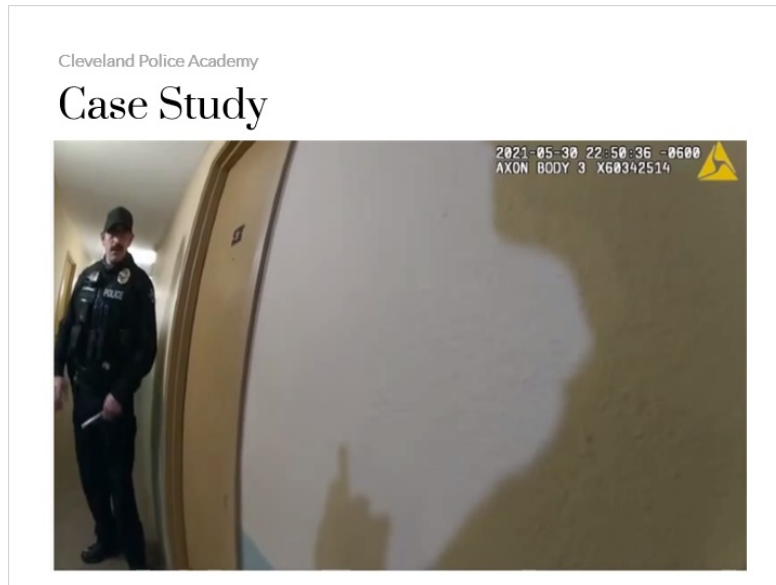


Tactical Considerations

We as officers want to avoid
standing in door ways

Take a look at the officer's tactics and remember we want to avoid standing in doorways when possible.


Case Study



Notes:

Multiple Choice

(Multiple Choice, 10 points, 2 attempts permitted)



True or False

The Officers have a right to make forced entry into the males apartment because this is exigent circumstance.

☐ True

☒ False

Feedback when correct:

That's right! Per General Police Order 2.02.02 exigent circumstances may exist if officers are responding to a call of violence and there is evidence a person's health, welfare, or safety is immediately threatened

Feedback when incorrect:

You did not select the correct response. Please review General Police Order 2.02.02 Search and Seizure and try again

Multiple Choice



Multiple Choice

Officers should attempt to de-escalate by doing which of the following?

- ☐ Create distance
- ☐ Use cover and concealment of the door frame
- ☐ Allow for the male to talk and tell his side of the incident
- ☒ All the Above

Feedback when correct:

That's right! You selected the correct response.

Feedback when incorrect:

You did not select the correct response.

Multiple Choice

(Multiple Choice, 10 points, 2 attempts permitted)



Multiple Choice

What Level use of force are the Officers at currently

- ☒ Level 1
- ☐ Level 2
- ☐ Level 3

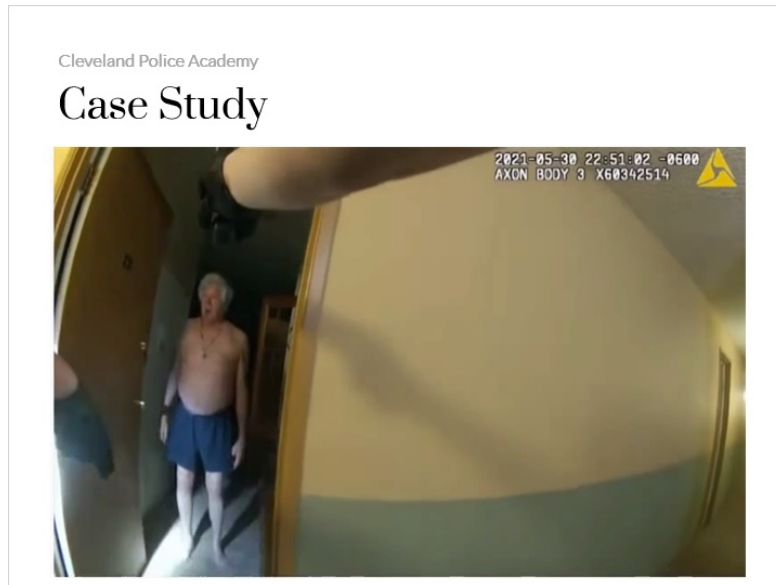
Feedback when correct:

That's right! You selected the correct response. That's right! Un-holstering and pointing a firearm at a subject is considered a Level 1 reportable use of force. Also, Un-holstering a firearm is subject to the data collection process and shall be included in the officer's disposition when clearing an assignment using the Mobile Computer Aided Dispatch System or by notifying CCS. Also, always be aware of your environment and situation. Drawing at full presentation MAY limit your ability to assess other areas of the scene including other occupants, weapons and other non-threats.

