



## Relief from Duty

### .01 Policy

Bladensburg Police Department's policy is to relieve members from duty in circumstances determined to be in the best interest of the member and/or the department. This directive applies to all department members.

### .02 Terms

Just cause: A standard of reasonableness used to evaluate a person's actions in a given set of circumstances. If a person acts with just cause, his or her actions are based on reasonable grounds and committed in Good Faith.

### .03 Governing Legislation and Reference

Governing Legislation:

Maryland Code, Public Safety Article, Title 3, Subtitle 1, Law Enforcement Officers' Bill of rights (2015).

Forms: N/A

### .04 Procedure

#### A. Relief from Duty – Circumstances and Authorization

Supervisors, Commanders, and the Chief of Police are authorized to immediately relieve any member from duty under the following circumstances:

- When there is just cause to believe that the member is physically, psychologically, or emotionally unable to perform their duties; or is a witness to a traumatic incident; or,
- When there is just cause to believe that the member, while on-duty, is impaired from an unknown substance or consumes any substance that causes the member to be impaired.

The Chief of Police or authorized designee may relieve a member from duty under the following circumstances:

- When a member is arrested or the subject of a criminal investigation.
- When a member is the subject of an administrative investigation for any allegation that involves:

- Serious employee misconduct;
- Violation(s) of Department or Town of Bladensburg policy/procedure that are serious in nature or may cause loss of credibility or confidence in the member's ability to perform their duties;
- Pending the outcome of any investigation when it appears that the action is in the best interest of the public and department; or,
- When a member's action (use of force, crash, etc.) in an official capacity, results in death or serious bodily injury to another person.

Administrative relief from duty is considered a non-disciplinary action with no loss of pay or benefits. Member(s) relieved from duty will be placed on an "Administrative Leave" status.

When charged with a felony, administrative relief from duty is without pay.

#### B. Relief from Duty Procedures

When a member is immediately relieved from duty:

- The imposing member will document all facts relevant to the immediate relief of duty action in a formal memorandum to the Chief of Police, by the chain of command. The Chief of Police shall notify the Town Administrator.
- During normal business hours, the imposing member will meet with the affected member's chain of command to discuss the facts relevant to the relief from duty action and present relevant documentation. The Chief of Police or designee will direct a further course of action at this time.
- During times outside normal business hours, the imposing member will immediately notify the affected member's section commander or designee of the emergency relief from duty action. The section commander will direct a temporary course of action, based upon the circumstances of the event. The following

## Relief from Duty

business day, the affected member's chain of command will meet to discuss the facts relevant to the relief from duty action. All relevant documentation should be presented during this meeting. The Chief of Police or designee will direct a further course of action at this time.

- In the event the affected member is in the command staff, the Chief of Police will immediately be notified. The Chief of Police or designee will determine the appropriate course of action based upon the circumstances of each incident.
- When a member is arrested, the subject of a criminal investigation or the subject of an administrative investigation that involves serious misconduct or alleged violations of a serious nature, the Chief of Police will be notified.
  - The Chief of Police or designee may discuss the circumstances of the event with personnel officer, the affected member's chain of command, or other appropriate personnel to determine the need to relieve the member from duty.
  - The Chief of Police may direct appropriate personnel to relieve any member from duty, under the aforementioned circumstances.
- Member(s) whose action (use of force, crash, etc.) in an official capacity results in death or great bodily injury to another person will be relieved from duty.

### C. Relief from Duty – Conditions

Members relieved from duty will receive official notification of their duty status and conditions in a formal memorandum prepared by the appropriate level of command.

Member(s) relieved from duty may be ordered to relinquish any department issued property to the supervisor imposing the relief of duty action, or a Commanding Officer. This applies, but is not limited to:

- Badge and/or Department Identification card;
- Department Firearms and other department issued weapons;
- Assigned vehicle; and,
- Any other department issued property determined to be relevant to the relief from duty action.

Member(s) relieved from duty may be ordered to adhere to the following conditions:

- Refrain from acting in an official capacity as a law enforcement officer or Town of Bladensburg employee. Members will not represent themselves as such or wear any identifiable part of their official uniform;
- Refrain from working extra duty details, or any type of secondary employment that is dependent upon the actual or potential use of their authority as a law enforcement officer;
- Members previously scheduled for an extra-duty detail or special assignment will notify the appropriate supervisor of their change in duty status. When possible, members will provide sufficient advance notice so a substitute can be obtained.
- Members will attend all scheduled court appearances and depositions, unless excused by the appropriate personnel; and,
- Members will refrain from any other action reasonably determined by the Chief of Police or designee.

Depending on the circumstances, members relieved from duty may not be authorized to carry firearms under color of law while relieved from duty.

### D. Modified Administrative Duty Assignment

The Chief of Police may authorize a modification to a member's duty assignment in lieu of an administrative relief from duty action.

The Chief of Police or designee will provide the member written notification of their duty status and conditions of the assignment in a formal memorandum. This notification shall address the following:

- The location and time of the assignment;
- Uniform or plainclothes;
- Weapon possession;
- Take-home vehicle; and,
- Extra-duty and secondary employment.

A copy of all relevant documentation will be forwarded to Town Administrator.

## Relief from Duty

### E. Return to Duty

Members relieved from duty or placed on modified duty assignment will not return to full duty without written authorization from the Chief of Police or their authorized designee.

---

HISTORY: Adopted July 1, 2014. Revised December 2, 2015 (Md. Public Safety Code Ann. § 3-112).

This General Order supersedes all other orders and memoranda in conflict therewith.

Authority:

A handwritten signature in black ink, appearing to read "Charles L. Owens". The signature is written in a cursive, flowing style with large, connected letters.

Charles L. Owens  
Chief of Police