



CLEVELAND DIVISION OF POLICE

GENERAL POLICE ORDER



EFFECTIVE DATE: January 17, 2022	CHAPTER: 5 – Field Investigations	PAGE: 1 of 3	NUMBER: 5.11.04
SUBJECT: CUYAHOGA COUNTY DIVERSION CENTER (CCDC)			
CHIEF: <i>Dornat A. Drummond, Chief</i>			

PURPOSE: To establish guidelines for officers of the Cleveland Division of Police to utilize the Cuyahoga County Diversion Center (CCDC).

POLICY: **It is the policy of the Cleveland Division of Police** that officers may transport individuals with a mental illness and/or substance use disorder to the CCDC for treatment. Officers may also offer treatment at the CCDC as an alternative to arrest, for individuals involved in non-violent misdemeanor offenses, who are affected by a mental illness and/or substance use disorder.

PROCEDURES:

I. Eligibility

- A. Officers encountering an individual who appears to be or discloses that they are affected by a mental illness and/or substance use disorder, whether or not there is an associated criminal offense, may offer voluntary transport to the CCDC for assistance, if eligible.
- B. Individuals will be eligible for transport to the CCDC if:
 - 1. There is reliable information that the person has a mental illness and/or substance use disorder (e.g., the individual’s family provides information, the individual is on a drug court docket, etc.).
 - 2. The individual is NOT in a severe crisis (e.g., suicidal, overdose, etc.).
 - 3. A non-violent misdemeanor offense is involved, except:
 - a) Escalating misdemeanors (e.g., Domestic Violence, Menacing by Stalking), including OVI and Physical Control.
 - b) Any offense that qualifies as a sex offense.
- C. Review by the City of Cleveland Prosecutor’s Office is not a requirement for eligibility.

II. Acceptance

- A. If an individual meets the eligibility requirements for transport to the CCDC, officers shall contact the FrontLine Service Police Help Line at (216) 623-6888.
 - 1. The FrontLine mental health professional will ask the officer to provide the following information:

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- a) The officer's name, badge number, and district.
 - b) The name and date of birth of the individual.
 - c) A brief description of why law enforcement was called/directed to the scene.
 - d) The officer's observations/understanding of what is going on with the individual.
2. After FrontLine Service has gathered the necessary information, they will advise the officer if the CCDC will accept the individual or if they may be transported to another approved location for treatment (e.g., Stricklin Crisis Stabilization Unit, Saint Vincent Charity Psychiatric Emergency, etc.).
- B. Officers shall use sound discretion with the assistance of Frontline Services in determining if transport to the CCDC is appropriate.

III. Marsy's Law

- A. Victims of any offense are entitled to all constitutional protections under Marsy's Law, including but not limited to the following:
1. The right to be treated with respect, fairness, and dignity throughout the criminal justice process.
 2. The right to information about the rights and services available to crime victims.
 3. The right to notification in a timely manner of major proceedings and developments in the case. Also, the right to be notified of all changes to an offender's status.
 4. The right to be present at court proceedings and provide input to a prosecutor before a plea deal is struck.
 5. The right to be heard at pleas or sentence proceedings or any process that may grant an offender's release.
 6. The right to restitution.
- B. The victim's permission for a person to enter treatment at the CCDC is NOT a requirement of Marsy's Law.

IV. Reporting Requirements

- A. After conveying an individual to the CCDC, officers shall complete all required incident reports and include the following:
1. Reason for initial interaction with the individual.
 2. In the suspect screen in Field Based Reporting (FBR), officers shall select "Diversion Center" in the SUBJECT SUB TYPE drop down menu indicating the person was accepted for diversion.

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- B. If a criminal report is required, officers shall complete a Named Suspect report documenting efforts made to contact the victim and obtain their input on the offender being transported to the CCDC, in addition to the information listed above.

V. Follow-up

- A. The CCDC shall notify the Crisis Intervention Team (CIT) Coordinator of individuals who successfully complete diversion or are non-compliant, refuse treatment, or self-terminate diversion and leave the facility.
 - 1. If the individual completes diversion, the CIT Coordinator or their designee shall complete a supplement report stating, "Cuyahoga County Diversion Center program successfully completed."
 - 2. If the individual does not complete diversion, the CIT Coordinator shall contact the reporting officer to pursue criminal charges against the individual.
- B. It is possible for individuals who meet all criteria and are accepted at the Diversion Center to not receive criminal charges if they successfully complete the program. However, depending on the type of crime, a victim still has the right to prosecute.