



**AGENDA  
CUYAHOGA COUNTY COUNCIL REMOTE\* COMMITTEE OF THE WHOLE MEETING  
THURSDAY, MARCH 4, 2021  
10:00 AM**

**\*Due to the COVID-19 pandemic, the Cuyahoga County Administration Building is closed for public meetings at this time. As this meeting is being conducted remotely, in accordance with HB 197, interested persons may access the meeting via livestream by using the following link:  
<https://www.youtube.com/CuyahogaCounty>**

**\*\*Public comment for this meeting may be submitted in writing via email to the Clerk of Council at [arichardson01@cuyahogacounty.us](mailto:arichardson01@cuyahogacounty.us) no later than 10:00 a.m. on Thursday, March 4, 2021**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT**
- 4. DISCUSSION:**
  - a) Discussion of Section 202.07 of the Cuyahoga County Code and any proposed changes required.
- 5. MISCELLANEOUS BUSINESS**
- 6. ADJOURNMENT**

## Existing Language in the County Code:

### ~~Section 202.07 Sheriff's Department~~

~~A. The Sheriff's Department is hereby established, and it shall be its own appointing authority pursuant to the relevant provisions of the Cuyahoga County Charter.~~

~~B. The Sheriff's Department shall be under the direction of the County Sheriff. The Sheriff's Department and its employees shall aid and assist the County Sheriff in carrying out the powers, duties, and responsibilities that are assigned to the Sheriff by the general law, the County Charter, and by County law. With the approval of the County Executive, the Sheriff shall employ and supervise such number of deputies, assistants, and employees as are reasonably necessary to carry out the Department's functions. All employees assigned to the County Sheriff are hereby assigned to the Sheriff's Department. Nothing in the Cuyahoga County Code is intended to limit the ability of the County Executive and the County Sheriff to abolish positions for the purpose of enhancing the efficiency of operations or for any other reason permitted by general law or County law.~~

~~C. The Sheriff's Department shall include, but is not limited to, the following divisions:~~

- ~~1. Division of Civil Court Orders whose responsibility shall be to carry out court orders.~~
- ~~2. Division of Corrections whose responsibility shall be the administration and operation of the Cuyahoga County Corrections Center;~~
- ~~3. Division of Law Enforcement whose responsibility shall be the law enforcement duties of county sheriffs.~~
- ~~4. Division of Protective Services whose responsibility shall be the provision of security services for county offices and buildings where the County Sheriff determines that such services should be provided using County personnel. Protective Services Officers shall be considered County security personnel who are not law enforcement officers. The Sheriff shall determine the training necessary for the certification of Protective Services Officers. Such training shall, at a minimum, include satisfactory completion of programs that have been approved by the Ohio Peace Officer Training Commission designed to qualify persons for positions as security guards.~~

~~D. Authority to Carry Weapons:~~

- ~~1. Employees of the Sheriff's Department who are authorized to carry weapons pursuant to general law shall comply with all state and federal laws governing certification and re-certification necessary to carry weapons.~~
- ~~2. Where general law does not govern the certification and re-certification of employees to carry weapons, the following provisions shall apply:
  - ~~a. The Sheriff may issue firearms, other intermediate weapons (e.g., pepper spray), and/or hard controls (e.g., handcuffs) to any employees in the Sheriff's~~~~

~~Department who are specifically pre-authorized by the Sheriff and are designated in the Department's written policies and procedures. The Sheriff shall have the power to commission employees in the Sheriff's Department to carry firearms if the employee has successfully completed the firearms training and requalification programs that are required by law for Deputy Sheriffs. The Sheriff may permit employees to carry intermediate weapons and hard controls if the employee has successfully completed required training as determined by the Sheriff.~~

- ~~3. The Sheriff shall ensure that the Department's continuum of force policy applies to all employees who carry weapons. All employees who carry weapons shall properly secure firearms or other weapons, while on duty and off as required by the Sheriff.~~

