



MARYLAND STATE POLICE PERSONNEL DIRECTIVE



Probation - Troopers

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.01 Purpose

To establish a consistent evaluation process for troopers to determine if they should be released from their probationary status.

.02 Policy

MSP supervisors and commanders will evaluate troopers during their probationary period to determine if their conduct and performance is satisfactory. The summary of these evaluations will be forwarded through the chain of command to determine if the trooper should be released from probationary status.

.03 CALEA Standards

LE: N/A

TA: N/A

CM: N/A

.04 References

[MD. CODE ANN., PUB. SAFETY § 2-403](#)

.05 Procedures

A. Probationary Period

1. The two-year probationary period for a newly hired trooper is mandated by statute and cannot be extended.
2. The probationary period consists of three phases:
 - a. MSP Academy training (approximately six months);
 - b. Field Training Trooper (FTT) program (approximately eight weeks); and
 - c. Field assignments (approximately 16 months).
3. A trooper will successfully complete all three phases before being released from probation.
4. A trooper may be terminated during his probationary period for any cause the Superintendent deems sufficient.

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B. Performance During Probationary Period

1. Each trooper will be observed regularly by his supervisors and commander.
2. Commanders will ensure:
 - a. notable aspects of performance during the probationary period, both positive and negative, are thoroughly and objectively documented; and
 - b. training, both remedial and for career development, provided to the trooper is documented.

C. Performance Improvement Plans

1. At any time during his probationary period, a trooper may be placed on a performance improvement plan using a Form 211, Sworn Employee Performance Improvement Plan Outline.
2. While there is not a specified time period a trooper will be placed on a performance improvement plan, a plan should normally be at least 30 days. The plan may be extended based on specific needs to allow the trooper the appropriate time to improve his performance or conduct.
3. The commander will:
 - a. work with the trooper and his supervisor to develop an effective performance improvement plan;
 - b. consult with the Education and Training Division (ETD) Commander, if the performance improvement plan is training related;
 - c. provide the trooper the completed Form 211; and
 - d. notify the trooper he has a specified time period to improve his performance.
4. The supervisor will:
 - a. daily, document the trooper's actions on a Form 164, Job Observation Record; and
 - b. weekly, summarize the trooper's actions on a Form 17, addressed to the commander, concerning the performance improvement plan.

D. End of the Probationary Period - Commander's Responsibilities

1. Seven months before a trooper is scheduled to complete his probationary period, and upon notification by the Office of Promotional Testing (OPT), the employee's commander will:
 - a. contact the ETD to request copies of all job observation material from the Academy, if not already received;
 - b. compile all job observation material, performance appraisals, performance improvement plans and the final FTT report;
 - c. direct the trooper's supervisor to prepare a detailed report outlining the trooper's performance and conduct; and
 - d. complete a Form 160, Probationary Trooper Evaluation, including all supporting documentation and a recommended action of:
 - (1) "Recommendation to Retain in Permanent Status;"
 - (2) "Recommendation to Terminate from Probationary Status;" or

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(3) "Recommendation for a Performance Improvement Plan."

2. The above documents will be reviewed and forwarded through the chain of command to the Chief of Staff.

E. Probationary Review Board

1. Probationary Review Boards will only be convened for those troopers who are recommended:
 - a. for a performance improvement plan during the Form 160 process; or
 - b. to be terminated from probationary status, at any time during their probationary period.
2. Each Probationary Review Board will be comprised of a:
 - a. major, who will be the Chair of the Board;
 - b. captain; and
 - c. sworn employee, below the rank of corporal.
3. The Chair will:
 - a. contact the trooper's commander and advise him of the date, time and location of the Board and the Board members;
 - b. ensure the Board convenes within 10 business days of there being a recommendation to place the employee on a performance improvement plan during the Form 160 process or to terminate the trooper from probationary status;
 - c. ensure all documentation submitted by the commander is current and consistent with policy and the Form 160; and
 - d. if applicable, ensure the Form 211 is complete, accurate and consistent with the commander's statement of facts.
4. At least five business days before the Board convenes, the employee's commander will forward to the Chair all items listed in D-1 above.
5. The trooper and his commander will appear before the Probationary Review Board.
6. The commander will:
 - a. serve as the presenter of facts; and
 - b. provide a verbal summary of the information forwarded to the Board and any other relevant information.
7. The trooper will be afforded the opportunity to address the Board and may present additional information on his behalf.
8. The Board will:
 - a. confer at the conclusion of the presentation;
 - b. advise the trooper of its recommendation, and if applicable, direct the trooper to appear before an additional Board prior to the end of the probationary period.
 - c. forward all reports and documentation, through official channels, to the Chief of Staff within 10 business days.

9. When the Board determines the trooper should be terminated from probationary status, the trooper's commander will ensure an Emergency Suspension of Police Powers is imposed immediately.
10. In cases when the Board determines the trooper should participate in a performance improvement plan:
 - a. the Chair will ensure the employee's commander promptly completes and implements the expectations outlined on the Form 211 consistent with the Board's recommendations;
 - b. within 10 business days of the end date of the performance improvement plan, the trooper's commander will complete a new Form 160, submit it to the Chair and include any documentation related to the Form 211;
 - c. the Chair will notify the trooper's commander of the date, time and location for the new Board meeting which will be held no later than 30 days prior to the end of the trooper's probationary period; and
 - d. the Board will be comprised of the same three original members, when possible.

F. Final Review and Notification

1. When the Chief of Staff receives a recommendation that a trooper be terminated from probationary status, the Chief of Staff will convene a meeting to review the case and make a final recommendation to the Superintendent. This meeting will include the:
 - a. Chief of Staff;
 - b. Bureau Chiefs;
 - c. Office of Fair Practices Director; and,
 - d. Human Resources Division (HRD) Director.
2. After reviewing the recommendation prepared by the Chief of Staff, the Superintendent will make the final determination as to whether the trooper is:
 - a. "Retained in Permanent Status;"
 - b. "Terminated from Probationary Status;" or
 - c. "Placed on a Performance Improvement Plan."
3. Upon receiving the Superintendent's decision, the Chief of Staff will:
 - a. notify the HRD Director and the OPT Commander of the decision; and
 - b. forward the Form 160 and associated documentation to the HRD Director.
4. The HRD Director will notify the affected trooper and the trooper's commander of the Superintendent's decision.
5. The decision of the Superintendent may not be administratively appealed.

G. Additional Evaluations for Probationary Employees

1. Trooper candidates will be evaluated by ETD instructors through weekly advisory reports.
2. Following graduation from the academy, probationary troopers will be evaluated quarterly using the Form 161. These evaluations will supplement the mid-cycle and end-of-cycle appraisals required by [PER 07.01](#).

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H. Nothing in this directive will prevent the immediate termination or suspension (with or without pay) of a probationary trooper in cases of serious misconduct, as defined by MSP policy.

Approved:

Colonel Woodrow W. Jones III
Superintendent 01/11/2022