



EMERGENCY SUSPENSIONS

WRITTEN DIRECTIVE:	5.3
EFFECTIVE DATE:	01-01-1987
REVISION DATE:	02-01-2018
SUPERSEDES EDITION DATED:	03-20-2009

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I. Purpose

The purpose of this Written Directive is to establish policies and procedures concerning the system for facilitating an emergency suspension.

II. Policy

It shall be the policy of the University of Maryland, Baltimore Police Force (UMBPF) that emergency suspensions will conform to this established Written Directive.

III. Emergency Suspensions

A. Imposing Emergency Suspensions

1. An emergency suspension may be imposed when it appears the action is in the best interest of the public and/or the UMBPF. Such interests may arise when a member reports for work intoxicated, unfit for duty due to possible emotional problem, or when a member's conduct on the job is detrimental to the Agency.
2. The following is an example of incidents or occurrences that shall result in an emergency suspension:
 - a. An allegation of gross misconduct or criminal activity;
 - b. An allegation of domestic violence; and
 - c. An administrative or medical matter such as:
 - i. Failing to qualify with the primary duty weapon (sworn only);
 - ii. Pending fitness-for-duty evaluation; and
 - iii. Medial or psychological examination.

B. Authority

1. Supervisors, at any level, may suspend a member from duty on an emergency basis, if the member engages in misconduct (see page one, section III, Emergency Suspension of the WD for further details).
2. Any person suspended shall be entitled to a prompt hearing.
3. When an emergency suspension is imposed, the Chief of Police shall be advised. The Chief of Police shall decide whether the member will be suspended with or without pay and may assign the member to restricted duties. This status shall remain in effect pending a determination by a court of competent jurisdiction (with respect to any criminal violation), final determination by an Administrative Hearing Board (sworn members), or the conclusion of an administrative investigation (all members).
4. Emergency suspension of police powers without pay may be imposed only if a police officer has been charged with a felony.

C. Return of Equipment Required

1. When members are suspended and formal charges against them are placed, they shall be notified in writing.
2. For sworn members, **UMBPF Form 17-005, Suspension of Police Powers** shown in the below **Annex, Appendix 5.3.1, Suspension of Police Powers**, and the Forms file in the X drive, shall be completed and the following equipment retrieved:
 - a. Issued service pistol, ammunition, magazines and firearms accessories;
 - b. Two (2) badges;
 - c. UMB Police Identification Cards;
 - d. MPSTC certification card;
 - e. Handcuffs and handcuff key;
 - f. Issued body armor;
 - g. Departmental keys;
 - h. If issued, the police radio;
 - i. Baton and OC spray; and
 - j. If directed to do so, a departmental cell phone, smart phone, or other issued electronic device carried by the individual.

3. Security Force members shall return their badge, hat shield, and departmental keys.
4. All members shall retain their UMB staff ID/Access Card; however, card access shall be for the PSOC non-restricted areas, only.
5. The member shall receive a copy of the suspension form or memorandum (non-sworn) with a copy provided to the member's Bureau Commander.

IV. Suspension Hearings

A. Prompt Hearing

Suspended members are entitled to a prompt hearing. The affected member will be issued a written letter setting forth the reasons for the suspension and the date and time of a hearing. In addition, a copy of the document will be forwarded to the Professional Standards Commander.

B. Scheduling the Hearing

1. The suspension hearing will be held on the first working day following the suspension from duty, exclusive of weekends and holidays. The ranking officer responsible for the suspension will initiate an investigation, which shall include all relevant facts and documented in report format to include all appropriate supplementary documents to support the decision to suspend. The suspension hearing officer will be the Professional Standards Commander, or in their absence, a Bureau Commander or designee appointed by the Chief of Police.
2. The suspension hearing is not a judicial proceeding. The suspension hearing is limited to the presentation of the circumstances surrounding the suspension of the member, in order to determine whether such circumstances warrant continued suspension. When the acts alleged to have been committed by a suspended member are of such a serious nature that, in the judgment of the suspension hearing officer, the interests and welfare of the public, the UMBPF, or the individual are best served by continued suspension, the suspension hearing officer will recommend that to the Chief of Police.

C. Recording the Hearing

Suspension hearings will be recorded and the recording will be forwarded to the Internal Investigations Division for retention in the case folder.

D. Suspended Member's Counsel

Suspended members may, if they so desire, be accompanied by counsel or representative. However, only matters dealing directly with the determination of the suspension will be heard.

