

# Code of Conduct

## A Standard for the Community and the Toledo Police Department

### Preamble

Whereas,

- We agree that, as collective members of one community, we value and respect the sanctity of human life above all else.
- We value and respect the fundamental freedoms and safeguards guaranteed in the Constitution of the United States of America.
- We value honesty, integrity, and ethical behavior.
- We value the diversity among us and are committed to treating one another with fairness, respect, and courtesy.
- We commit to work with one another in the delivery of police services with a sincere desire to listen and respond to criticism and a willingness to change for the common good.

### Community Members' Conduct

- Members of the community agree to learn the rights and protections afforded in the United States Constitution.
- Members of the community will conduct themselves in a respectful manner towards officers, visitors, and other community members, by refraining from yelling, name calling, physical contact, and other activities that may escalate a situation.
- Members of the community will make an effort to ensure that the officer feels safe, and can complete any official activity, without fear of personal harm.
- During interactions with police, members of the community shall ensure that their hands are in plain sight and are always visible to officers.
- After being stopped, members of the community shall refrain from excessive movement that cannot be monitored by the officers conducting the stop.
- During field interviews and traffic stops, during which members of the community are stopped for matching a description provided by an emergency caller, members of the community may request that the description be read back by the police dispatcher.
- Members of the community may make an effort to document encounters with the police, through a cell phone recording.
- Members of the community will request the name and badge number of officers they feel have acted inappropriately.
- As able, members of the community may present their FLOC ID, union ID, or other identification from a community based organization on traffic stops and field interviews, which may assist officers in determining the subject's identity.

- During traffic stops and field interviews, members of the community for whom English is a second language may request a Spanish speaking TPD officer to help avoid any misunderstandings. TPD will provide assistance communicating, when available.
- Members of the community agree to abide by the laws currently in place. If there is a dispute concerning a federal, state or local statute, the individual members of the community may seek out change with the legislature or the local government.
- Members of the community agree to act diligently in helping to identify crime and criminal behavior, and cooperate fully with all investigations, and with keeping the community safe.

## **Officer Conduct**

### **Searches by Consent**

In an effort to strengthen trust between police officers and the communities they serve, when practical, a signed WAIVER OF SEARCH WARRANT (TPD FORM 31.49) may be obtained, in the instance of a consent search.

### **Use of Force, Techniques, and Training**

#### *Use of Force and Techniques*

In order to ensure that the use of force - regardless of the type of force, tactics, or weapons used - is proportional to the circumstances at hand, the Toledo Police Department will continue to follow the stated guidelines:

- Officers will remain as calm as possible at all times during interactions with members of the community.
- Officers will allow individuals the opportunity to submit to arrest before force is used, wherever possible.
- Officers will use de-escalation techniques whenever possible and appropriate, before resorting to force, and to reduce the need for force. De-escalation techniques may include verbal direction, warnings, and tactical de-escalation techniques, such as active listening, creating distance between the officer and the subject (i.e., the officer's maintaining a reactionary gap), mediation to resolve the conflict, and by requesting additional resources.
- If force becomes necessary, officers will be limited to using only the amount of force objectively reasonable, as necessary, to maintain control of the person.
- When applying force on a person, officers will reduce the level of force, as the threat diminishes.
- Officers will not use force against persons who are handcuffed or restrained, unless it is objectively reasonable and necessary, under the circumstances.
- Officers will not use force against persons who verbally confront them, and who do not impede a legitimate law enforcement function.

- TPD prohibits the use of excessive force on persons, by its officers. The department's Action-Response Continuum shall be used as the basis for the reasonableness of the response of force.

### *Training*

The Toledo Police Department agrees to continue training officers on the following:

- To recognize and interact appropriately with persons with disabilities, and that a person may be noncompliant due to medical or mental conditions, physical or hearing impairments, language barriers, drug interactions, or emotional crises.
- On its specific guidelines for the use of firearms, Tasers, and pepper spray (OC).
- In bias-free and community-policing principles and methods i.e., procedural justice training.
- To recognize and intervene, if they observe another officer is using excessive force.
- To do their jobs with minimal reliance on physical force or lethal options.
- To understand the terms of this code of conduct, and how they will implement it, via their daily interactions with the community.

### **Record Keeping**

#### *Search and Seizure Records*

- In order to ensure that all formal police actions are taking place with reasonable suspicion and probable cause and not based on the race, gender, or ethnicity of the person, TPD will share the most current information in the department's annual Bias-Free Policing Report.
- Police reports will accurately document incidents and include, with specificity, any words, actions, or communications that reflect bias or prejudice and/or racial, ethnic, gender, or LGBTQ motivation.

#### *Public Records*

- In order to ensure transparency in Internal Affairs investigations, all records related to closed civilian complaints against TPD officers are public and available for inspection and copying, within a reasonable amount of time, in accordance with Ohio's Public Record's Law, Ohio Revised Code (ORC) 149.43 (A)(2).
- These records may include, but not be limited to: dash cam video of the incident, body camera video of the incident, audio of the incident, dispatch logs, dispatch audio, and the official police report of the incident, so long as records are subject to public request.