Feedback when incorrect:

You did not select the correct response. Remember Un-holstering and pointing a firearm at a subject is considered a Level 1 reportable use of force. Please review General Police Order 2.01.05 Use of Force Reporting and try again


Case Study



Notes:

Multiple Choice

(Multiple Choice, 10 points, 2 attempts permitted)



Multiple Choice

According to CDP Use of Force Policy, after the elderly male is Tased and knocked unconscious what level of force are we now at?

☐ Level 1

☐ Level 2

☒ Level 3

Feedback when correct:

That's right! You selected the correct response. Per General Police Order 2.01.05 Use of Force Reporting, any uses of force that result in unconsciousness is reported as a level 3 use of force requiring a FIT call up

Feedback when incorrect:

You did not select the correct response. Remember, any uses of force that result in unconsciousness is reported as a level 3 use of force requiring a FIT call up.

Please review General Police Order 2.01.05 and try again

Options Available

Case Study Analysis

- **Slow down**
Officers shall attempt to slow down the situation so that more time, options and resources are available for the incident to be resolved.
- **De-escalate**
Request additional personnel and wait, when safe and feasible to do so, for arrival of additional personnel.
- **Reporting Requirements**
Officers shall notify their supervisor when they have used force, except for de minimis force




Notes:

Now that we have watched the video and answered a few questions, let's dive deeper. The officers could have slowed the situation down, by asking questions instead of giving orders, giving him a voice in the interaction and overall just waiting a few more seconds for the situation to develop. Officers should have requested back-up and a supervisor. These officers displayed their pistol at the subject which is a level one use of force, they deployed their Taser on the subject, which is a level 2 use of force. The individual lost consciousness therefore, this is now a level 3 use of force and requires the supervisor to contact the force investigation team.

Community Problem Oriented Policing

24

Cleveland Police Academy
Community Problem-Oriented Policing

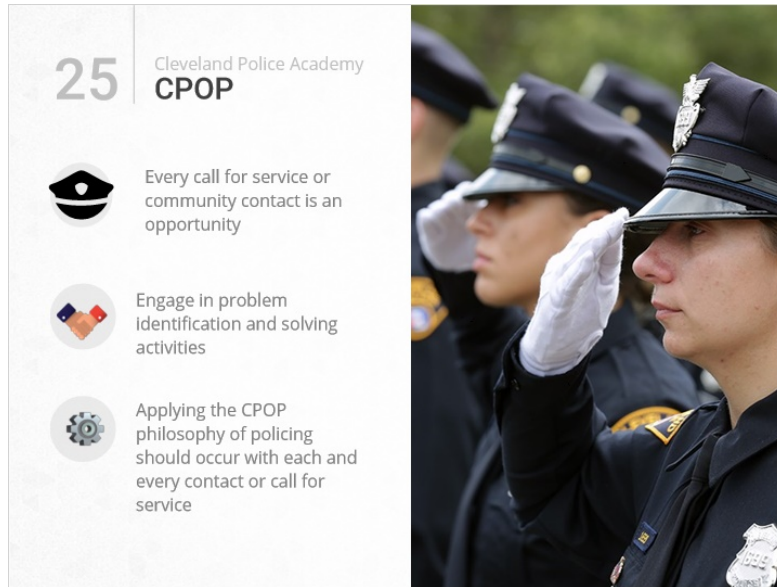


The Division must partner and build relationships across the community to ensure public safety and address community concern.

[Continue](#)

Community and Problem-Oriented Policing (CPOP) is an organizational strategy that promotes community partnerships and problem-solving techniques to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime.

CPOP is a combination of the core principles of community policing and the methodology of collaborative problem solving (also referred to as problem-oriented policing). Community policing principles refer to the manner in which the Division and its officers routinely and proactively engage the community to create partnerships and co-produce public safety. It also applies to the aligning of organizational structure to reflect and support partnerships and community needs/wants throughout the Division.



Every call for service or community contact is an opportunity for officers to apply the Community Engagement and/or CPOP philosophy. Officers shall be familiar with the geographic areas that they serve, including their assets, challenges, problems, business, residential and demographic profiles, and community groups and leaders.

