

Ordinance No. 1380-2025

Councilmembers Griffin and Polensek

Desk copy prepared for 5-20-26 meeting

AN EMERGENCY ORDINANCE

To amend Section 621.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 54-74, passed March 25, 1974, relating to menacing of a healthcare worker.

WHEREAS, workplace violence is a serious concern for workers in healthcare settings; according to 2018 data from the U. S. Bureau of Labor Statistics, healthcare workers are five times more likely than any other occupation to experience violence; and

WHEREAS, healthcare workers make up 10% of the workforce, but experience 48% of nonfatal injuries resulting from workplace violence, according to the Centers for Disease Control (CDC); and

WHEREAS, there has been a 7 % rise in reported harassment from healthcare workers between 2018 and 2022 (CDC); and

WHEREAS, the American Hospital Association estimated the annual cost of violence to hospital workers in 2023 to be \$18.27 billion; and

WHEREAS, the Ohio Generally Assembly enacted House Bill Number 452, effective April 9, 2025, to require each hospital system to establish a workplace violence prevention security plan, reporting systems, and training for security personnel; and

WHEREAS, the City of Akron passed Ordinance No. 307-2025 on September 15, 2025, that increases the penalty for menacing a healthcare worker to a first-degree misdemeanor; and

WHEREAS, this Council urges all Cleveland hospital systems to adopt policies that require their healthcare workers to report workplace violence incidents internally, and to make paid time off available for healthcare worker victims to report and file complaints of workplace violence with the City Prosecutor's Office and seek medical and/or behavioral treatment for their injuries; and

WHEREAS, this Council also urges the City Prosecutor's Office to carefully consider filing charges based on healthcare worker victims' complaints of workplace violence; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Ordinance No.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That Section 621.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 54-74, passed March 25, 1974, is amended to read as follows:

Section 621.07 Menacing

(a) As used in this section:

“Healthcare worker” means one who delivers care and/or services to the sick and ailing, injured, or those receiving medical or behavioral health treatment, either directly as health care professionals such as, but not limited to, doctors, ~~or~~ nurses, radiology technologists, emergency medical technicians, paramedics, and unarmed crisis responders or indirectly as, but not limited to, aides, helpers, laboratory technicians, emergency dispatchers, or medical waste handlers.

(b) No person shall knowingly cause another to believe that the offender will cause physical harm to the person or property of such other person or member of his or her immediate family.

(c) Whoever violates this section is guilty of menacing, a misdemeanor of the fourth degree.

(d) If the victim of the offense is a healthcare worker whom the offender knows or has reason to know is a healthcare worker, and the offense occurred during the healthcare worker’s performance or attempted performance of official responsibilities or duties, and if the hospital offers de-escalation or crisis intervention training and trauma-informed care training for such healthcare workers, menacing is a misdemeanor of the first degree.

(e) Any person convicted of an offense covered by division (d) of this section shall receive a mandatory jail sentence of at least three days, which shall not be suspended and during which mandatory minimum jail term the defendant shall not be eligible for any form of early release, house arrest, or work release.

(1) The mandatory minimum shall be served consecutively for each eligible of offense.

(2) The mandatory minimum may be reduced for time served in jail prior to sentencing. A day of time served credit may not be used to reduce multiple mandatory minimum sentences.

(3) The court may impose additional penalties as permitted by Section 601.99.

Section 2. That existing Section 621.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 54-74, passed March 25, 1974, is repealed.

Ordinance No.

Section 3. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 621.071(f) to read as follows:

(f) Annual Public Reporting Requirements.

(1) The Director of Public Safety, in coordination with the department of Public Health, shall prepare an Annual Menacing Incidents in Healthcare Settings report to be submitted to Cleveland City Council and made publicly available on the City's website no later than March 31st of each year.

(2) The Annual report shall include aggregated data for all incidents involving alleged violations under division (d), including but not limited to:

(A) Total number of reported incidents of alleged menacing of healthcare workers; and

(B) Total number of charges filled under division (d); and

(C) Healthcare settings involved (e.g., hospitals, EMS, community clinics, behavioral health facilities); and

(D) Geographic distribution of incidents within the City of Cleveland; and

(E) Demographic data of the individuals involved, including:

-Age

-Gender

-Race and ethnicity

-Primary Language

-Disability Status) when applicable and voluntarily provided)

(F) Socioeconomic indicators, including:

-Housing status (housed, unhoused, transitional, unknown);

-Insurance status (insured, uninsured);

Ordinance No.

-indicators of financial/medical hardship when known

(G) Use of de-escalation practices, including whether behavioral health or crisis intervention teams were engaged.

(3) All data shall be reported in aggregate, anonymized form and shall comply with HIPAA and all applicable privacy protections.

(4) The report shall also provide recommendations for system-level improvements, including policies, training, trauma-informed practices, staffing protocols and resource needs

~~Section 3.~~ Section 4. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

jho

10-27-25

Council Members Griffin and Polensek

Ord. No.

REPORT
after second Reading

Councilmembers Griffin and Polensek

To amend Section 621.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 54-74, passed March 25, 1974, relating to menacing of a healthcare worker.

READ FIRST TIME

REPORTS

and referred to Directors of Public Safety, Health, Finance, Law; Committees on Safety, Health, Human Services and the Arts, Finance, Diversity Equity, and Inclusion

by the council _____

CITY CLERK

READ SECOND TIME

by the council _____

CITY CLERK

READ THIRD TIME

by the council _____

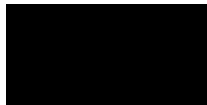
PRESIDENT

CITY CLERK

APPROVED

MAYOR

Recorded Vol. _____ Page _____



Published in the City Record