E. Presenting Testimony

The suspending officer and the accused member will attend the suspension hearing. Suspended members will have the right to present testimony in their own behalf as to the issue to be determined. The suspension hearing officer will not consider matters in extenuation or

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F. Conclusion of the Hearing

1. The suspension hearing officer will make one of several recommendations in writing to the Chief of Police:
 - a. Suspension was not justified - a recommendation to return the member back to full duty;
 - b. Suspension was justified – a recommendation to return the member back to full duty is applicable, based on a lack of evidence; or
 - c. Suspension was justified – the member’s suspension should continue.
2. The recommendation shall be submitted on the same date as the hearing.

G. Recommendations


The Chief of Police, upon receiving the suspension hearing officer’s recommendation, may accept, reject, or modify the recommendation in accordance with applicable state law. Once the Chief of Police has made the decision, notification will follow and include the Bureau Commander of the member involved, the Professional Standards Commander and involved member.

V. Annex List

Appendix 5.3.1 – Suspension of Police Powers – UMBPF Form 17-005

Written Directive System Impact

Upon approval and publication, this edition of WD 5.3 supersedes all previous editions. It also incorporates certain sections of WD 59, which shall be deactivated.


Martinez Quíteaz Davenport, Sr., MS
Interim Chief of Police for Public Safety

CALEA Standard (s): 26.1.5; 26.3.7

Annex – (Appendix 5.3.1)
UMBPF Form 17-005 - Suspension of Police Powers –

UNIVERSITY of MARYLAND, BALTIMORE
POLICE FORCE

Suspension of Police Powers

Member to Be Suspended

Name: _____ Rank/Title: _____
Badge #: _____ DOH: _____ Employee ID: _____
Current Assignment: _____
Primary Phone Number: _____ Alternate Phone Number: _____

Supervisor Conducting Suspension

Name: _____ Rank/Title: _____
Badge #: _____ Current Assignment: _____
Primary Phone Number: _____

Order of Suspension

PART 1

Effective IMMEDIATELY, your authority and police powers as a sworn member of the University of Maryland, Baltimore Police Force are **SUSPENDED** due to:

(Check the appropriate box)

- An allegation of **misconduct** or **criminal activity**.
- An allegation of **domestic violence**.
- An **administrative** or **medical** matter (such as failing to qualify with a firearm, pending a fitness-for-duty evaluation, medical or psychological examination, etc.).
- The conduct of a Suspension Hearing, during which the Chief of Police or his/her designee, determined that your **Initial Suspension from Duty shall be continued**.
- A formal recommendation has been made to the Chief of Police by a Disciplinary Hearing Board that your **employment with the University of Maryland, Baltimore Police Force be terminated**.

This suspension constitutes a **REVOCATION OF YOUR AUTHORITY** to exercise the duties and powers of a sworn police officer.

PART 2

This suspension shall be: **(Check one)** **WITH** full pay and benefits. **WITHOUT** pay and benefits.

NOTE: A Suspension Without Pay may ONLY occur by direction of the Chief of Police ONLY at the conclusion of a Suspension Hearing.



Annex – (Appendix 5.3.1), Cont.

PART 3

In accordance with written directive 5.3, "Emergency Suspension:"

1. You are prohibited from taking any police action.
2. If you encounter circumstances requiring police action, regardless of time or location, you are required to notify the appropriate on-duty law enforcement authorities.
3. You **MAY NOT** carry any departmental firearm until the Order of Suspension is lifted and your police powers have been restored.
4. If you possess any permit to carry a concealed, privately-owned firearm, you **MAY NOT** carry or transport that firearm into any UMB facility, building, vehicle, etc.
5. You **MUST** abide by all remaining written directives, policies, procedures, and directives of the UMBPF **EXCEPT** those governing the exercise of police powers and the ability to carry a firearm.
6. You **MUST** immediately surrender the following items to the Supervisor conducting this Suspension: (1) All departmental firearm(s), ammunition, magazines, and firearm accessories; (2) Two badges; (3) Departmental ID card; (4) MPSTC certification card; (5) Issued body armor; (6) Departmental keys; (7) If issued, your police radio; (8) Baton; (9) OC Spray; (10) Handcuffs and keys; and (11) If directed to do so, any departmental cell phone, smartphone, SidePartner, etc.
7. You **MUST** report for your next scheduled tour of duty in an administrative capacity, or at a time and place as may be determined by the Supervisor conducting this Suspension, unless directed to do otherwise by your Commanding Officer. This Order of Suspension **DOES NOT**, in and of itself, grant or authorize any form of leave.

Suspended Member's Acknowledgment

BY SIGNING BELOW, I CERTIFY THAT I HAVE READ, UNDERSTAND, AND WILL COMPLY WITH THE RESTRICTIONS LISTED IN THE ABOVE ORDER OF SUSPENSION, AND THAT I HAVE RECEIVED A COPY OF THIS ENTIRE DOCUMENT.

Printed Name: _____

Signature: _____

Date: _____

Suspending Official's Acknowledgment

Printed Name: _____

Signature: _____

Date: _____