*(Ordinance No. [O2013-0015](#), Enacted 7/23/2013, Effective 7/30/2013)*

### **New Language in the County Code:**

#### **Section 204.02 County Sheriff; Sheriff's Department**

- A. The County Sheriff is hereby appointed to independently fulfill all duties and obligations required by general law, the County Charter, and County law. In fulfilling these duties and obligations, the County Sheriff shall work without interference or pressure from any other public official or employee.
- B. The Sheriff's Department is hereby established, under the exclusive direction of the County Sheriff. The County Sheriff shall be an appointing authority pursuant to the relevant provisions of the Cuyahoga County Charter.
  1. The Sheriff's Department and its employees shall aid and assist the County Sheriff in carrying out the powers, duties, and responsibilities of the County Sheriff as delineated above.
  2. The County Sheriff shall employ and supervise such number of deputies, assistants, and employees as are reasonably necessary to carry out the Department's functions.
    - a. In employing the necessary deputies, assistants, and employees, the County Sheriff shall comply with the County Employment Practices as established under Article IX of the County Charter, including Title 3 of the County Code, as same may be amended from time to time.

- b. Nothing in the Cuyahoga County Code is intended to limit the ability of the County Sheriff to abolish positions for the purpose of enhancing the efficiency of operations or for any other reason permitted by general law or County law.
  - 3. The Sheriff shall comply with the County purchasing practices established under Article X of the County Charter, including Title 5 of the County Code, as same may be amended from time to time.
- C. The Sheriff's Department shall include, but is not limited to, the following divisions:
  - 1. Division of Civil Court Orders whose responsibility shall be to carry out court orders.
  - 2. Division of Corrections whose responsibility shall be the administration and operation of the Cuyahoga County Corrections Center.
  - 3. Division of Law Enforcement whose responsibility shall be the law enforcement duties of county sheriffs.
  - 4. Division of Protective Services whose responsibility shall be the provision of security services for county offices and buildings where the County Sheriff determines that such services should be provided using County personnel. Protective Services Officers shall be considered County security personnel who are not law enforcement officers. The Sheriff shall determine the training necessary for the certification of Protective Services Officers. Such training shall, at a minimum, include satisfactory completion of programs that have been approved by the Ohio Peace Officer Training Commission designed to qualify persons for positions as security guards.
- D. The County shall exercise good faith efforts to provide the Sheriff's Department with necessary services, facilities, office space, equipment, and other necessities as are necessary for the County Sheriff to fulfill all duties and obligations detailed herein.
- E. The Sheriff Department's budget shall be submitted as part of the County's biennial budget process in accordance with Section 701.01 of the County Code, as same may be amended from time to time. Nothing contained herein shall be construed to prohibit the Sheriff from transmitting to the Council supplemental budget requests, which shall be reviewed and considered in the budgetary process.
- F. Authority to Carry Weapons:
  - 1. Employees of the Sheriff's Department who are authorized to carry weapons pursuant to general law shall comply with all state and federal laws governing certification and re-certification necessary to carry weapons.
  - 2. Where general law does not govern the certification and re-certification of employees to carry weapons, the following provisions shall apply:

- a. The Sheriff may issue firearms, other intermediate weapons (e.g., pepper spray), and/or hard controls (e.g., handcuffs) to any employees in the Sheriff's Department who are specifically pre-authorized by the Sheriff and are designated in the Department's written policies and procedures. T
  - b. he Sheriff shall have the power to commission employees in the Sheriff's Department to carry firearms if the employee has successfully completed the firearms training and requalification programs that are required by law for Deputy Sheriffs.
  - c. The Sheriff may permit employees to carry intermediate weapons and hard controls if the employee has successfully completed required training as determined by the Sheriff.
3. The Sheriff shall ensure that the Department's continuum of force policy applies to all employees who carry weapons. All employees who carry weapons shall properly secure firearms or other weapons, while on duty and off as required by the Sheriff.