

Code of Conduct

A Standard for the Community and the Mansfield 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, especially behavior respectful of one's race, sex, age, national origin, disability, etc.
- ◆ 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 procedure 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; such effort shall not be impeded by police as long as it does not interfere with the police in the performance of their duties.

- Members of the community will request the name and badge number of officers they feel have acted inappropriately.
- In accordance with Ohio Administrative Code (OAC) No. 4501:1-1-21, upon request by police, community members must provide valid identification such as a driver's license, state ID, passport, military, or any other government ID.
- During traffic stops and field interviews, members of the community for whom English is a second language may request a spanish speaking MPD officer to help avoid any misunderstandings. The MPD 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, to cooperate fully with all investigations, and to assist in keeping the community safe.
- If a community member encounters an officer who is in medical distress or is having difficulty resisting the aggression of someone, the community member, consistent with Ohio's "Good Samaritan Law", should assist the officer to the extent that he/she believes that their personal safety and ability permit.

Officer Conduct

Searches

In an effort to strengthen trust between police officers and the communities they serve, the MPD shall comply with the Fourth Amendment to the United States Constitution, which states, "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized." Where practical, police will not search an individual or residence without first obtaining/receiving a warrant. With regard to a search of a residence, officers are required to knock and identify themselves upon arrival, unless the matter of an urgent situation necessitates a knockless entry for safety or a warrant specifically allows for a knockless entry.

Use of Force, Techniques, and Training

Use of Force and Techniques

In order to insure that the use of force - regardless of the type of force, tactics, or weapons used - is proportional to the circumstances at hand, the Mansfield 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 in compliance with the Use of Force Continuum.
- When applying force on a person, the officers will reduce the level of force as the threat diminishes.
- Officers will not use force on 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.
- MPD 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 officers use of force.
- While interacting with a person, chokeholds shall not be permitted during a physical resistance, unless it is a life or death situation.
- In order to avoid inciting members of the community, police supervisors will not deploy officers or materiel in numbers/qualities substantially greater than that necessary to effectively address an incident.

Training Mansfield

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

- To recognize and interact appropriately with persons with disabilities, and understand 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 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.
- As part of their cultural competency training, this Code of Conduct will be subject to an annual sign off by each officer.

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, MPD will share the most current information in the Department's annual report, especially discrimination complaints filed by community members.
- 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, color, age, or LGBTQ motivation.

Public Records

- In order to ensure transparency in Internal Affairs investigations, all records related to closed civilian complaints against MPD officers are public and available for inspection and copying, within a reasonable amount of time, in accordance with Ohio's Public Records 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 the Ohio Open Records Law.

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. It is essential that the community have a voice and mechanism for collaboration with the police in order to promote fair decision-making and prompt resolution. This will create a stronger, safer, and more equitable community for residents of and visitors to Mansfield.

- For homicides that remain unsolved beyond one year, MPD will respond in a timely manner for information regarding the status of unsolved homicide cases.
- When practical and appropriate, Mansfield Police officers will be encouraged to spend a minimum of one hour on foot patrol to get to know members of the community and 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, Mansfield Police officers will be encouraged to attend community events within the communities they serve at a desired minimum of once per month, while off duty.
- When practical and appropriate, Mansfield 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 and local organizations.
- MPD shall not engage in racial profiling.

Proof of Description

- 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.

Disputes and Grievances

Any dispute(s) and/or grievance(s) against an officer(s), the Mansfield Police Department, and/or the City of Mansfield will be presented/filed with the Police Review Board through the Mansfield Police Department's complaint process in accordance with Article 175.03 of the Codified Ordinances of the City of Mansfield. It is agreed and understood that filing a disputed matter or grievance with the Police Review Board through the Mansfield Police Department's complaint process shall not be required and/or be a prerequisite to filing litigation against any police officer, the Mansfield Police Department and/or the City of Mansfield.

The community partners forming this agreement shall convene at a mutually agreed upon time and location. Such a meeting will be conducted with respectful protocols, developed and governed by the partners to this agreement.

It is agreed and understood that this Standard For Code of Conduct is aspirational only and not agreed to be a legal standard of liability against any police officer, the Mansfield Police Department and/or the City of Mansfield. With regard to the community member(s), it is further agreed and understood that it, likewise, is not a legal standard of liability against any community member(s).