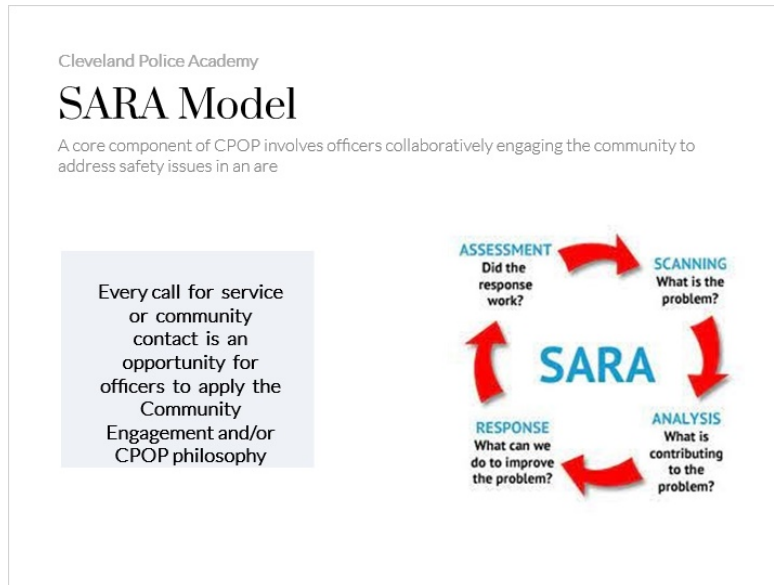
Officers shall also engage in problem identification and solving activities with the community groups and members regarding the community's priorities and work proactively with other city and county departments to address quality of life issues

Problem Oriented Policing Activity

- | | |
|---|---|
| 01 Identify and solve sources of community problems | 05 Identifying and solving problems in ways other than arrest |
| 02 Working proactively with other City and County Departments to address quality of life issues | 06 An asset map is a reference source for the districts to use to identify resources |
| 03 Create and implement action plans with community members | 07 Members assigned to the patrol section and assigned to patrol duties are expected to spend an average of 20% |
| 04 Using data to identify and resolve problems | 08 Officers shall complete a data entry form for all CPOP activity |

Problem-Oriented Policing activities include, but are not limited to, the following: Working with community members to identify and solve sources of community problems. Officer initiated actions to identify and solve sources of community problems. Working proactively with other City and County Departments to address quality of life issues. Create and implement action plans with community members. Using data to identify and resolve problems, or things that happen multiple times, for both the community and police, such as finding the top ten addresses for calls for service in the zone. Identifying and solving problems in ways other than arrest, such as connecting community members to services that provide assistance such as mental health and homeless services, drug treatment facilities, and domestic violence agencies.

SARA Model



A core component of CPOP involves officers collaboratively engaging the community to address safety issues in an area. One method that CDP officers will use is the SARA model which stands for Scanning, Analysis, Response, and Assessment.

Scanning, what is the problem-are there individuals playing loud music after dark, are there vandals spray painting house?

Analysis, what is contributing to the problem? Is the location of the park, or environmental factors playing a role?

Response, what can we do to improve the problem, is there a city service we can contact or a referral we can make?

Assessment, is our response working or do we need to try something new?

Multiple Choice Question

(Multiple Choice, 10 points, 2 attempts permitted)

Insert Header Here

Multiple Choice Question

Question Header

A member of the community reports to you that there is several people hanging in the near by park at all hours of the night. You are trying to determine how bad the problem is and how often it is occurring. What level of the problem solving process would this fall into?