### **Building Community and Police Relationships**

The signatories to this agreement and community members formally request the following commitments. This agreement will build upon the trust that is imperative to facilitate open dialogue between police and the members of the community, including immigrants. It is essential that the community have a voice and mechanism for collaboration with the police,

to promote decision-making and prompt resolution. This will create a stronger, safer, and more equitable community, for residents of and visitors to Toledo.

- For homicides that remain unsolved beyond one year, TPD will respond in a timely manner for information regarding the status of unsolved homicide cases.
- When practical and appropriate, Toledo Police officers will be encouraged to spend a minimum of one hour on foot patrol to get to know members of the community, to promote trust and relationship building. These foot patrols will include residential neighborhoods largely off of the main corridors of transportation and businesses.
- When practical and appropriate, Toledo Police officers will be encouraged to attend community events within the communities they serve, at a desired minimum of once per month.
- When practical and appropriate, Toledo police officers will be encouraged to provide minors a ride home, to prevent/avoid a possible crime, or victimization. This will provide the officer(s) an opportunity to meet family members, and to make appropriate referrals to city/county/community resources (e.g. FLOC LOBOS/Homies Union, Rescue Crisis, United Way, YWCA, shelters, community-outreach organizations, SASI/Compass).
- TPD will not engage in racial profiling.

### **Proof of Description**

- During traffic stops and field interviews during which no evidence of criminal activity is present, but the member of the community matches the description of a suspect, the person may request the description given by the emergency caller.
- If an officer receives a request to have a description confirmed, they may, if practical, have the dispatcher read back the description given by the emergency caller.

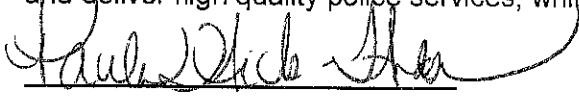
### **Alternative Dispute Resolution and Grievance Mechanism**

The Toledo Police Department agrees to allow officers and administration to discuss any incident between officers and members of the community, in efforts of mediation and conflict resolution. Officers may participate in this mechanism, with the understanding that they cannot be compelled to do so.

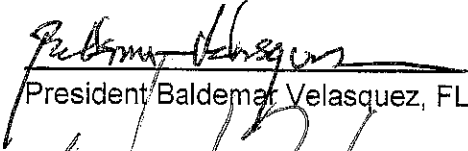
The community partners forming this agreement shall convene at a mutually agreed upon location. Such a meeting will be conducted with respectful protocols, developed and governed by the partners to this agreement. Petitions/requests to address any incident may be submitted by any visitor or resident of the City. Each case shall be restricted to 40 minutes. Each meeting shall be restricted to two cases totaling one hour and twenty minutes (1:20).

The partners of the community agree to form a coordinating committee to administer this process so that it is practical, screen petitions/requests, and address meaningful cases in order to satisfy questions and concerns regarding law enforcement officials and/or the community.

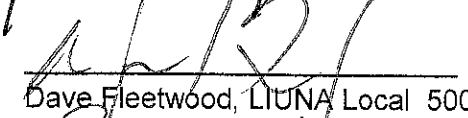
The signatures to this agreement agree to work toward achieving the goals stated in this document. The purpose of this agreement is to promote better police-community relations, and deliver high quality police services, while ensuring fair treatment for everyone.



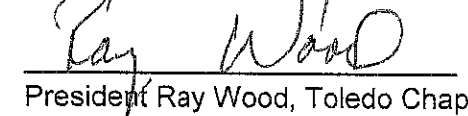
Mayor Paula Hicks-Hudson City of Toledo



President Baldemar Velasquez, FLOC



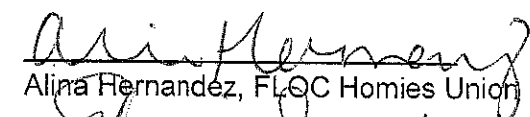
Dave Fleetwood, LIUNA Local 500



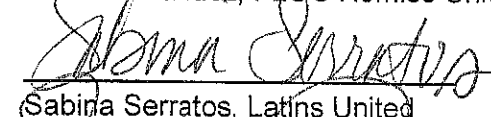
President Ray Wood, Toledo Chapter NAACP



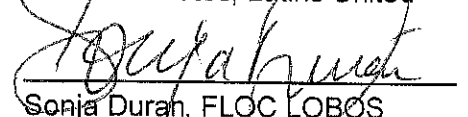
Bishop Robert Culp, Toledo Community Coalition



Alina Hernandez, FLOC Homies Union



Sabina Serratos, Latins United



Sonja Duran, FLOC LOBOS



Executive Secretary George Tucker, NW Ohio AFL-CIO