☐ Review

☐ Security

☐ Scanning

☒ Analysis

Submit

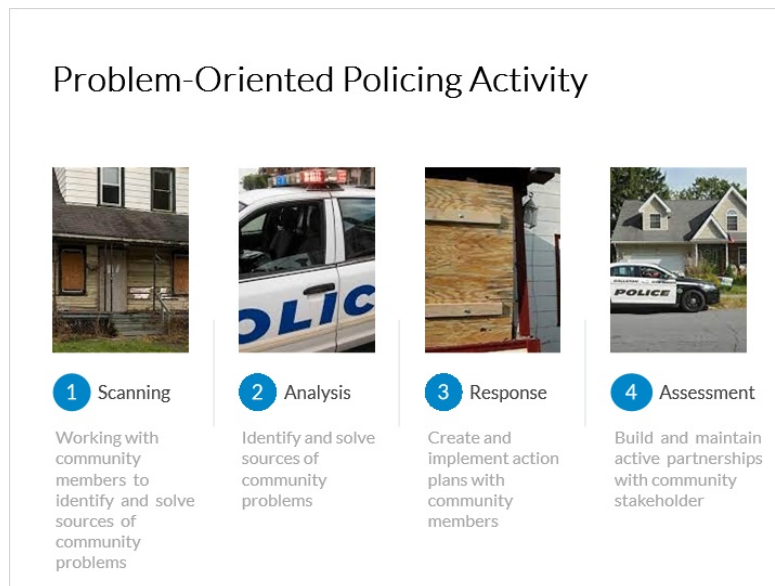
Feedback when correct:

That's right! You selected the correct response. You selected the correct response. SARA stands for scanning, analysis, response and assessment. Determining the scope of the problem falls under the analysis portion of the SARA problem solving process.

Feedback when incorrect:

You did not select the correct response. Remember that SARA stands for scanning, analysis, response and assessment. Determining the scope of the problem falls under the analysis portion of the SARA problem solving process. Please review the previous slide and try again.

CPOP Opportunities



Notes:

So let's work through a potential community issue.

Mrs. Smith repeatedly calls the police to report people are breaking into her garage. She states to you individuals are hanging out at the vacant house next door and thinks that the thefts stem from that. She states that the back door of the vacant house is wide open and that is how they get in and out. How can we use our problem oriented policing model to help Mrs. Smith?


Let's plug our issue into the SARA model

- Scanning-Mrs. Smith keeps getting her garage broken into
- Analysis-Based on Mrs. Smith's statements, the individuals committing the thefts are hanging out at the vacant house next door (potentially).
- Response-Options available to CDP officers include but are not limited to, contact board up to get the house boarded up, creating a special attention in the area for other officers, and alerting other neighbors in the area to be on the lookout for people in the vacant house. Contacting the property owners and advising them of the issue. Working with the property owners may be helpful if they live in the area and can fix the door.
- Assessment, now we see if our response worked or if we need to try something new. Checking back in with Mrs. Smith is a good indication if our response was successful. If it was not successful, use the SARA model starting at the response and come up with a new response.

Summary

34

Cleveland Police Academy
SUMMARY



You will be able to reference this training in the Course Recourse tab on LMS

01 Legal foundations

02 Case law review

03 De-escalation

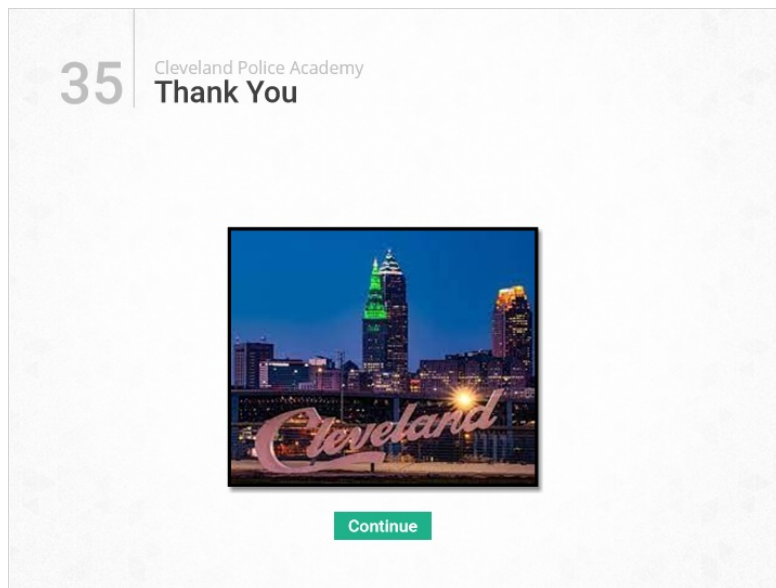
04 Medical attention

05 CPOP

06 SARA model

In summary, we covered legal foundations of a traffic stop, case law review, de-escalation, an officer's duty to provide medical attention, CPOP and the SARA model. If you want to review any of the material, it will be located in the course resources tab. Make sure you complete the 20 question test, attached to this LMS.

Exit Course



Thank you for completing this online course, please arrive to scenario-based training on your scheduled date, in the correct uniform and on time.